

ORIGINAL

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FILED  
Superior Court of California  
County of Los Angeles

NOV 30 2016

Sherri R. Carter, Executive Officer/Clerk  
By Shaunya Bolden Deputy

SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

JDR CRESCENT, LLC; a limited liability  
company; IGI CRESCENT, LLC, a limited  
liability company,

Petitioners,

vs.

CITY OF LOS ANGELES, a municipal  
corporation; CITY COUNCIL OF THE CITY  
OF LOS ANGELES, the governing body of  
the City of Los Angeles; and DOES 1 through  
25, inclusive,

Respondents,

AG-SCH 8150 SUNSET BOULEVARD  
OWNER, L.P., a limited partnership; and ROES  
1 through 25, inclusive,

Real Parties In Interest.

Case No.:

BS166525

[Environmental Leadership CEQA  
Challenge – California Rules of Court  
3.2220-3.2231]

PETITION FOR WRIT OF MANDATE

1. Violation of California  
Environmental Quality Act
2. Non-Compliance with City  
Municipal Code

RECEIPT # JCH465990062  
DATE PAID: 12/01/16 09:30 AM  
PAYMENT: \$435.00  
RECEIVED:  
CHECK: \$435.00  
CASH: \$0.00  
CHANGE: \$0.00  
CARD: \$0.00

CIT/CASE: BS166525  
LEA/DEF#:

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6. What's more, as set forth below, the EIR for the Project fails to provide adequate environmental review with full disclosure of the Project's extensive impacts, reviewable by the public and the decisionmakers, as required by the California Environmental Quality Act ("CEQA"), because the EIR lacks the necessary analysis regarding Land Use and Planning, Transportation and Circulation, Public Services (Fire Protection and Police Services), Geology and Soils, Noise, and the requirement of a street vacation for the Project, as proposed.

7. Accordingly, the City's approvals of the Project, including the EIR, must be set aside as an abuse of discretion.

8. The Project was certified by the Governor as a leadership project under Public Resources Code §§21182-21184 and is subject to *California Rules of Court*, Rules 3.2220-3.2231.

9. Real Party in Interest AG-SCH 8150 SUNSET BOULEVARD OWNER, L.P. (“Real Party”) is hereby put on notice that if this matter goes to the Court of Appeal, Real Party must make the payments required by *Public Resources Code* §21183(f).

10. This Court has jurisdiction over the instant action under §§1085 and 1094.5 of the *Code of Civil Procedure*, and §§21168 and 21168.5 of the *Public Resources Code*.

**PARTIES**

11. Petitioner JDR CRESCENT, LLC is a limited liability company, duly organized under the laws of the state of Delaware, and is an owner of real property located at 1425 N. Crescent Heights Blvd., in West Hollywood, California, improved with a multi-family residential building, which is immediately adjacent to and to the south of the Project.

12. Petitioner IGI CRESCENT, LLC is a limited liability company, duly organized under the laws of the state of Delaware, and is an owner of real property located at 1425 N. Crescent Heights Blvd., in West Hollywood, California, improved with a multi-family residential building, which is immediately adjacent to and to the south of the Project.

13. Respondent City (which along with the City Council of the City of Los Angeles hereinafter will be referred to herein either as “City” or “Respondent”) is a municipal corporation, organized and existing under the laws of the state of California, located within the County of Los Angeles. The City has the duty and responsibility to proceed in accordance with law, provide due process and ensure that all discretionary approvals comply with all applicable laws, including CEQA. *Public Resources Code* §21000 *et. seq.*; and 14 Cal. Code Regs. §15000 *et. seq.*

14. Respondent CITY COUNCIL OF THE CITY OF LOS ANGELES ("City Council") is made up of elected officials representing Respondent City and is charged with the ultimate authority to review discretionary decisions made by its subordinate committees.

1 departments, and agencies concerning land use applications; the implementation of the City's  
2 land use policies; and ensuring that discretionary decisions made by the City fully comply with  
3 all laws, including CEQA. The acts of Respondent City alleged herein were taken by or ratified  
4 by its City Council.

5 15. Petitioners are informed, believe and thereon allege that Real Party is a limited  
6 partnership, duly organized under the laws of the state of Delaware, and is the owner of the real  
7 property located at 8150 Sunset Boulevard, in the City of Los Angeles, comprised of Assessor's  
8 Parcel Numbers 5554-007-014 and 5554-007-015, where the Project is proposed. Real Party is  
9 also the Applicant to the Project.

10 16. Petitioners are ignorant of the true names and capacities of Respondents or other  
11 Real Parties in Interest sued herein as DOES 1-25, inclusive, and ROES 1-25, inclusive, and,  
12 therefore, sue these individuals and/or entities by such fictitious names. Petitioners will amend  
13 this Petition to allege the true names and capacities of fictitiously named parties when ascertained.  
14 Petitioners are informed, believe and thereon allege that each party designated herein as a DOE  
15 and/or a ROE is responsible for the events and happenings alleged in this Petition or has a  
16 beneficial interest in the discretionary actions challenged herein.

17 17. Petitioners are informed, believe and thereon allege that at all times herein  
18 mentioned, Respondents or other Real Parties in Interest, and each of them, were the agents,  
19 servants, employees, partners, and alter egos of the remaining Respondents or other Real Parties  
20 in Interest, that the acts complained of herein were done within the course and scope of said  
21 agency, service, employment, and partnership, and that the acts by each Respondent or other Real  
22 Party in Interest were ratified, approved and adopted by each of the remaining Respondents or  
23 Real Parties in Interest. Wherever the terms "Respondents," or "Real Parties in Interest" is used  
24 herein, it shall mean "Respondents and/or other Real Parties in Interest, and each of them."

