



JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue
San Francisco, CA 94102-3688
Tel 415-865-4200
TDD 415-865-4272
Fax 415-865-4205
www.courts.ca.gov

HON. TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

HON. DOUGLAS P. MILLER
Chair, Executive and Planning Committee

HON. DAVID M. RUBIN
Chair, Litigation Management Committee

HON. KENNETH K. SO
*Chair, Policy Coordination and
Liaison Committee*

HON. HARRY E. HULL, JR.
Chair, Rules and Projects Committee

HON. MARSHA G. SLOUGH
Chair, Technology Committee

HON. DAVID M. RUBIN
Chair, Judicial Branch Budget Committee

Hon. Marla O. Anderson
Hon. Brian John Back
Hon. Richard Bloom
Hon. Stacy Boulware Euriel
Hon. Kyle S. Brodie
Hon. Daniel J. Buckley
Hon. Ming W. Chin
Hon. Samuel K. Feng
Hon. James M. Humes
Hon. Hannah-Beth Jackson
Ms. Audra Ibarra
Mr. Patrick M. Kelly
Hon. Dalila C. Lyons
Ms. Donna D. Melby
Hon. Gary Nadler
Ms. Debra Elaine Pole
Hon. Dean T. Stout

ADVISORY MEMBERS
Hon. Jeffrey B. Barton
Hon. C. Todd Bottke
Mr. Jake Chatters
Mr. Richard D. Feldstein
Ms. Kimberly Flener
Hon. Scott M. Gordon
Hon. David E. Gunn

MR. MARTIN HOSHINO
*Administrative Director,
Judicial Council*

December 21, 2016

Ms. Diane F. Boyer-Vine
Legislative Counsel
State Capitol, Room 3021
Sacramento, California 95814

Mr. Daniel Alvarez
Secretary of the Senate
State Capitol, Room 400
Sacramento, California 95814

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California 95814

Re: Jobs and Economic Improvement Through Environmental Leadership Act: Report to the Legislature under Assembly Bill 900, Public Resources Code Section 21189.2

Dear Ms. Boyer-Vine, Mr. Alvarez, and Mr. Wilson:

Attached is the Judicial Council report required under Public Resources Code section 21189.2 on the impact of the Jobs and Economic Improvement Through Environmental Leadership Act (Public Resources Code sections 21178–21189.3) on the administration of justice.

If you have any questions related to this report, please contact Deborah Brown, Chief Counsel, at 415-865-7446.

Sincerely,

Martin Hoshino
Administrative Director
Judicial Council

Ms. Diane F. Boyer-Vine

Mr. Daniel Alvarez

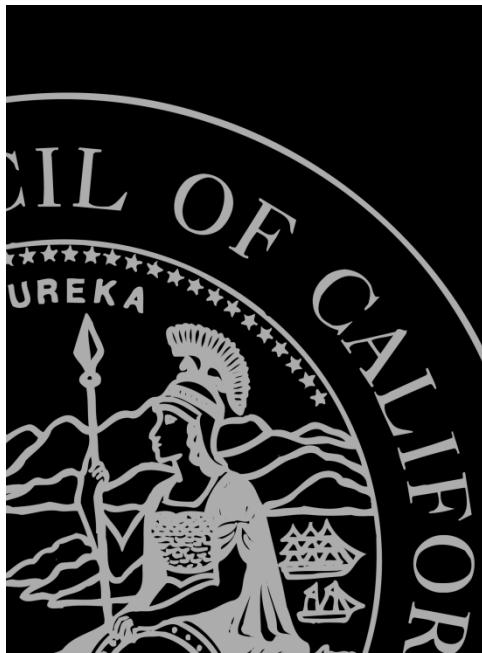
Mr. E. Dotson Wilson

December 21, 2016

Page 2

MH/DB/HA

cc: Mr. Shaun Naidu, Policy Consultant, Office of Senate President pro Tempore Kevin de León
Mr. Alf Brandt, Senior Counsel, Office of Assembly Speaker Anthony Rendon alf.
Ms. Anita Lee, Senior Fiscal and Policy Analyst, Legislative Analyst's Office
Ms. Tina McGee, Executive Secretary, Legislative Analyst's Office
Ms. Margie Estrada, Chief Counsel, Senate Judiciary Committee
Mr. Mike Petersen, Consultant, Senate Republican Policy Office
Ms. Alison Merrilees, Chief Counsel, Assembly Judiciary Committee
Mr. Paul Dress, Consultant, Assembly Republican Office of Policy & Budget
Mr. Lawrence Lingbloom, Chief Consultant, Assembly Natural Resources Committee
Mr. John Kennedy, Consultant, Assembly Republican Caucus
Ms. Joanne Roy, Consultant, Senate Environmental Quality Committee
Mr. Todd Moffitt, Consultant, Senate Republican Caucus
Mr. Kip Lipper, Chief Policy Advisor/Energy and the Environment, Office of Senate President pro Tempore de León
Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor
Ms. Martha Guzman-Aceves, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Ken Alex, Director, Governor's Office of Planning and Research
Mr. Cory T. Jasperson, Director, Governmental Affairs, Judicial Council
Ms. Laura Speed, Principal Manager, Governmental Affairs, Judicial Council
Mr. Peter Allen, Director, Public Affairs, Judicial Council
Ms. Yvette Casillas-Sarcos, Administrative Coordinator, Governmental Affairs, Judicial Council



Jobs and Economic Improvement Through Environmental Leadership Act

REPORT TO THE LEGISLATURE UNDER
ASSEMBLY BILL 900, PUBLIC
RESOURCES CODE SECTION 21189.2

DECEMBER 1, 2016

Background

In September 2011, the Legislature enacted and the Governor signed into law Assembly Bill 900 (Buchanan and Gordon), the Jobs and Economic Improvement Through Environmental Leadership Act of 2011.¹ (hereafter referred to as the Act). This act added new chapter 6.5—comprising sections 21178–21189.3—to division 13 of the Public Resources Code,² the California Environmental Quality Act (CEQA). This new chapter established an expedited procedure for judicial review of certain CEQA claims regarding projects that the Governor certifies as “environmental leadership development projects.” Among other things, this act:

- Required that actions or proceedings alleging that a public agency has approved or is undertaking such a leadership project in violation of CEQA be filed in the Court of Appeal with geographic jurisdiction over the project (section 21185(a)(1));
- Required the Court of Appeal to issue its decision in the case within 175 days of the filing of the petition (section 21185(a)(3));
- Required the Judicial Council to adopt rules of court to implement this new chapter (section 21185(b)); and
- Required the Judicial Council to report to the Legislature on or before January 1, 2015, on the effects of this chapter (section 21189.2).

In March 2013, however, following a court trial, the Alameda County Superior Court held that the provision in the Act requiring that a petition for writ relief be filed only in a Court of Appeal was unconstitutional. In September 2013, the Legislature enacted and the Governor signed into law Senate Bill 743 (Steinberg),³ which, among other things,⁴ amended the Act to:

- Eliminate the requirement that a CEQA challenge to a leadership project be filed in the Court of Appeal; and
- Replaced the statutory provisions relating to the time for the Court of Appeal to act on leadership cases with a requirement that the Judicial Council adopt rules that require the actions or proceedings, including any potential appeals therefrom, be resolved within 270 days of certification of the record of proceedings (section 21185).

