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NO FEE – GOV'T CODE § 6103

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Superior Court of California
County of Los Angeles

DEC 13 2016

Sherril R. Carter, Executive Officer/Clerk
By E. Garcia Deputy

Attorneys for Respondent CITY OF LOS ANGELES

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

SAVEVALLEY VILLAGE, an
unincorporated association,

Petitioner-Plaintiff,

v.

CITY OF LOS ANGELES, et al.,

Respondents-Defendants.

CASE NO. BS 160608

[Assigned to Hon. Richard Fruin, Dept. 15]

~~[PROPOSED]~~ ORDER SUSTAINING
DEMURRER

Date: December 13, 2016

Time: 8:30 a.m.

Dept.: 15

RES ID: 161021168207

1 The Demurrer filed by Respondents City of Los Angeles and its Councilmembers to the
2 First Amended Verified Petition filed by Petitioner SaveValleyVillage came on for hearing on
3 December 13, 2016 before the Honorable Richard Fruin.

4 After having read and considered the moving and opposition papers, and following oral
5 argument by all parties, the Court finds GOOD CAUSE and SUSTAINS the Demurrer without
6 leave to amend.

7 Pursuant to Code of Civil Procedure section 472d, the Court's order sustaining the
8 demurrer as set forth above is based on the grounds that the Petition fails to state facts sufficient
9 to constitute a cause of action.

10
11 Accordingly, **IT IS HEREBY ORDERED** that the demurrer to the First Amended
12 Verified Petition is sustained, without leave to amend, and that the First Amended Verified
13 Petition is dismissed, with prejudice.

14
15 **IT IS SO ORDERED.**

16
17 DATED: Dec. 13, 2016

Richard Fruin
Judge of the Superior Court

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 200 N. Main Street, Room 675, Los Angeles, CA 90012.

On October 21, 2016, I served the foregoing document described as **[PROPOSED] ORDER SUSTAINING DEMURRER** on the interested parties in this action by placing true copies thereof enclosed in sealed envelope(s) addressed as follows:

Richard S. MacNaughton, Esq.
Attorney at Law – Hollywood Office
1916 North Saint Andrews Place
Hollywood. California 90068-3602

Edward W. Pilot, Esq.
A Professional Corporation
9107 Wilshire Boulevard, Suite 700
Beverly Hills, California 90210-5525

[X] BY MAIL – I am readily familiar with the practice of the Los Angeles City Attorney's Office for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence is deposited with the United States Postal Service the same day it is placed for collection and mailing. On the date referenced above, I placed a true copy of the above documents(s) in a sealed envelope and placed it for collection in the proper place in our office 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.

Executed on October 21, 2016, at Los Angeles, California.


Ava Smith