#### 25 STATEMENT OF FACTS

26 18. The Project is located along Sunset Boulevard, on an approximately 2.56-acre  
27 property comprised of two lots (Assessor's Parcel Numbers 5554-007-014 and 5554-007-015) in  
28 the western portion of the Hollywood Community, at the foot of the Beverly Hills ("Subject

Property"). It is bounded by Sunset Boulevard on the north, Havenhurst Drive on the west, Crescent Heights Boulevard on the east, and multi-family residential uses within the City of West Hollywood to the south.

19. The Subject Property is zoned "C4-1D" (a commercial zone) with a corresponding general plan land use designation of Neighborhood Office Commercial. It is subject to the Hollywood Community Plan.

20. The "D" in the C4-1D zoning designation on the Subject Property stands for an FAR restriction, imposed on the Subject Property as part of the City's late 1980's/early 1990's General Plan Consistency Program by which the City sought to bring itself into compliance with State Law (*Government Code* §65680(d)) and a judgment against the City in *Federation of Hillside and Canyon Associations et al. v. City of Los Angeles* (Case No. 526616).

21. Ultimately codified by City Ordinance No. 164, 714, the "D" limitation was crafted as part of City Planning Commission actions taken in Case Nos. CPC-86-831/CPC-86-835, including the EIR for such actions, to update the Hollywood Community Plan, and provides that the total FAR contained in all buildings on each lot of the Subject Property shall not exceed one time the buildable area of the lot. In other words, development on the Subject Property is limited to a 1:1 FAR.

22. In the City of Los Angeles, the City's "General Plan" is made up of the General Plan Framework Element and the City's 35 Community Plans, including the Hollywood Community Plan, which provide the specific, neighborhood-level detail, relevant policies, and implementation strategies necessary to achieve the General Plan objectives.

23. Under the City's Charter, the General Plan is the City's comprehensive declaration of goals, objectives, policies and programs and is the supreme land use law which is to guide the physical development of the City. Thus, under the City's Charter, the Hollywood Community Plan must be the guiding criterion and supreme land use law regarding implementation of the Project.

24. The Subject Property is currently improved with two commercial structures and associated parking, including the Lytton Savings and Loan Association building, a building built

1 by famed architect Kurt Meyer in 1959-1960 and the remaining example of Mid-Century Modern  
2 architecture on Sunset Boulevard. The Lytton Savings and Loan Association building is currently  
3 being considered for historical designation by the City.

4 25. The Project proposes demolition/removal of all existing on-site structures,  
5 including Lytton Savings and Loan Association building parking, signage and landscaping.

6 26. The intersection of Sunset Boulevard and Crescent Heights Boulevard, on the east  
7 side of the Project, has been rated by the City, as stated in the EIR, at a Level of Service ("LOS")  
8 of "F." An LOS F designation means that the intersection is considered over capacity, including  
9 forced flow with long periods of congestion and which maintains formation of substantial queues.  
10 In other words, it is a dysfunctional, failed intersection. During both morning and evening rush  
11 hours, the Sunset Boulevard and Crescent Heights Boulevard intersection is practically unusable.  
12 LOS F is the lowest and worst possible designation for traffic functionality.

13 27. Notably, of the fifteen (15) study intersections included in the EIR for the Project,  
14 ten (10) were rated at an LOS of "E" or lower. An LOS of "E" means an intersection with  
15 increased congestion on critical approaches, and formation of long duration queues. LOS E is one  
16 step away from LOS F, which, again, is the lowest and worst possible designation for traffic  
17 functionality.

18 28. On or about August 19, 2013, Real Party filed Application Case No. CPC-2013-  
19 2551-CUB-ZV-DB-SPR with the City's Department of City Planning ("Planning Department")  
20 to demolish the existing commercial buildings on the Subject Property and construct a mixed-use  
21 commercial/residential development with approximately 111,000 square feet of commercial uses  
22 and 249 dwelling units. Real Party's request included entitlement requests for a Conditional Use  
23 Permit for the on-site sale of a full line of alcoholic beverages; Site Plan Review for a development  
24 project which creates 50 or more dwelling units; Density Bonus off-menu incentives to (i) permit  
25 a 3:1 FAR; (ii) allow an increase in the number of compact parking spaces and to allow parking  
26 for residential uses in excess of one standard parking stall to be provided as compact spaces  
27 increase of one standard parking space for each unit; and (iii) permit a 0 foot to 16 foot, 4 inch  
28

1 south side yard in lieu of the 16 foot required; Parking Option 1 under LAMC §12.22.A.25; and  
2 a Variance to allow a fitness studio and outdoor dining above the first floor in a C4 Zone.

3 29. On or about September 11, 2013, Respondents, through the Planning Department,  
4 prepared an Initial Study and Checklist for the Project, as required by CEQA. In the Initial Study,  
5 the Planning Department identified many substantive environmental issues in which the Project  
6 had the potential to negatively impact the environment, including with regard to aesthetics, air  
7 quality, cultural resources, geology/soils, greenhouse emissions, land use/planning, noise,  
8 population/housing, public services, recreation, transportation/traffic, and utilities/service  
9 systems.

10 30. Based on the Initial Study and in conjunction with the City of Los Angeles's  
11 Adopted Thresholds Guide and CEQA Guidelines, the Planning Department determined that the  
12 Project "may cause potentially significant impacts on the environment without mitigation," and  
13 therefore an EIR was required.

14 31. On or about September 13, 2013, Respondents circulated the Initial Study and  
15 Notice Preparation ("NOP"), to state, regional and laical agencies, as well as members of the  
16 public. The purpose of the NOP was to formally convey that the City was preparing a Draft EIR  
17 ("DEIR") for the Project, and to solicit input regarding the scope and content of the environmental  
18 information to be included in the DEIR.

19 32. Approximately 151 written comment letters were received responding to the NOP.