Effective January 1, 2015, as part of the civil law omnibus bill,⁵ the Legislature amended section 21189.2 to extend the deadline for the Judicial Council to report on the effect of the Act to January 1, 2017, and to clarify that the report should address the effects of the Act on the administration of justice.

¹ Stats. 2011, ch. 354.

² Unless otherwise indicated, all subsequent references are to the Public Resources Code.

³ Stats. 2013, ch. 386.

⁴ The bill also contained provisions establishing expedited review for projects relating to a new basketball arena and surrounding sports and entertainment complex planned for Sacramento and some amendments to substantive CEQA provisions.

⁵ Assem. Bill 2747 (Stats. 2014, ch. 913).

Effective August 26, 2016, the Legislature amended section 21189.3 to extend the sunset on the Act until January 1, 2019.⁶ However, the Legislature did not further extend the deadline for the Judicial Council report on the Act.

To date, the Governor’s office has received applications to certify seven projects as environmental leadership development projects under the act and the Governor has certified six of these projects.⁷

Summary of Available Information Regarding Impact of the Act on the Administration of Justice

To date, only one project certified by the Governor as an environmental leadership development project has resulted in a court case subject to the requirements of the Act: the Event Center and Mixed-Use Development at Mission Bay Blocks 29–32 project (hereafter the Mission Bay project). This project would develop these blocks in the Mission Bay area of San Francisco into a multipurpose event center, including an 18,064-seat arena for the Golden State Warriors basketball team and office, retail, open space, and structured parking.

This report provides information about the processing of that case. However, because there has been only this one case subject to the requirements of the Act, at this time the Judicial Council is unable to draw any general conclusions about the impact of the Act on the administration of justice.

Timeline

The original petition challenging the approval of the Mission Bay project was filed on January 7, 2016.⁸ On November 29, 2016, the Court of Appeal, First Appellate District issued its decision in this case.⁹ Thus a total of 327 days elapsed between the initial filing of the petition challenging the project and the issuance of the Court of Appeal decision. However, as explained in more detail below, 64 of those days were consumed in addressing a dispute about the proper trial court to hear the initial petition. During the 327 day period, four courts considered the

⁶ Sen. Bill 734 (Galgiani; Stats. 2016, ch. 210).

⁷ A list of these projects is available at www opr ca gov/s_californiajobs php.

⁸ Although under the Act the 270-day period for the superior courts and the Courts of Appeal to resolve a case begins to run from the certification of the administrative record, because of circumstances in this particular case, this report measures the elapsed time from the filing of the petition. The Act requires that the lead agency for the project prepare the administrative record concurrently with the administrative process and certify the final administrative record within five days of its approval of the project (section 21186(a) & (h)). However, the petitioners filed a notice with their petition on January 7, 2016, indicating that they had elected to prepare the administrative record because the respondent had not complied with the record preparation requirements of the Act.

⁹ *Mission Bay Alliance et al. v. Office of Community Investment and Infrastructure (OCII) et al.* (July 25, 2016, A148865) ___ Cal.App.5th ___ 2016 WL 6962504

challenge to this project filed under the Act. A brief timeline of the main court actions in this case is set out below. Dockets from each of the four courts showing the activities in this case are attached as Exhibits A through D:

- On January 7, 2016,¹⁰ Mission Bay Alliance and Jennifer Wade (the petitioners) filed an action in Sacramento County Superior Court against the City and County of San Francisco and the Office of Community Investment and Infrastructure (the respondents) challenging the respondents' compliance with CEQA and the Mission Bay South Redevelopment Plan in connection with the respondents' approval of the Mission Bay project (the CEQA case).¹¹
- On January 14, the Golden State Warriors (the real party in interest) moved for a change of venue of the CEQA case to San Francisco. On February 3, the Sacramento County Superior Court granted this request and issued notice of entry of this order.
- On February 9, the case was initially transferred to San Francisco County Superior Court. However, this transfer was subsequently recalled because on February 22, the petitioners filed a petition for a writ of mandate in the Court of Appeal, Third Appellate District, challenging the change of venue to San Francisco County Superior Court.
- On February 26, the petitioners also filed an action in San Francisco County Superior Court challenging four local approvals granted by the City and County of San Francisco in connection with the Mission Bay project and seeking to enjoin construction of the project (the local approvals case).¹²
- On March 3, the Court of Appeal denied the petitioners' petition for a writ of mandate challenging the change of venue to San Francisco County Superior Court.¹³ This order was entered on March 4. A copy of the docket showing the Court of Appeal, Third Appellate District's activities in the CEQA case is attached as Exhibit A.
- On March 8, the Sacramento County Superior Court transferred the CEQA case and the record in that case to the San Francisco County Superior Court. A copy of the docket from the Sacramento County Superior Court showing that court's activities in the CEQA case is attached as Exhibit B.
- On March 11, 64 days after it was initially filed in Sacramento County Superior Court, the CEQA case was received and filed in San Francisco County Superior Court.¹⁴
- On April 25, the San Francisco County Superior Court ordered the consolidation of the CEQA and the local approvals cases regarding the Mission Bay project.

¹⁰ All subsequent dates are in 2016 unless otherwise noted.

¹¹ Sacramento County Superior Court case No. 34-2016-80002271.

¹² San Francisco County Superior Court case No. CPF-16-514811.

¹³ Court of Appeal, Third Appellate District, case No. C081342.

¹⁴ San Francisco County Superior Court case No. CPF-16-514892.

- On June 17, the San Francisco County Superior Court heard argument from eight lawyers (four per side) on the merits of the CEQA petition for writ of mandate and the local approvals case. During the 98-day period leading up to this hearing, the court also reviewed the voluminous record and filings in the case, conducted legal research, held several mandatory settlement conferences, and handled various ex parte requests regarding these proceedings.
- On July 18, 129 days after the CEQA case was filed in San Francisco County Superior Court and 193 days after the case was initially filed in Sacramento County Superior Court, the San Francisco court entered judgment in favor of respondent and real parties in interest, upholding the approval of the Mission Bay project. Notice of entry of this judgment was filed on July 19. A copy of the docket showing the San Francisco court's activities in the CEQA case is attached as Exhibit C.
- On July 25, the petitioners filed a notice of appeal in the CEQA case and on July 26, this notice of appeal was received by the Court of Appeal, First Appellate District.¹⁵
- By August 29, the Court of Appeal had received the complete record in the case. The administrative record was received on August 1, the joint appendix on August 23, and the exhibits on August 29.
- On October 4, 71 days after the filing of the notice of appeal, the parties completed their regular briefing. By this date, however, before the Court of Appeal had the opportunity to read and consider these the briefs or hold oral argument, 270 days had already elapsed since the initial filing of the case in Sacramento County Superior Court.
- In addition to this regular briefing, the Court of Appeal has also received briefs from amicus curiae. Party responses to these amicus briefs were completed on October 24. In response to a target letter issued by the court on October 20 to focus the oral argument, the parties also asked to submit supplemental briefing. These supplemental briefs were filed on November 2.
- Oral argument was held in the case on November 16, 114 days after the notice of appeal was filed and 314 days after the petition was initially filed in Sacramento County Superior Court.
- On November 29, 2016, 127 days after the notice of appeal was filed and 327 days after the petition was initially filed, the Court of Appeal, issued its decision in this case.¹⁶ The Court of Appeal affirmed the decision of the San Francisco Superior Court in favor of respondent and real parties in interest, upholding the approval of the Mission Bay project. A copy of the docket showing the Court of Appeal, First Appellate District's activities in the CEQA case to date is attached as Exhibit D.

