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16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

17 **COUNTY OF LOS ANGELES**

18 PICO NEIGHBORHOOD ASSOCIATION and  
19 MARIA LOYA,

20 Plaintiffs,

21 v.

22 CITY OF SANTA MONICA, and DOES 1  
through 100, inclusive,

23 Defendants.  
24

CASE NO. BC616804

**PLAINTIFFS' RESPONSE TO  
DEFENDANT'S OBJECTIONS TO  
PROPOSED STATEMENT OF DECISION**

25 Dept.: 28

[Assigned to the Honorable Yvette Palazuelos]

1 Defendant's lengthy Objections to the Proposed Statement of Decision mischaracterize the  
2 evidence presented at trial and the applicable law, just as did Defendant's closing brief and brief  
3 regarding remedies, where those same arguments were presented before. Defendant's Objections also  
4 mischaracterize the Proposed Statement of Decision.

5 Each of the arguments that Defendant raises in its Objections has already been addressed in  
6 Plaintiffs' closing briefs. For the sake of brevity, Plaintiffs do not repeat their arguments here. If the  
7 Court desires additional briefing or oral argument regarding any of the Objections, Plaintiffs welcome  
8 the opportunity to further address those Objections, though Plaintiffs believe no such additional  
9 briefing or argument is necessary.

10 Contrary to Defendant's insistence, the Proposed Statement of Decision is sufficiently detailed,  
11 and supports the Court's ultimate decision in favor of Plaintiffs on both causes of action. That is all  
12 that is required or appropriate; the Court need not, as Defendant demands, respond point-by-point to  
13 the scores of questions posed in Defendant's request for statement of decision. (*Muzquiz v. City of*  
14 *Emeryville* (2000) 79 Cal.App.4th 1106, 1126; *People v. Casa Blanca Convalescent Homes, Inc.*  
15 (1984) 159 Cal.App.3d 509, 525; see also *Golden Eagle Ins. Co. v. Foremost Ins. Co.* (1993) 20  
16 Cal.App.4th 1372, 1380; *Marriage of Balcof* (2006) 141 Cal.App.4th 1509, 1530).

17 Therefore, the Court should adopt the Proposed Statement of Decision.  
18  
19  
20

21 Respectfully submitted:

22 DATED: January 22, 2019

**SHENKMAN & HUGHES PC**  
**R. REX PARRIS LAW FIRM, and**  
**LAW OFFICES OF MILTON C. GRIMES**  
**LAW OFFICE OF ROBERT RUBIN**

23  
24  
25 By: 

26 Kevin Shenkman  
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28

**PROOF OF SERVICE**  
1013A(3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

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: 43364 10<sup>th</sup> Street West, Lancaster, California 93534.

On January 25, 2019 I served the foregoing document described as  
**PLAINTIFF'S RESPONSE TO DEFENDANT'S OBJECTIONS TO PROPOSED STATEMENT OF DECISION** as follows:

**\*\*\* See Attached Service List \*\*\***

**BY MAIL as follows:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U. S. postal service on that same day with postage thereon fully prepaid at Lancaster, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

**BY PERSONAL SERVICE as follows:**

I delivered such envelope by hand to the addressees at 111 North Hill Street, Los Angeles, CA 90012. \_\_\_\_\_

I caused the foregoing document described hereinabove to be personally delivered by hand by placing it in a sealed envelope or package addressed to the persons at the addresses listed on the attached service list and provided it to a professional messenger service whose name and business address is Team Legal, Inc., 40015 Sierra Highway, Suite B220, Palmdale, CA 93550.

I caused the foregoing document described hereinabove to be personally delivered by hand by placing it in a sealed envelope or package addressed to the persons at the addresses listed on the attached service list and provided it to a professional messenger service whose name and business address is First Legal Support Services, 1511 West Beverly Blvd., Los Angeles, CA 90026.

**BY FACSIMILE as follows:** I served such document(s) by fax at See Service List to the fax number provided by each of the parties in this litigation at Lancaster, California. I received a confirmation sheet indicating said fax was transmitted completely.

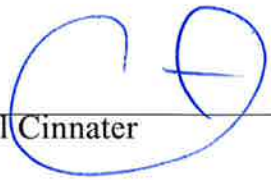
**BY GOLDEN STATE OVERNIGHT DELIVERY/OVERNIGHT MAIL as follows:** I placed such envelope in a Golden State Overnight Delivery Mailer addressed to the above party or parties at the above address(es), with delivery fees fully pre-paid for next-business-day delivery, and delivered it to a Federal Express pick-up driver before 4:00 p.m. on the stated date.

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**BY ELECTRONIC SERVICE as follows:** Based on a court order, or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addressed listed on the attached Service List.

Executed on January 25, 2019, at Lancaster, California.

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

  
Cheryl Cinnater

1 **SERVICE LIST**

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