20 33. On or about October 2, 2013, the City held a public scoping meeting to inform  
21 public agencies and other interested parties of the proposed Project and to solicit input.

22 34. Approximately 70 individuals attended the public scoping meeting.

23 35. On or about August 21, 2014, Real Party filed Application Case No. VTT-72370-  
24 CN with the Planning Department for a Vesting Tentative Tract Map for the subdivision of the  
25 Subject Property to create ground and airspace lots for condominium purposes.

26 36. The requests made under Case Nos. VTT-72370-CN and CPC-2013-2551-CUB-  
27 ZV-DB-SPR (CPC Case number later changed, as set forth below) were intended to and did  
28 proceed as parts of one Project. The DEIR anticipated the filing of a tract map.

1           37.     In or about November, 2014, the City published a Notice of Completion and  
2     Availability of the DEIR, and distributed it. The public review period for the DEIR commenced  
3     on November 20, 2014 and ended on January 5, 2015.

4           38.     During the public review period, the Planning Department received 975 comment  
5     letters on the DEIR from agencies, organizations and individuals.

6           39.     In response to the large number of comment letters received, Real Party developed  
7     a new Project Alternative, Alternative 9, to be included in the DEIR, and the City determined that  
8     recirculating portions of the DEIR was desirable to foster public input and informed  
9     decisionmaking.

10          40.     The Recirculated DEIR was made available for public review between September  
11     10, 2015 and November 9, 2015.

12          41.     On or about April 26, 2016, Real Party revised its August 19, 2013 application,  
13     and filed it with the Planning Department. The Case number was revised to CPC-2013-2551-  
14     CUB-DB-SPR (case number later changed to CPC-2013-2551-MCUP-DB-SPR). As revised,  
15     Real Party requests to demolish the existing commercial buildings on the Subject Property and  
16     construct a mixed-use commercial/residential development. Real Party's revised request further  
17     includes entitlement requests for a Density Bonus to permit a 249-unit housing development  
18     project with 28 units restricted to very low income households; Parking Option 1 under LAMC  
19     §12.22.A.25 for the housing development project; Density Bonus off-menu incentives to (i)  
20     permit the lot area including any land to be set aside for street purposes to be included in  
21     calculating the maximum allowable FAR, and (ii) permit a 3:1 FAR; Site Plan Review for a  
22     development project which creates 50 or more dwelling units; and a Conditional Use Permit for  
23     the on-site sale of a full line of alcoholic beverages.

24          42.     On or about May 13, 2016, the City issued a Notice of Completion and Availability  
25     of Final Environmental Impact Report No. ENV-2013-2552-EIR ("the EIR").

26          43.     On or about May 24, 2016, the City, through its Deputy Advisory Agency and a  
27     Hearing Officer directed by the Director of Planning, held an initial public hearing to consider  
28     Vesting Tentative Tract Map VTT-72370-CN, the Project's sought entitlements in CPC-2013-



1 2551-CUB-DB-SPR, and the EIR. Many concerned members of the public, including the  
2 Petitioners, through counsel, appeared and testified against the Project, including on the  
3 inadequacy of the EIR.

4 44. On or about June 23, 2016, the Deputy Advisory Agency approved Vesting  
5 Tentative Tract Map VTT-72370-CN and certified the EIR.

6 45. On or about July 1, 2016, Petitioners, filed a timely appeal of the Deputy Advisory  
7 Agency's determination to the City Planning Commission. Notably, three other, separate appeals  
8 were filed of the Deputy Advisory Agency determination contending illegality and inadequacy of  
9 the City's action to approve Vesting Tentative Tract Map VTT-72370-CN and certify the EIR.

10 46. In their appeal, among other issues, Petitioners set forth contentions that the  
11 Project could not be approved without a Zone Change and General Plan Amendment and that the  
12 EIR failed to comply with CEQA.

13 47. In or about July, 2016, the Planning Department made a recommendation to the  
14 City Planning Commission regarding Case No. CPC-2013-2551-MCUP-DB-SPR. The Planning  
15 Department recommended that the City Planning Commission certify the EIR, including  
16 adoption of the Statement of Overriding Considerations, Mitigation Measures, Mitigation  
17 Monitoring Program and related Environmental Findings; approve the requested Master  
18 Conditional Use; approve the requested Density Bonus with Parking Option 1 under LAMC  
19 §12.22.A.25 and off-menu incentives to (i) permit the lot area including any land to be set aside  
20 for street purposes to be included in calculating the maximum allowable FAR, and (ii) permit a  
21 3:1 FAR; and approve the requested Site Plan Review.

22 48. In or about July, 2016, the Planning Department also made a recommendation to  
23 the City Planning Commission to deny the appeals filed of Vesting Tentative Tract Map VTT-  
24 72370-CN and to take the same actions to certify the EIR as for Case No. CPC-2013-2551- MCUP  
25 -DB-SPR.

26 49. On or about July 28, 2016, the City Planning Commission met at a regularly  
27 scheduled meeting to consider the VTT-72370-CN appeals, the Planning Department's  
28 recommendation in CPC-2013-2551- MCUP-DB-SPR, and the EIR. Again, many concerned

1 members of the public, including the Petitioners, through counsel, appeared and testified against  
2 the Project, its many adverse impacts and the inadequacy of the EIR.

3 50. After taking testimony and closing the public hearing, the City Planning  
4 Commission granted in part and denied in part the VTT-72370-CN appeals, approving the Project  
5 with modifications that 4% of the total units in the Project would be set aside for workforce  
6 housing; that parking be unbundled for market rate residential units and reduced to 10% above  
7 what is required under the LAMC; that electric vehicle chargers be provided for 20% of the total  
8 parking spaces; that on-site permeability be maximized to the extent feasible; and allowing  
9 technical corrections and modifications required by City staff and the City attorney.