¹⁵ Court of Appeal, First Appellate District, case No. A148865.

¹⁶ *Mission Bay Alliance et al. v. Office of Community Investment and Infrastructure (OCII) et al.* (July 25, 2016, A148865) ___ Cal.App.5th ___ 2016 WL 6962504

Court Resources

The Mission Bay project CEQA case is extremely large and complex. The administrative record filed in both the trial court and the Court of Appeal comprises 56 volumes—more than 168,000 pages. The joint appendix filed in the Court of Appeal is 1,514 pages in length. The petitioners' petition for writ of mandate filed in the trial court included three separate causes of action raising multiple issues regarding the approval of the Mission Bay project. The petitioners' brief filed in the Court of Appeal, First Appellate District also raised multiple issues. Many of the issues raised in this case involve highly technical questions that require specialized expertise to evaluate.

To appropriately address this large, complex case within the time frame set by the Act, both the trial and appellate courts devoted more resources to this case than these courts are normally able to devote to a single case:

- At the San Francisco County Superior Court, both the trial judge and the research attorney assigned to this case devoted more hours per day to this case than for other cases, including other complex cases that involve the management of a regularly assigned law and motion calendar, informal discovery dispute meetings, ex parte requests, and oversight over mandatory settlement conference proceedings. The judge estimated the additional time to be four to five hours per day during the week and significant time over the weekends. In addition to the judge and research attorney, another attorney—the court's settlement officer—was also assigned to assist with this case; and
- At the Court of Appeal, First Appellate District, the case has taken precedence over all other cases assigned to the division handling this case, including juvenile dependency cases. The court assigned two research attorneys to work on this case, rather than the usual single attorney. As of the time the opinion was filed, it is anticipated these attorneys will have worked on this case essentially on a full-time basis for a total of three months, which is not typical. The court has also specially set this case for oral argument to provide the parties with additional time for their oral argument.

The special fee for the Court of Appeal under the Act provides some additional resources to offset the cost of handling this case at that court. No such additional resources were available to the trial courts.

Attachments

1. Exhibit A: Court of Appeal, Third Appellate District docket for case No. C081342.
2. Exhibit B: Sacramento County Superior Court docket case No. 34-2016-80002271.
3. Exhibit C: San Francisco County Superior Court docket case No. CPF- 16- 514892.
4. Exhibit D: Court of Appeal, First Appellate District docket case No. A148865.

**EXHIBIT A: Court of Appeal, Third
Appellate District docket for case No.
C081342**

Appellate Courts Case Information

CALIFORNIA COURTS
THE JUDICIAL BRANCH OF CALIFORNIA

3rd Appellate District

 Court data last updated: 11/09/2016 12:05 PM

Docket (Register of Actions)

Mission Bay Alliance et al. v. The Superior Court of Sacramento County
Case Number C081342

Date	Description	Notes
02/22/2016	Filed petition for writ of:	Mandamus w/ CIEP. No interested parties listed. (Filed with deficiencies.)
02/22/2016	Exhibits filed in support of:	Petition. 1 Vol. Appendix. (Filed with deficiencies.)
02/22/2016	Exhibits filed in support of:	Petition. 1 Vol. RT. (Filed with deficiencies.)
02/23/2016	Letter sent to:	Petitioner. Petition and exhibits not in compliance with Local Rule 5. Corrections due 02/29/16.
02/23/2016	Filed:	Petition for writ of mandamus. (Corrected) (Filed with permission.)
02/23/2016	Exhibits filed in support of:	Petition. 1 vol. appendix, 1 vol. RT. (Corrected)
02/29/2016	Opposition filed.	RPIs. With CIEP.
02/29/2016	Exhibits filed in support of:	opposition. (1 vol.)
02/29/2016	Filed proof of service	As to opposition and exhibits.
03/01/2016	Filed declaration of:	of Susan Brandt-Hawley in support of petition.
03/03/2016	Order denying petition filed.	The petition for writ of mandamus is denied. ROBIE, Acting P.J. (Bu, Hh)
03/03/2016	Case complete.	

[Click here](#) to request automatic e-mail notifications about this case.

**EXHIBIT B: Sacramento County Superior
Court docket case No. 34-2016-
80002271**

Case Header

Case Number: 34-2016-80002271-CU-WM-GDS

Filing Date: 01/07/2016

Case Status: Open

Case Title: Mission Bay Alliance vs. Office of Community Investment
and InfrastructureLocation: Gordon D Schaber
Courthouse

Case Category: Civil - Unlimited

Judicial Officer:

Case Type: Writ of Mandate

Department: 31

Case Age: 61 days
Next Event Type: Motion - Other - Writ of Mandate

Next Event Date: 05/13/2016

Register of Actions Notice**CPF - 16 - 514892**
Filed By**ROA# Entry Date Short/Long Entry**

1 01/07/2016 ✓Petition for Writ of Mandate filed by Mission Bay
Alliance; Wade, Jennifer on 01/07/2016 .
Refers to:Office of Community Investment and
Infrastructure; Tiffany Bohee in her capacity as
Executive Director of OCII,OCII Commission; City
and County of San Francisco; CCSF Planning
Department; CCSF Planning Commission

Mission Bay Alliance (Petitioner); Wade,
Jennifer (Petitioner)

3 01/07/2016 ✓Notice - Other (of Election to prepare Record of
Proceedings) filed by Mission Bay Alliance; Wade,
Jennifer on 01/07/2016 .
Refers to:

Mission Bay Alliance (Petitioner); Wade,
Jennifer (Petitioner)

4 01/07/2016 ✓Notice - Other (of Commencement) filed by Mission
Bay Alliance; Wade, Jennifer on 01/07/2016 .
Refers to:

Mission Bay Alliance (Petitioner); Wade,
Jennifer (Petitioner)

2 01/07/2016 ✓Civil Case Cover Sheet filed by Mission Bay
Alliance; Wade, Jennifer on 01/07/2016 .
Refers to:Office of Community Investment and
Infrastructure

Mission Bay Alliance (Petitioner); Wade,
Jennifer (Petitioner)

5 01/07/2016 Case assigned to Department 31 .

6 01/07/2016 Case initiation form printed .

Case Header

Case Number: 34-2016-80002271-CU-WM-GDS Filing Date: 01/07/2016
Case Title: Mission Bay Alliance vs. Office of Community Investment Case Status: Open
and Infrastructure
Case Category: Civil - Unlimited Location: Gordon D Schaber
Case Type: Writ of Mandate Courthouse
Case Age: 61 days Judicial Officer:
Next Event Type: Motion - Other - Writ of Mandate Department: 31
Next Event Date: 05/13/2016

Register of Actions Notice

ROA#	Entry Date	Short/Long Entry	Filed By
-------------	-------------------	-------------------------	-----------------

7	01/08/2016	Tiffany Bohee in her capacity as Executive Director of OCII,OCII Commission added as a Respondent effective 01/07/2016 .	
---	------------	--	--

8	01/08/2016	City and County of San Francisco added as a Respondent effective 01/07/2016 .	
---	------------	--	--

9	01/08/2016	CCSF Planning Department added as a Respondent effective 01/07/2016 .	
---	------------	--	--

10	01/08/2016	CCSF Planning Commission added as a Respondent effective 01/07/2016 .	
----	------------	--	--

11	01/08/2016	CCSF Municipal Transportation Agency added as a Respondent effective 01/07/2016 .	
----	------------	--	--

12	01/08/2016	CCSF Board of Supervisors added as a Respondent effective 01/07/2016 .	
----	------------	---	--

Case Header

Case Number: 34-2016-80002271-CU-WM-GDS Filing Date: 01/07/2016
Case Title: Mission Bay Alliance vs. Office of Community Investment Case Status: Open
and Infrastructure
Case Category: Civil - Unlimited Location: Gordon D Schaber
Case Type: Writ of Mandate Courthouse
Judicial Officer:
Case Age: 61 days Department: 31
Next Event Type: Motion - Other - Writ of Mandate Next Event Date: 05/13/2016

Register of Actions Notice

ROA#	Entry Date	Short/Long Entry	Filed By
-------------	-------------------	-------------------------	-----------------

13	01/08/2016	CCSF Board of Appeals added as a Respondent effective 01/07/2016 .	
----	------------	--	--

14	01/08/2016	CCSF Entertainment Commission added as a Respondent effective 01/07/2016 .	
----	------------	--	--

15	01/08/2016	DOES 1-25 added as a Respondent effective 01/07/2016 .	
----	------------	--	--

16	01/08/2016	GSW Arena LLC added as a Real Party In Interest (Rpii) effective 01/07/2016 .	
----	------------	---	--

17	01/08/2016	Kelly, David added as a Real Party In Interest (Rpii) effective 01/07/2016 .	
----	------------	--	--

18	01/08/2016	DOES 26-50 added as a Real Party In Interest (Rpii) effective 01/07/2016 .	
----	------------	--	--

Case Header

Case Number: 34-2016-80002271-CU-WM-GDS Filing Date: 01/07/2016
Case Title: Mission Bay Alliance vs. Office of Community Investment Case Status: Open
and Infrastructure
Case Category: Civil - Unlimited Location: Gordon D Schaber
Case Type: Writ of Mandate Courthouse
JUDICIAL OFFICER:
Case Age: 61 days Department: 31
Next Event Type: Motion - Other - Writ of Mandate Next Event Date: 05/13/2016

Register of Actions Notice

ROA#	Entry Date	Short/Long Entry	Filed By
------	------------	------------------	----------

19 01/08/2016 Brandt-Hawley, Susan added as a effective
01/07/2016 .

20 01/12/2016 ✓ Summons filed by Mission Bay Alliance; Wade, Jennifer on 01/12/2016 .
Refers to: Mission Bay Alliance (Petitioner); Wade, Jennifer (Petitioner)

21 01/13/2016 ✓ Application for Order for Publication of Summons filed by Mission Bay Alliance on 01/13/2016 .
Refers to: Mission Bay Alliance (Petitioner)

22 01/13/2016 Ex Parte Application - Other - Writ of Mandate scheduled for 01/15/2016 at 09:00:00 AM in Department 31 at Gordon D Schaber Courthouse .

24 01/14/2016 ✓ Answer filed by City and County of San Francisco; CCSF Planning Department; CCSF Planning Commission; CCSF Municipal Transportation Agency; CCSF Board of Supervisors; CCSF Board of Appeals; CCSF Entertainment Commission on 01/14/2016 .
Refers to: City and County of San Francisco (Respondent); CCSF Planning Department (Respondent); CCSF Planning Commission (Respondent); CCSF Municipal

23 01/14/2016 Herrera, Dennis J added as a effective 01/14/2016

Case Header

Case Number: 34-2016-80002271-CU-WM-GDS Filing Date: 01/07/2016
Case Title: Mission Bay Alliance vs. Office of Community Investment Case Status: Open
and Infrastructure
Case Category: Civil - Unlimited Location: Gordon D Schaber
Case Type: Writ of Mandate Courthouse

Case Age: 61 days Judicial Officer:
Next Event Type: Motion - Other - Writ of Mandate Department: 31
Next Event Date: 05/13/2016

Register of Actions Notice

ROA#	Entry Date	Short/Long Entry	Filed By
25	01/14/2016	✓ Demurrer (to Petition & Complaint) filed by City and County of San Francisco; CCSF Planning Department; CCSF Planning Commission; CCSF Municipal Transportation Agency; CCSF Board of Supervisors; CCSF Board of Appeals; CCSF Entertainment Commission; Office of Community Investment and Infrastructure; Tiffany Bohee in her capacity as Executive Director of OCII,OCII Commission; GSW Arena LLC on 01/14/2016 .	City and County of San Francisco (Respondent); CCSF Planning Department (Respondent); CCSF Planning Commission (Respondent); CCSF Municipal
26	01/14/2016	✓ Declaration - Other (of Christopher J Butcher in Supoort of Demurrer) filed by City and County of San Francisco; CCSF Planning Department; CCSF Planning Commission; CCSF Municipal Transportation Agency; CCSF Board of Supervisors; CCSF Board of Appeals; CCSF Entertainment Commission; Office of Community Investment and Infrastructure; Tiffany Bohee in her capacity as Executive Director of OCII,OCII	City and County of San Francisco (Respondent); CCSF Planning Department (Respondent); CCSF Planning Commission (Respondent); CCSF Municipal
27	01/14/2016	✓ Memorandum of Points and Authorities (in Supoort of Demurrer) filed by City and County of San Francisco; CCSF Planning Department; CCSF Planning Commission; CCSF Municipal Transportation Agency; CCSF Board of Supervisors; CCSF Board of Appeals; CCSF Entertainment Commission; Office of Community Investment and Infrastructure; Tiffany Bohee in her capacity as Executive Director of OCII,OCII	City and County of San Francisco (Respondent); CCSF Planning Department (Respondent); CCSF Planning Commission (Respondent); CCSF Municipal
30	01/14/2016	✓ Answer (of Real Parties in Interest GSW Arena LLC/David Kelly) filed by GSW Arena LLC; Kelly, David on 01/14/2016 . Refers to:	GSW Arena LLC (Real Party In Interest (RpII)); Kelly, David (Real Party In Interest (RpII))
31	01/14/2016	✓ Motion for Change of Venue filed by GSW Arena LLC; Kelly, David on 01/14/2016 . Refers to:	GSW Arena LLC (Real Party In Interest (RpII)); Kelly, David (Real Party In Interest (RpII))
32	01/14/2016	✓ Memorandum of Points and Authorities filed by GSW Arena LLC; Kelly, David on 01/14/2016 . Refers to:	GSW Arena LLC (Real Party In Interest (RpII)); Kelly, David (Real Party In Interest (RpII))