10 51. The City Planning Commission further approved the requested Master Conditional  
11 Use; Density Bonus with Parking Option 1 under LAMC §12.22.A.25 and off-menu incentives  
12 to (i) permit the lot area including any land to be set aside for street purposes to be included in  
13 calculating the maximum allowable FAR, and (ii) permit a 3:1 FAR; and Site Plan Review, and  
14 certified the EIR, including adoption of the Statement of Overriding Considerations, Mitigation  
15 Measures, Mitigation Monitoring Program and related Environmental Findings.

16 52. On or about August 17, 2016, the City Planning Commission issued Letters of  
17 Determination regarding its July 28, 2016 actions.

18 53. On or about August 29, 2016, Petitioners filed appeals of the City Planning  
19 Commission's actions to the City Council. In their appeals, among other issues, Petitioners again  
20 set forth contentions that the Project could not be approved without a Zone Change and General  
21 Plan Amendment and that the EIR failed to comply with CEQA.

22 54. Besides Petitioners' appeal, four other, separate appeals were filed contending that  
23 the City Planning Commission's actions were inadequate/illegal, and that the EIR for the Project  
24 failed to comply with CEQA.

25 55. On or about October 25, 2016, the Planning and Land Use Management  
26 Committee (hereinafter referred to as the "PLUM Committee"), a standing committee of the  
27 Respondents' Los Angeles City Council, met at a regularly scheduled hearing and considered the  
28 appeals. Again, many concerned members of the public, including the Petitioners, through

counsel, appeared and testified against the Project, its many adverse impacts and the inadequacy of the EIR.

56. After taking testimony and closing the public hearing, the PLUM Committee made recommendations that the full City Council to adopt the EIR, including adoption of the Statement of Overriding Considerations, Mitigation Monitoring Program and related Environmental Findings; adopt the findings of the City Planning Commission; grant in part and deny in part the VTT-72370-CN appeals to condition the Project to a reduced 229 residential units, and changes to the number of affordable units and number of parking spaces; grant in part and deny in part the CPC-2013-2551-MCUP-DB-SPR appeals to condition the Project to a reduced 229 residential units, a reduced height of 178 feet, changes to the number of affordable units and number of parking spaces, front sidewalk setback, bus stop location, neighborhood traffic improvement plan, trop floor setback and mechanical equipment setback.

57. The PLUM Committee issued a report to the full City Council on its recommendations.

58. On or about November 1, 2016, the matter came to the City Council as a whole. The City Council adopted the PLUM Committee's report and recommendations on both the VTT-72370-CN appeals, the CPC-2013-2551-MCUP-DB-SPR appeals and the EIR.

59. As set forth above, Petitioners objected to the Project during the administrative process, including submitting letters, filing appeals and testifying during public hearings for the Project, thereby exhausting their administrative remedies.

60. Petitioners have no plain, speedy or adequate remedy in the course of ordinary law unless this Court grants the requested writ of mandate and injunctive relief.

61. Petitioners have complied with *Public Resources Code* §21167.5 by providing the City with notice of intention to commence the within action. [Exhibit A].

62. Petitioners request that Respondents prepare the administrative record [Exhibit B]. This request is being made under *Los Angeles Superior Court Local Rules*, Rule 3.232, and is made in conjunction with the requirements set forth in *California Rules of Court*, Rule 3.2225.

1 **FIRST CAUSE OF ACTION**

2 **VIOLATIONS OF CEQA**

3 63. Petitioners repeat, reallege and incorporate by reference each and every allegation  
4 contained in Paragraphs 1-62, inclusive, as though fully set forth herein.

5 64. CEQA, enacted in California *Public Resources Code* §§21000-21177, was enacted  
6 to ensure that the long-term protection of the environment, consistent with the provision of a  
7 decent home and suitable living environment for every Californian, shall be the guiding criterion  
8 in public decisions.

9 65. CEQ requires that prior to approval of any discretionary project, the environmental  
10 effects of that project be evaluated on the existing environment. CEQA requires strict compliance  
11 with the procedures and mandates of the statute.

12 66. CEQA is not merely a procedural statute. It imposes clear and substantive  
13 responsibilities on agencies that propose to approve projects, requiring such agencies to not  
14 approve projects that harm the environment unless and until all feasible mitigation measures are  
15 employed to minimize that harm.

16 67. Under CEQA, the City has a clear, present and mandatory duty to certify an EIR  
17 only if the EIR fully discloses to the public the significant environmental effects that may occur.

18 68. The EIR for the within Project lacks the necessary analysis and disclosure  
19 requirements regarding Land Use and Planning Impacts because it:

20 a. Assumes land use consistency based upon the future, projected approval  
21 of the Project instead of analyzing impacts on the existing environment;

22 b. Ignores the history of "D" limitation for the C4-1D zoning designation on  
23 the Subject Property, which reveals that the requested FAR request must be accompanied by a  
24 Zone Change and General Plan Amendment as it is inherently inconsistent with the Hollywood  
25 Community Plan, including the adopted EIR for the Community Plan, which specifically requires  
26 the "D" limitation as a mitigation measure. Notably, the City's own CEQA Thresholds require  
27 that a proposed project must be evaluated for consistency by comparison to the relevant  
28 Community Plan, which, in this case, includes the D limitation;

1 c. Takes a selective approach to the policies it identifies for consistency, fails  
2 to analyze inconsistencies with applicable land use and environmental plans/policies, and  
3 erroneously provides, ignoring the large amount of evidence submitted by the public, that it could  
4 not "identify any plan elements or policies with which the Project is inconsistent;"

5 d. Skews and ignores the plain words of land use plans' objectives and goals  
6 for the purpose of finding "consistency" therewith; and

7 e. Fails to adequately analyze compatibility with respect to the entire multi-  
8 residential community immediately to the south of the Subject Property.