Case Header

Case Number: 34-2016-80002271-CU-WM-GDS

Filing Date: 01/07/2016

Case Title: Mission Bay Alliance vs. Office of Community Investment
and Infrastructure

Case Status: Open

Case Category: Civil - Unlimited

Location: Gordon D Schaber
Courthouse

Case Type: Writ of Mandate

Judicial Officer:

Case Age: 61 days

Department: 31

Next Event Type: Motion - Other - Writ of Mandate

Next Event Date: 05/13/2016

Register of Actions Notice

ROA#	Entry Date	Short/Long Entry	Filed By
33	01/14/2016	✓ Opposition (to Ex parte Application for Order for Publication of Summons) filed by GSW Arena LLC; Kelly, David on 01/14/2016 . Refers to:	GSW Arena LLC (Real Party In Interest (Rpii)); Kelly, David (Real Party In Interest (Rpii))
28	01/14/2016	✓ Answer (to Petition) filed by Office of Community Investment and Infrastructure; Tiffany Bohee in her capacity as Executive Director of OCII,OCII Commission on 01/14/2016 . Refers to:	Office of Community Investment and Infrastructure (Respondent); Tiffany Bohee in her capacity as Executive Director of OCII,OCII Commission (Respondent)
29	01/14/2016	Morales, James B added as a effective 01/14/2016	
34	01/15/2016	Motion - Other - Writ of Mandate scheduled for 05/13/2016 at 09:00:00 AM in Department 31 at Gordon D Schaber Courthouse .	
35	01/15/2016	Hearing on Demurrer - Writ of Mandate scheduled for 05/13/2016 at 09:00:00 AM in Department 31 at Gordon D Schaber Courthouse .	
38	01/15/2016	Minutes finalized for Ex Parte Application - Other - Writ of Mandate heard on 01/15/2016 09:00:00 AM	

Case Header

Case Number: 34-2016-80002271-CU-WM-GDS Filing Date: 01/07/2016
Case Title: Mission Bay Alliance vs. Office of Community Investment Case Status: Open
and Infrastructure
Case Category: Civil - Unlimited Location: Gordon D Schaber
Case Type: Writ of Mandate Courthouse
Judicial Officer:
Case Age: 61 days Department: 31
Next Event Type: Motion - Other - Writ of Mandate Next Event Date: 05/13/2016

Register of Actions Notice

ROA#	Entry Date	Short/Long Entry	Filed By
36	01/15/2016	Motion - Other - Writ of Mandate rescheduled to 01/29/2016 at 09:00:00 AM in Department 31 at Gordon D Schaber Courthouse .	
37	01/15/2016	Motion - Other - Writ of Mandate scheduled for 01/29/2016 at 09:00:00 AM in Department 31 at Gordon D Schaber Courthouse .	
39	01/15/2016	✓ Notice of Hearing (New Hearing and on Motion) filed by GSW Arena LLC; Kelly, David on 01/15/2016 . Refers to:	GSW Arena LLC (Real Party In Interest (Rpi)); Kelly, David (Real Party In Interest (Rpi))
40	01/15/2016	Ex Parte Application - Other - Writ of Mandate scheduled for 01/29/2016 at 09:00:00 AM in Department 31 at Gordon D Schaber Courthouse .	
43	01/21/2016	✓ Correspondence (Letter Dated 01/21/2016 RE Administrative Record) filed by CCSF Board of Appeals; CCSF Board of Supervisors; CCSF Entertainment Commission; CCSF Municipal Transportation Agency; CCSF Planning Commission; CCSF Planning Department; City and County of San Francisco; Office of Community Investment and Infrastructure; Tiffany Bohee in her capacity as Executive Director of OCII,OCII	CCSF Board of Appeals (Respondent); CCSF Board of Supervisors (Respondent); CCSF Entertainment Commission (Respondent); CCSF Municipal
41	01/21/2016	✓ Notice of Lodging filed by Office of Community Investment and Infrastructure; Tiffany Bohee in her capacity as Executive Director of OCII,OCII Commission on 01/21/2016 . Refers to:	Office of Community Investment and Infrastructure (Respondent); Tiffany Bohee in her capacity as Executive Director of OCII,OCII Commission (Respondent)

Case Header

Case Number: 34-2016-80002271-CU-WM-GDS Filing Date: 01/07/2016
Case Title: Mission Bay Alliance vs. Office of Community Investment Case Status: Open
and Infrastructure
Case Category: Civil - Unlimited Location: Gordon D Schaber
Case Type: Writ of Mandate Courthouse
JUDICIAL OFFICER:
Case Age: 61 days Department: 31
Next Event Type: Motion - Other - Writ of Mandate Next Event Date: 05/13/2016

Register of Actions Notice

ROA#	Entry Date	Short/Long Entry	Filed By
42	01/22/2016	Minutes finalized for Motion - Other - Civil Law and Motion heard on 01/22/2016 02:00:00 PM .	
44	01/22/2016	✓Opposition (to Motion for Change of Venue) filed by Mission Bay Alliance on 01/22/2016 . Refers to:	Mission Bay Alliance (Petitioner)
45	01/22/2016	✓Request - Judicial Notice (in support of Petitioners Opposition to Motion for Change of Venue) filed by Mission Bay Alliance on 01/22/2016 . Refers to:	Mission Bay Alliance (Petitioner)
46	01/25/2016	✓Reply (in support of Motion for Change of Venue) filed by City and County of San Francisco; CCSF Planning Department; CCSF Planning Commission; CCSF Municipal Transportation Agency on 01/25/2016 . Refers to:	City and County of San Francisco (Respondent); CCSF Planning Department (Respondent); CCSF Planning Commission (Respondent); CCSF Municipal
47	01/25/2016	✓Request - Judicial Notice (in support of Motion for Change of Venue) filed by City and County of San Francisco; CCSF Planning Department; CCSF Planning Commission; CCSF Municipal Transportation Agency on 01/25/2016 . Refers to:	City and County of San Francisco (Respondent); CCSF Planning Department (Respondent); CCSF Planning Commission (Respondent); CCSF Municipal
48	01/25/2016	✓Declaration - Other (of Christopher J Butcher in support of Request for Judicial Notice) filed by City and County of San Francisco; CCSF Planning Department; CCSF Planning Commission; CCSF Municipal Transportation Agency on 01/25/2016 . Refers to:	City and County of San Francisco (Respondent); CCSF Planning Department (Respondent); CCSF Planning Commission (Respondent); CCSF Municipal

Case Header

Case Number: 34-2016-80002271-CU-WM-GDS Filing Date: 01/07/2016
Case Title: Mission Bay Alliance vs. Office of Community Investment Case Status: Open
and Infrastructure
Case Category: Civil - Unlimited Location: Gordon D Schaber
Case Type: Writ of Mandate Courthouse
Judicial Officer:
Case Age: 61 days Department: 31
Next Event Type: Motion - Other - Writ of Mandate Next Event Date: 05/13/2016

Register of Actions Notice

ROA#	Entry Date	Short/Long Entry	Filed By
49	01/26/2016	✓ Objection (to Respondents Request for Judicial Notice in support of Resps Motion for Change of Venue) filed by Mission Bay Alliance; Wade, Jennifer on 01/26/2016 . Refers to:	Mission Bay Alliance (Petitioner); Wade, Jennifer (Petitioner)
50	01/28/2016	✓ Proposed Order (For Publication of Summons) filed by Mission Bay Alliance on 01/28/2016 . Refers to:	Mission Bay Alliance (Petitioner)
51	01/28/2016	Order After Hearing (Order on Petitioners' Ex Parte Application for Order for Publication of Summons) filed by The Superior Court of Sacramento on 01/28/2016 .	
52	01/29/2016	✓ Summons (Amended) filed by Mission Bay Alliance; Wade, Jennifer on 01/29/2016 . Refers to: Tiffany Bohee in her capacity as Executive Director of OCI, OCI Commission; City and County of San Francisco; CCSF Planning Department; CCSF Planning Commission; CCSF Municipal Transportation Agency	Mission Bay Alliance (Petitioner); Wade, Jennifer (Petitioner)
53	01/29/2016	✓ Minutes finalized for Multiple Events heard on 01/29/2016 09:00:00 AM .	
54	01/29/2016	✓ Exhibit List (Petitioners/Plaintiffs' Exhibit #1) filed by Mission Bay Alliance; Wade, Jennifer on 01/29/2016 . Refers to:	Mission Bay Alliance (Petitioner); Wade, Jennifer (Petitioner)

Case Header

Case Number: 34-2016-80002271-CU-WM-GDS Filing Date: 01/07/2016
Case Title: Mission Bay Alliance vs. Office of Community Investment Case Status: Open
and Infrastructure
Case Category: Civil - Unlimited Location: Gordon D Schaber
Case Type: Writ of Mandate Courthouse
Judicial Officer:
Case Age: 61 days Department: 31
Next Event Type: Motion - Other - Writ of Mandate Next Event Date: 05/13/2016

Register of Actions Notice

ROA#	Entry Date	Short/Long Entry	Filed By
55	01/29/2016	Hearing on Demurrer - Writ of Mandate scheduled for 05/13/2016 at 09:00:00 AM in Department 31 at Gordon D Schaber Courthouse was vacated .	
56	02/01/2016	✓ Notice of Entry - Other (Of Order on Ex parte Application for Order of Publication) filed by CCSF Board of Appeals; CCSF Board of Supervisors; CCSF Entertainment Commission; CCSF Municipal Transportation Agency; CCSF Planning Commission on 02/01/2016 . Refers to:	CCSF Board of Appeals (Respondent); CCSF Board of Supervisors (Respondent); CCSF Entertainment Commission (Respondent); CCSF Municipal
57	02/03/2016	✓ Correspondence (Letter dated 02/03/2016 RE [Proposed] Order Granting the Motion to Transfer Venue) filed by CCSF Board of Appeals; CCSF Board of Supervisors; CCSF Entertainment Commission; CCSF Municipal Transportation Agency; CCSF Planning Commission; CCSF Planning Department; City and County of San Francisco; GSW Arena LLC; Kelly, David; Office of Community Investment and Infrastructure; OTHERS	CCSF Board of Appeals (Respondent); CCSF Board of Supervisors (Respondent); CCSF Entertainment Commission (Respondent); CCSF Municipal
58	02/03/2016	Order After Hearing filed by The Superior Court of Sacramento on 02/03/2016 .	
59	02/03/2016	✓ Notice of Entry - Other (of Order) filed by CCSF Board of Appeals; CCSF Board of Supervisors; CCSF Entertainment Commission; CCSF Municipal Transportation Agency; CCSF Planning Commission; CCSF Planning Department; City and County of San Francisco; GSW Arena LLC; Kelly, David; Office of Community Investment and Infrastructure; OTHERS on 02/03/2016 . Refers to:	CCSF Board of Appeals (Respondent); CCSF Board of Supervisors (Respondent); CCSF Entertainment Commission (Respondent); CCSF Municipal
60	02/08/2016	✓ Correspondence filed by Office of Community Investment and Infrastructure on 02/08/2016 . Refers to:	Office of Community Investment and Infrastructure (Respondent)

Case Header

Case Number: 34-2016-80002271-CU-WM-GDS Filing Date: 01/07/2016
Case Title: Mission Bay Alliance vs. Office of Community Investment Case Status: Open
and Infrastructure
Case Category: Civil - Unlimited Location: Gordon D Schaber
Case Type: Writ of Mandate Courthouse
Judicial Officer:
Case Age: 61 days Department: 31
Next Event Type: Motion - Other - Writ of Mandate Next Event Date: 05/13/2016

Register of Actions Notice

ROA#	Entry Date	Short/Long Entry	Filed By
-------------	-------------------	-------------------------	-----------------

61 02/09/2016 Mail Receipt %u00BF Change of Venue-Transfer out to San Francisco County Superior Court

62 02/09/2016 Notice of Transmittal of Papers and Pleadings - Change of Venue - Transfer out - to San Francisco County Superior Court

63 02/09/2016 Certification Cover Sheet - Change of Venue - Transfer out to San Francisco County Superior Court

70 02/17/2016 ✓ Correspondence (re: Premature Transfer to San Francisco) filed by Mission Bay Alliance on 02/17/2016 .
Refers to:

Mission Bay Alliance (Petitioner)

64 02/19/2016 Notice of Transmittal of Papers and Pleadings - Change of Venue %u00BF Case transferred back from San Francisco County Superior Court

65 02/22/2016 Amended Notice of Transmittal of Papers and Pleadings - Change of Venue - Transfer back from San Francisco County Superior Court

Case Header

Case Number: 34-2016-80002271-CU-WM-GDS Filing Date: 01/07/2016
Case Title: Mission Bay Alliance vs. Office of Community Investment Case Status: Open
and Infrastructure
Case Category: Civil - Unlimited Location: Gordon D Schaber
Case Type: Writ of Mandate Courthouse
Judicial Officer:
Case Age: 61 days Department: 31
Next Event Type: Motion - Other - Writ of Mandate Next Event Date: 05/13/2016

Register of Actions Notice

ROA#	Entry Date	Short/Long Entry	Filed By
-------------	-------------------	-------------------------	-----------------

66	02/24/2016	Returned Certified Mail Receipt from San Francisco County Superior Court	
----	------------	--	--