9 69. The EIR for the Project further lacks the necessary analysis and disclosure  
10 requirements regarding Transportation and Circulation because it:

11 a. Relies on general CEQA thresholds of significance in an area where 10 out  
12 of 15 studied intersections are already an LOS of E or F, including the intersection of Sunset  
13 Boulevard and Crescent Heights Boulevard, on the east side of the Project, which is rated at an  
14 LOS of F. Under such environmental circumstances, discussion of general thresholds does not  
15 adequately provide the requisite detail/information necessary for informed decisionmaking in  
16 connection with this particular Project. Further analysis, including potential queuing impacts,  
17 must be completed and mitigation measures must be imposed, as necessary;

18 b. Skews the plain words of the thresholds in order to find "less than  
19 significant" impacts; and

20 c. Proposes illusory and unenforceable Mitigation Measures which do not  
21 actually mitigate the impacts they are intended to mitigate.

22 70. The EIR for the Project further lacks the necessary analysis and disclosure  
23 requirements regarding Public Services (Fire Protection and Police Services) because mitigation  
24 measures to alleviate such impacts to a less than significant level are lacking, and mitigation  
25 measures which were imposed are not shown to be effective or enforceable.

26 71. The EIR for the Project further lacks the necessary analysis and disclosure  
27 requirements regarding Geology and Soils because it:  
28

1 a. Fails to take into consideration the most up to date Official Maps of  
2 Alquist-Priolo Earthquake Fault Zones and the true location of the Hollywood Fault; and

3 b. Improperly defers environmental review and formulation of mitigation  
4 measures to a future date.

5 72. The EIR for the Project further lacks the necessary analysis and disclosure  
6 requirements regarding Noise because it relies on general thresholds of significance which  
7 identify an impact only after a certain decibel level is generated, regardless of the fact that noise  
8 levels could and would increase continually without ever exceeding the threshold amounts.  
9 Because "noise" is defined as any sound which is unpleasant or that causes disturbance, the EIR  
10 must analyze all "noise," not just that which is above a certain decibel level.

11 73. The EIR must also address why and how the Noise thresholds being used for this  
12 particular Project, where the Project seeks to introduce an FAR that is triple what is otherwise  
13 allowed by the zoning limitations on the site and which will establish over 200 residential units  
14 where no residential units currently exist, thereby creating unpleasant sounds and/or sounds that  
15 causes disturbance, is an appropriate measure of its operational noise impacts.

16 74. The EIR for the Project further fails to consider, analyze or discuss the fact that  
17 the Project will require a street vacation, another discretionary action. CEQA requires that the  
18 lead agency fully analyze all discretionary approvals in a single environmental document to  
19 ensure that environmental considerations do not become submerged by chopping up a large  
20 project into little parts which may cumulatively have disastrous environmental consequences.

21 75. In fact, the administrative record is clear that the Project documents here, including  
22 the EIR, misrepresent that a street vacation will not be required for the construction of the Project,  
23 as proposed and approved. The need for a street vacation must be analyzed in the EIR to comply  
24 with CEQA.

25 76. As a result of the City's CEQA violations, Petitioners, other members of the  
26 public, and City decisionmakers have been harmed, and will continue to be harmed unless this  
27 Court grants the requested relief, as they were not fully informed about the significant  
28

1 environmental impacts of the Projects prior to the City's approval of the Project and certification  
2 of the EIR.

3 **SECOND CAUSE OF ACTION**

4 **VIOLATIONS OF LAMC**

5 77. Petitioners repeat, reallege and incorporate by reference each and every allegation  
6 contained in Paragraphs 1-76, inclusive, as though fully set forth herein.

7 78. The City violated its own LAMC by approving a Project with an FAR of 1:1, in  
8 direct violation of the "D" limitation on the subject site which restricts development on the  
9 Subject Property to an FAR of 1:1.

10 79. The "D" limitation, imposed as a zoning restriction by City Ordinance No. 164,  
11 714 and the City Planning Commission actions in Case Nos. CPC-86-831/CPC-86-835 taken as  
12 part of the City's program to bring itself into compliance with State Law (Government Code  
13 Section 65680(d)) and a judgment against the City in *Federation of Hillside and Canyon*  
14 *Associations et al. v. City of Los Angeles* (Case No. 526616) including the EIR's for those actions,  
15 cannot simply be "waived" as an "off-menu" Density Bonus Incentive under the LAMC. Under  
16 the law, in order to approve the Project with an FAR of 3:1, the City must require a Zone Change  
17 and General Plan Amendment.

18 80. The City further violated its own LAMC by not requiring a street vacation at all  
19 and deferring such application to a later date application despite the LAMC requirement that  
20 applicants file all applications at the same time for all approvals reasonably related to complete  
21 the Project. Notably, as set forth above, CEQA likewise requires coordination of environmental  
22 review to be completed of all necessary approvals for the Project.

23 81. Finally, the City violated the LAMC by approving Site Plan Review, which  
24 requires a finding that the Project substantially conform to the Hollywood Community Plan.  
25 However, due to the "D" limitation on the Subject Property, and the history behind the "D"  
26 limitation, the proposed FAR for the Project is inherently inconsistent with the Hollywood  
27 Community Plan, and such finding cannot be made.