71	03/04/2016	Correspondence (Referencing 3/3/16 Court of Appeals Decision) filed by Mission Bay Alliance on 03/04/2016 . Refers to:	Mission Bay Alliance (Petitioner)
----	------------	---	-----------------------------------

69	03/04/2016	3DCA order denying petition for writ	
----	------------	--------------------------------------	--

67	03/07/2016	Correspondence (Decision of 3rd District Appellate Court) filed by Office of Community Investment and Infrastructure on 03/07/2016 . Refers to:	Office of Community Investment and Infrastructure (Respondent)
----	------------	--	--

68	03/07/2016	Correspondence (Response to Attorney Christopher Butcher's Correspondence) filed by Mission Bay Alliance; Wade, Jennifer on 03/07/2016 . Refers to:	Mission Bay Alliance (Petitioner); Wade, Jennifer (Petitioner)
----	------------	--	--

EXHIBIT C: San Francisco County
Superior Court docket case No. CPF- 16-
514892

Superior Court of California, County of San Francisco

Case Number: CPF 16 514892

Title: MISSION BAY ALLIANCE ET AL VS. OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE (CEQA Case)

Cause of Action: WRITS OF MANDATE OR PROH., CERTI., ETC./ADMIN. AGEN

Generated: Nov-09-2016 12:52 pm

Register of Actions Parties Attorneys Calendar Payments Documents

Please Note: The "View" document links on this web page are valid until 01:03:12 pm

After that, please refresh your web browser. (by pressing Command +R for Mac, pressing F5 for Windows or clicking the refresh button on your web browser)

Register of ActionsDate Range: First Date Last Date (Dates must be entered as MMM-DD-YYYY)▼

Date	Proceedings	Document	Fee
AUG-15-2016	CERTIFICATION NOTICE	View	
AUG-15-2016	APPEAL RECORD CERTIFIED TO THE COURT OF APPEAL - 8.124, 1 VOL RT (APPEAL FILED 7/25/16, A148865 DIV 3)		
AUG-01-2016	NOTICE TO REPORTER TO PREPARE TRANSCRIPT - DEPOSIT (R. SERA)	View	
AUG-01-2016	ADMINISTRATIVE RECORD OF PROCEEDINGS TRANSMITTED TO THE COURT OF APPEAL: 1 ENVELOPE (ELECTRONIC FORM-USB FLASH DRIVE), 8 BOXES (54 VOLS), AND 2 BOUND VOLS [APPEAL FILED 7/25/16, A148865 DIV 3]		
AUG-01-2016	REPORTERS COSTS, TRAN # R0616801A002, TAG # 034215 (TRANSACTION ID # 100000926) DEPOSITED BY RESPONDENT GSW ARENA LLC KELLY, DAVID		80.00
AUG-01-2016	FEE TO COVER TRIAL COURT COSTS ASSOCIATED WITH ADMINISTERING TRUST ACCOUNTS FOR PAYMENT OF REPORTER'S TRANSCRIPT COSTS IN CIVIL APPEALS (CRC 8.130 (B)(1); GC 70632)		50.00
JUL-29-2016	MEMORANDUM OF COSTS AND DISBURSEMENTS, \$1,402.19 TOTAL COSTS, MATURE DATE AUG-19-2016,, (TRANSACTION ID # 100000854) FILED BY RESPONDENT BOHEE, TIFFANY IN HER CAPACITY AS EXECUTIVE DIRECTOR OF OCII SAN FRANCISCO OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE	View	
JUL-29-2016	MEMORANDUM OF COSTS AND DISBURSEMENTS, \$4,834.93 TOTAL COSTS, MATURE DATE AUG-19-2016,, (TRANSACTION ID # 100000847) FILED BY RESPONDENT GSW ARENA LLC	View	
JUL-29-2016	SUPPLEMENTAL DESIGNATION OF ADMINISTRATIVE RECORD OF PROCEEDINGS ON APPEAL (TRANSACTION ID # 100000819) FILED BY APPELLANT MISSION BAY ALLIANCE WADE, JENNIFER SAVEMUNI	View	
JUL-28-2016	RESPONDENT'S REQUEST FOR ADDITIONS TO REPORTER'S TRANSCRIPT (TRANSACTION ID # 100000780) FILED BY RESPONDENT GSW ARENA LLC KELLY, DAVID	View	
JUL-27-2016	CLERK'S NOTICE OF FILING OF NOTICE OF APPEAL	View	
JUL-25-2016	REQUEST FOR CLERK'S/REPORTER'S TRANSCRIPT [8.124] (TRANSACTION ID # 100000531) FILED BY APPELLANT MISSION BAY ALLIANCE WADE, JENNIFER SAVEMUNI	View	

JUL-25-2016	NOTICE OF APPEAL (TRANSACTION ID # 100000531) FILED BY APPELLANT MISSION BAY ALLIANCE WADE, JENNIFER SAVEMUNI	View	100.00
JUL-19-2016	NOTICE OF ENTRY OF JUDGMENT (TRANSACTION ID # 100000238)	View	
JUL-18-2016	THE COURT ORDERED THE FOLLOWING JUDGMENT ENTERED: IT IS ADJUDGED THAT PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER SAVEMUNI TAKE NOTHING FROM RESPONDENT GSW ARENA LLC BOHEE, TIFFANY IN HER CAPACITY AS EXECUTIVE DIRECTOR OF OCII CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION KELLY, DAVID SAN FRANCISCO OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS (CPF-16-514811) (JUDGMENT IN FAVOR OF RESPONDENT AND REAL PARTIES IN INTEREST) SEE SCANNED DOCUMENT (TRANSACTION ID # 59293520)	View	
JUL-18-2016	CEQA MOTION CALENDAR ON JUN-17-2016 IN 503, PETITIONERS' PETITION FOR WRIT OF MANDATE WAS HEARD AND TAKEN UNDER SUBMISSION ON JUN-17-2016. ON JUL-18-2016 THE COURT ISSUED A JUDGMENT IN FAVOR OF RESPONDENTS AND REAL PARTIES. REFER TO JUDGMENT FOR DETAILS. JUDGE: GARRETT L. WONG (503/GLW)		
JUN-30-2016	ANSWER TO FIRST AMENDMENT TO PETITION FOR WRIT OF MANDATE COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF IN CASE NO. CPF 16 514811 (TRANSACTION ID # 59212947) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION DEPARTMENT OF PUBLIC WORKS	View	
JUN-29-2016	ANSWER TO FIRST AMENDMENT TO PETITION FOR WRIT OF MANDAMUS IN CASE NO. CPF 16 514892 (TRANSACTION ID # 59212243) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO SAN FRANCISCO PLANNING DEPARTMENT SAN FRANCISCO PLANNING COMMISSION SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY SAN FRANCISCO BOARD OF SUPERVISORS SAN FRANCISCO BOARD OF APPEALS SAN FRANCISCO ENTERTAINMENT COMMISSION	View	
JUN-29-2016	ANSWER TO FIRST AMENDMENT TO PETITION FOR WRIT OF MANDATE; COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF IN CASE NO CPF-16-514811 (TRANSACTION ID # 100022051) FILED BY REAL PARTY IN INTEREST OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE (OCII)	View	
JUN-29-2016	ANSWER TO FIRST AMENDMENT TO PETITION FOR WRIT MANDAMUS IN CASE NO. CPF-16-514892 (TRANSACTION ID # 100022051) FILED BY RESPONDENT BOHEE, TIFFANY IN HER CAPACITY AS EXECUTIVE DIRECTOR OF OCII SAN FRANCISCO OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE	View	
JUN-29-2016	ANSWER TO FIRST AMENDMENT TO PETITION FOR WRIT OF MANDAMUS IN CASE NO. CPF 16-514892 (AMENDMENT FILED ON 6/23/16 PER COURT ORDER OF 6/17/16)(TRANSACTION ID # 100022037) FILED BY REAL PARTY IN INTEREST GSW ARENA LLC KELLY, DAVID	View	
JUN-29-2016		View	