1 WHEREFORE, Petitioners pray for judgment against Respondents and Real Parties, and  
2 each of them, as follows:

3 1. That this Court issue an alternative and peremptory writ of mandate directing the  
4 City and its departments, to set aside and vacate its certification of the EIR, including adoption of  
5 the Statement of Overriding Considerations, Mitigation Monitoring Program and related  
6 Environmental Findings;

7 2. That this Court issue an alternative and peremptory writ of mandate directing the  
8 City and its departments, to set aside and vacate all approvals for the Project based upon the  
9 deficient EIR, Statement of Overriding Considerations, Mitigation Monitoring Program and  
10 related Environmental Findings, and based upon non-compliance with the LAMC in approving  
11 the Project;

12 3. For an a temporary restraining order, and preliminary and permanent injunction  
13 enjoining Respondents and Real Parties from taking any action to construct any portion of the  
14 Project or to develop the Subject Site in any way that could result in a significant adverse impact  
15 on the environment until a lawful approval is obtained and preparation of an adequate is EIR  
16 completed;

17 4. For costs of suit and attorneys' fees according to law, including *Code of Civil*  
18 *Procedure* § 1021.5; and

19 5. For such other and further relief as the Court may deem just and appropriate.  
20

21 Dated: November 30, 2016

LUNA & GLUSHON

22 

23 ROBERT L. GLUSHON

24 KRISTINA KROPP

25 Attorneys for Petitioners  
26  
27  
28



ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

12/01/2016

# LUNA & GLUSHON

ATTORNEYS

16255 VENTURA BOULEVARD, SUITE 950  
ENCINO, CALIFORNIA 91436  
TEL: 818-907-8755  
FAX: 818-907-8760

Century City Office  
1801 Century Park East, Suite 2400  
Los Angeles, CA 90067

November 28, 2016

VIA U.S. MAIL

Holly L. Wolcott, City Clerk  
City of Los Angeles  
200 N. Spring Street, Room 360  
Los Angeles, CA 90012

Re: Notice of Intent to Challenge Environmental Impact Report ENV-2013-2552-EIR

Dear Ms. Wolcott:

Please take notice that on behalf of JDR Crescent, LLC and IGI Crescent, LLC we intend to commence an action to challenge the approval of a mixed-use commercial/residential development at 8150 Sunset Boulevard, in the western portion of the Hollywood Community (Case Nos. VTT-72370-CN and CPC-2013-2551-MCUP-DB-SPR).

Specifically, we contend that the Environmental Impact Report (ENV-2013-2552-EIR) adopted is insufficient under the California Environmental Quality Act ("CEQA"), and that in approving the Project, the City violated its own Municipal Code.

Very truly yours,

LUNA & GLUSHON

  
KRISTINA KROPP

12/01/2016

EXA

12/01/2016

1 ROBERT L. GLUSHON, S.B.#93840  
KRISTINA KROPP S.B.#279316  
2 LUNA & GLUSHON  
16255 Ventura Boulevard, Suite 1016  
3 Encino, California 91436  
Telephone: (818) 907-8755  
4 Facsimile: (818) 907-8760

5 Attorneys for Petitioners

6  
7 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
8 COUNTY OF LOS ANGELES  
9 UNLIMITED JURISDICTION  
10

11 JDR CRESCENT, LLC; a limited liability  
12 company; IGI CRESCENT, LLC, a limited  
13 liability company,

14 Petitioners,

15 vs.

16 CITY OF LOS ANGELES, a municipal  
17 corporation; CITY COUNCIL OF THE CITY  
18 OF LOS ANGELES, the governing body of  
19 the City of Los Angeles; and DOES 1 through  
20 25, inclusive,

21 Respondents,

22 AG-SCH 8150 SUNSET BOULEVARD  
23 OWNER, L.P., a limited partnership; and  
24 ROES 1 through 25, inclusive,

25 Real Parties In Interest.  
26  
27  
28

Case No.:

REQUEST FOR PREPARATION OF  
ADMINISTRATIVE RECORD

1       Petitioners JDR CRESCENT, LLC and IGI CRESCENT, LLC ("Petitioners") hereby  
2 request that the Respondent CITY OF LOS ANGELES, and its various departments prepare the  
3 administrative record in this action which shall include the following:

4       1.     All documents in any and all City files related to Case No. VTT-72370-CN,  
5 including any and all appeals thereof;

6       2.     All documents in any and all City files related to Case No. CPC-2013-2551-  
7 MCUP-DB-SPR, including any and all appeals thereof;

8       3.     All documents in any and all City files related to Case No. CPC-2013-2551-  
9 CUB-DB-SPR, including any and all appeals thereof;

10      4.     All documents in any and all City files related to Case No. CPC-2013-2551-  
11 CUB-ZV-DB-SPR, including any and all appeals thereof;

12      5.     All documents in any and all City files related to Case No. ENV-2013-2552-EIR,  
13 including any and all appeals thereof;

14      6.     Any and all transcripts of any public hearings related to VTT-72370-CN, CPC-  
15 2013-2551-MCUP-DB-SPR, CPC-2013-2551-CUB-DB-SPR, CPC-2013-2551-CUB-ZV-DB-  
16 SPR and/or ENV-2013-2552-EIR.

17      7.     Any and all minutes of any public hearings related to VTT-72370-CN, CPC-  
18 2013-2551-MCUP-DB-SPR, CPC-2013-2551-CUB-DB-SPR, CPC-2013-2551-CUB-ZV-DB-  
19 SPR and/or ENV-2013-2552-EIR.

20      8.     All written communications emails between City staff related to VTT-72370-  
21 CN, CPC-2013-2551-MCUP-DB-SPR, CPC-2013-2551-CUB-DB-SPR, CPC-2013-2551-CUB-  
22 ZV-DB-SPR and/or ENV-2013-2552-EIR.

23      9.     All written communications including but not limited to emails between City  
24 staff and Real Party in Interest AG-SCH 8150 SUNSET BOULEVARD OWNER, L.P. related  
25 to VTT-72370-CN, CPC-2013-2551-MCUP-DB-SPR, CPC-2013-2551-CUB-DB-SPR, CPC-  
26 2013-2551-CUB-ZV-DB-SPR and/or ENV-2013-2552-EIR.  
27  
28

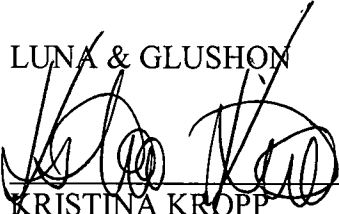
1        10. All written communications including but not limited to emails between City  
2 staff and Paul Hastings, LLP related to VTT-72370-CN, CPC-2013-2551-MCUP-DB-SPR,  
3 CPC-2013-2551-CUB-DB-SPR, CPC-2013-2551-CUB-ZV-DB-SPR and/or ENV-2013-2552-  
4 EIR.

5        11. All written communications including but not limited to emails between City  
6 staff and members of the public related to VTT-72370-CN, CPC-2013-2551-MCUP-DB-SPR,  
7 CPC-2013-2551-CUB-ZV-DB-SPR, CPC-2013-2551-CUB-DB-SPR, and/or ENV-2013-2552-  
8 EIR.

9  
10        This request is being made to comply with *Los Angeles Superior Court Local Rules*,  
11 Rule 3.232, and is made in conjunction with the requirements set forth in *California Rules of*  
12 *Court*, Rule 3.2225.

13  
14 Dated: November 30, 2016

LUNA & GLUSHON

  
KRISTINA KROPP  
Attorney for Petitioners

VERIFICATION

STATE OF CALIFORNIA )  
 )  
COUNTY OF LOS ANGELES )

I, OFER RESLES, have read the foregoing PETITION FOR WRIT OF MANDATE and know its contents.

CHECK APPLICABLE PARAGRAPH

☐ I am a party to this action. The matters stated in the foregoing document are true to my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☒ I am ☒ an Officer ☐ a partner \_\_\_\_\_ ☐ a managing member of a JDR CRESCENT, LLC, a limited liability company, a party to this action and am authorized to make this verification for and on its behalf, and I make this verification for that reason.

☐ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

☒ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed this \_\_\_\_ day of November, 2016, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

JDR CRESCENT, LLC

By:

  
OFER RESLES

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)  
**ROBERT L. GLUSHON (S.B.# 93840), KRISTINA KROPP (S.B.# 279316)**  
**LUNA & GLUSHON**  
 16255 Ventura Boulevard, Suite 950  
 Encino, California 91436  
 TELEPHONE NO.: (818) 907-8755 FAX NO.: (818) 907-8760  
 ATTORNEY FOR (Name): **Petitioners**

FOR COURT USE ONLY

**FILED**  
 Superior Court of California  
 County of Los Angeles

NOV 30 2016

Sherri R. Carter, Executive Officer/Clerk  
 By Sherri R. Carter Deputy  
Sherri R. Carter Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles

STREET ADDRESS: 111 N. Hill Street

MAILING ADDRESS: The same

CITY AND ZIP CODE: Los Angeles, CA 90012

BRANCH NAME: Stanley Mosk Courthouse

CASE NAME:

JDR Crescent, LLC, et. al. v. City of Los Angeles, et. al.

**CIVIL CASE COVER SHEET**

☒ **Unlimited** ☐ **Limited**  
 (Amount demanded exceeds \$25,000) (Amount demanded is \$25,000 or less)

**Complex Case Designation**

☐ **Counter** ☐ **Joinder**  
 Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:

**BS166525**

JUDGE:

DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

**Auto Tort**

☐ Auto (22)  
☐ Uninsured motorist (46)

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**

☐ Asbestos (04)  
☐ Product liability (24)  
☐ Medical malpractice (45)  
☐ Other PI/PD/WD (23)

**Non-PI/PD/WD (Other) Tort**

☐ Business tort/unfair business practice (07)  
☐ Civil rights (08)  
☐ Defamation (13)  
☐ Fraud (16)  
☐ Intellectual property (19)  
☐ Professional negligence (25)  
☐ Other non-PI/PD/WD tort (35)

**Employment**

☐ Wrongful termination (36)  
☐ Other employment (15)

**Contract**

☐ Breach of contract/warranty (06)  
☐ Rule 3.740 collections (09)  
☐ Other collections (09)  
☐ Insurance coverage (18)  
☐ Other contract (37)

**Real Property**

☐ Eminent domain/Inverse condemnation (14)  
☐ Wrongful eviction (33)  
☐ Other real property (26)

**Unlawful Detainer**

☐ Commercial (31)  
☐ Residential (32)  
☐ Drugs (38)

**Judicial Review**

☐ Asset forfeiture (05)  
☐ Petition re: arbitration award (11)  
☒ Writ of mandate (02)  
☐ Other judicial review (39)

**Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)**

☐ Antitrust/Trade regulation (03)  
☐ Construction defect (10)  
☐ Mass tort (40)  
☐ Securities litigation (28)  
☐ Environmental/Toxic tort (30)  
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

**Enforcement of Judgment**

☐ Enforcement of judgment (20)

**Miscellaneous Civil Complaint**

☐ RICO (27)  
☐ Other complaint (not specified above) (42)

**Miscellaneous Civil Petition**

☐ Partnership and corporate governance (21)  
☐ Other petition (not specified above) (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a. ☐ Large number of separately represented parties d. ☐ Large number of witnesses  
 b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court  
 c. ☐ Substantial amount of documentary evidence f. ☐ Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. ☐ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): **PETITION FOR WRIT OF MANDATE**

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case (You may use form CM-015.)

Date: November 30, 2016

KRISTINA KROPP

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2



## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

## CASE TYPES AND EXAMPLES

## Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death  
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

## Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)  
Asbestos Property Damage  
Asbestos Personal Injury/Wrongful Death  
Product Liability (*not asbestos or toxic/environmental*) (24)  
Medical Malpractice (45)  
Medical Malpractice—Physicians & Surgeons  
Other Professional Health Care Malpractice  
Other PI/PD/WD (23)  
Premises Liability (e.g., slip and fall)  
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)  
Intentional Infliction of Emotional Distress  
Negligent Infliction of Emotional Distress  
Other PI/PD/WD

## Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)  
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)  
Defamation (e.g., slander, libel) (13)  
Fraud (16)  
Intellectual Property (19)  
Professional Negligence (25)  
Legal Malpractice  
Other Professional Malpractice (*not medical or legal*)  
Other Non-PI/PD/WD Tort (35)

## Employment

Wrongful Termination (36)  
Other Employment (15)

## Contract

Breach of Contract/Warranty (06)  
Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)  
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)  
Negligent Breach of Contract/Warranty  
Other Breach of Contract/Warranty  
Collections (e.g., money owed, open book accounts) (09)  
Collection Case—Seller Plaintiff  
Other Promissory Note/Collections Case  
Insurance Coverage (*not provisionally complex*) (18)  
Auto Subrogation  
Other Coverage  
Other Contract (37)  
Contractual Fraud  
Other Contract Dispute

## Real Property

Eminent Domain/Inverse Condemnation (14)  
Wrongful Eviction (33)  
Other Real Property (e.g., quiet title) (26)  
Writ of Possession of Real Property  
Mortgage Foreclosure  
Quiet Title  
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

## Unlawful Detainer

Commercial (31)  
Residential (32)  
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

## Judicial Review

Asset Forfeiture (05)  
Petition Re: Arbitration Award (11)  
Writ of Mandate (02)  
Writ—Administrative Mandamus  
Writ—Mandamus on Limited Court Case Matter  
Writ—Other Limited Court Case Review  
Other Judicial Review (39)  
Review of Health Officer Order  
Notice of Appeal—Labor  
Commissioner Appeals

## Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)  
Construction Defect (10)  
Claims Involving Mass Tort (40)  
Securities Litigation (28)  
Environmental/Toxic Tort (30)  
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

## Enforcement of Judgment

Enforcement of Judgment (20)  
Abstract of Judgment (Out of County)  
Confession of Judgment (*non-domestic relations*)  
Sister State Judgment  
Administrative Agency Award (*not unpaid taxes*)  
Petition/Certification of Entry of Judgment on Unpaid Taxes  
Other Enforcement of Judgment Case

## Miscellaneous Civil Complaint

RICO (27)  
Other Complaint (*not specified above*) (42)  
Declaratory Relief Only  
Injunctive Relief Only (*non-harassment*)  
Mechanics Lien  
Other Commercial Complaint Case (*non-tort/non-complex*)  
Other Civil Complaint (*non-tort/non-complex*)

## Miscellaneous Civil Petition

Partnership and Corporate Governance (21)  
Other Petition (*not specified above*) (43)  
Civil Harassment  
Workplace Violence  
Elder/Dependent Adult Abuse  
Election Contest  
Petition for Name Change  
Petition for Relief From Late Claim  
Other Civil Petition

SHORT TITLE: JDR Crescent, LLC, et. al. v. City of Los Angeles, et. al.

CASE NUMBER BS166525

## CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION (CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

**Step 1:** After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

**Step 2:** In Column B, check the box for the type of action that best describes the nature of the case.

**Step 3:** In Column C, circle the number which explains the reason for the court filing location you have chosen.

### Applicable Reasons for Choosing Court Filing Location (Column C)

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.</li> <li>2. Permissive filing in central district.</li> <li>3. Location where cause of action arose.</li> <li>4. Mandatory personal injury filing in North District.</li> <li>5. Location where performance required or defendant resides.</li> <li>6. Location of property or permanently garaged vehicle.</li> </ul> | <ul style="list-style-type: none"> <li>7. Location where petitioner resides.</li> <li>8. Location wherein defendant/respondent functions wholly.</li> <li>9. Location where one or more of the parties reside.</li> <li>10. Location of Labor Commissioner Office.</li> <li>11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury).</li> </ul> |
|--|---|

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1, 4, 11
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11

SHORT TITLE: JDR Crescent, LLC, et. al. v. City of Los Angeles, et. al.

CASE NUMBER

Non-Personal Injury/ Property  
Damage/ Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation      Number of parcels _____	2, 6
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

SHORT TITLE: JDR Crescent, LLC, et. al. v. City of Los Angeles, et. al.	CASE NUMBER
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	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input checked="" type="checkbox"/> A6151 Writ - Administrative Mandamus	2, 8
		<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2
		<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2
	Other Judicial Review (39)	<input checked="" type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> A6160 Abstract of Judgment	2, 6
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2, 9
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2, 8
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 8, 9
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1, 2, 8
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
	<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8	
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2, 3, 9
		<input type="checkbox"/> A6123 Workplace Harassment	2, 3, 9
		<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2, 3, 9
		<input type="checkbox"/> A6190 Election Contest	2
		<input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender	2, 7
		<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2, 3, 8
<input type="checkbox"/> A6100 Other Civil Petition	2, 9		

SHORT TITLE:

JDR Crescent, LLC, et. al. v. City of Los Angeles, et. al.

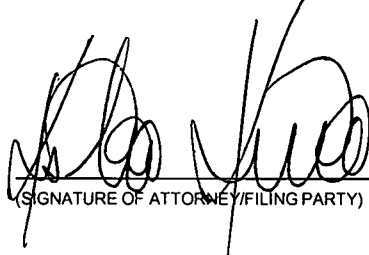
CASE NUMBER

**Step 4: Statement of Reason and Address:** Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

<b>REASON:</b> <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			<b>ADDRESS:</b> 8150 Sunset Boulevard
<b>CITY:</b> Los Angeles	<b>STATE:</b> CA	<b>ZIP CODE:</b> 90046	

**Step 5: Certification of Assignment:** I certify that this case is properly filed in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: November 30, 2016



(SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

12/01/2016