	ANSWER TO FIRST AMENDMENT TO PETITION FOR WRIT OF MANDATE, COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF IN CASE NO. CPF-16-514811 (AMENDMENT FILED ON 6/23/16 PER COURT ORDER OF 6/17/16)(TRANSACTION ID # 100022037) FILED BY REAL PARTY IN INTEREST GSW ARENA LLC KELLY, DAVID		
JUN-23-2016	PROOF OF SERVICE OF FIRST AMENDMENT TO PETITION FOR WRIT OF MANDAMUS IN CASE NO. CPF-16-514892 AND FIRST AMENDMENT TO PETITION FOR WRIT OF MANDATE, COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF IN CASE NO. CPF-16-514811 (TRANSACTION ID # 59186244) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER SAVEMUNI	View	
JUN-23-2016	FIRST AMENDMENT TO PETITION FOR WRIT OF MANDATE, COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF IN CASE NO. CPF-16-514811 (TRANSACTION ID # 59186244) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER SAVEMUNI	View	
JUN-23-2016	FIRST AMENDMENT TO PETITION FOR WRIT OF MANDAMUS IN CASE NO. CPF-16-514892 (TRANSACTION ID # 59186244) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER SAVEMUNI	View	
JUN-23-2016	PROOF OF SERVICE OF NOTICE OF ENTRY OF ORDER GRANTING PETITIONERS MOTION TO AMEND PETITIONS (TRANSACTION ID # 59186244) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER SAVEMUNI	View	
JUN-23-2016	NOTICE OF ENTRY OF ORDER/NOTICE OF RULING FILED GRANTING MOTION TO AMEND PETITIONS (TRANSACTION ID # 59186244) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER SAVEMUNI	View	
JUN-17-2016	ORDER GRANTING PETITIONERS' MOTION TO AMEND PETITIONS	View	
JUN-17-2016	TRIAL MOTION CALENDAR ON JUN-17-2016 IN 503, HEARING ON PETITIONER'S PETITION FOR WRIT OF MANDATE. ARGUED AND THE COURT TAKES THE MATTER UNDER SUBMISSION. JUDGE: GARRETT L. WONG, CLERK: E. LARNAUTI, REPORTER: CANDACE HOLROYD, CSR 1370 (TEL: 415.337.2077)		
JUN-17-2016	MINUTES FOR JUN-17-2016 9:30 AM	View	
JUN-15-2016	PROOF OF SERVICE (TRANSACTION ID # 100021284) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
JUN-15-2016	TRIAL MOTION CALENDAR ON JUN-15-2016 IN 503, PETITIONERS' MOTION TO AMEND PETITIONS IS GRANTED. PETITIONERS HAVE LEAVE TO FILE FIRST AMENDMENT TO PETITION IN CASE NO. 514892 AND CASE NO. 514811 TO ADD SAVEMUNI AS A PETITIONER AND PLAINTIFF, SUBJECT TO THE EXPRESS WAIVER OF SAVEMUNI TO SEEK TO RECUSE THE COURT OR ADD NEW ISSUES TO THE CASE. PREVAILING PARTY TO SUBMIT A PROPOSED FORM OF ORDER. JUDGE: GARRETT L. WONG, CLERK: E. LARNAUTI, NOT REPORTED (503)		
JUN-15-2016	MINI MINUTES FOR JUN-15-2016 01:30 PM FOR DEPT 503		
JUN-14-2016	NOTICE OF LODGING OF ADMINISTRATIVE RECORD EXCERPTS CITED IN PETITIONERS REPLY BRIEF ON THE MERITS (TRANSACTION ID # 100021229) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
JUN-14-2016	NOTICE OF LODGING OF HYPERLINKED PTITIONERS REPLY BRIEF ON THE MERITS [CAL. RULES OF COURT, RULE 3.2227(A) (1)] (TRANSACTION ID # 100021229) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	

JUN-13-2016	NOTICE OF HEARING (TRANSACTION ID # 59139851) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER HEARING SET FOR JUN-17-2016 AT 09:30 AM IN DEPT 503	View	60.00
JUN-08-2016	REPLY DECLARATION OF SUSAN BRANDT-HAWLEY IN SUPPORT OF MOTION TO AMEND PETITIONS (TRANSACTION ID # 100020923) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
JUN-08-2016	REPLY MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO AMEND PETITIONS (TRANSACTION ID # 100020923) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
JUN-03-2016	DECLARATION OF PATRICK M. SOLURI IN SUPPORT OF REQUEST FOR JUDICIAL NOTICE (TRANSACTION ID # 100020668) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
JUN-03-2016	REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PETITIONERS REPLY BRIEF ON THE MERITS (TRANSACTION ID # 100020668) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
JUN-03-2016	REPLY BRIEF ON THE MERITS (TRANSACTION ID # 100020668) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
JUN-02-2016	DECLARATION OF SUSAN GYGI IN SUPPORT OF RESPONDENTS AND REAL PARTIES OPPOSITION TO MOTION TO AMEND PETITIONS (TRANSACTION ID # 100020531) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY	View	
JUN-02-2016	OPPOSITION TO PETITIONERS MOTION TO AMEND PETITIONS (TRANSACTION ID # 100020531) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY	View	
JUN-02-2016	NOTICE OF LODGING HYPERLINKED RESPONDENTS AND REAL PARTIES IN INTERESTS OPPOSITION TO PETITIONERS OPENING BRIEF ON THE MERITS (TRANSACTION ID # 59089092) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION	View	
JUN-02-2016	NOTICE OF LODGING JOINT APPENDIX OF DOCUMENTS AND EXCERPTS OF DOCUMENTS CITED IN THE PARTIES BRIEFS (TRANSACTION ID # 59089092) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION	View	
MAY-24-2016	DECLARATION OF BRIAN F CROSSMAN IN SUPPORT OF RESPONDENTS AND REAL PARTIES IN INTERESTS REQUEST FOR JUDICIAL NOTICE (TRANSACTION ID # 59054396) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION	View	
MAY-24-2016	REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF OPPOSITION BRIEF ON THE MERITS (TRANSACTION ID # 59054396) FILED BY	View	

	RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION		
MAY-24-2016	OPPOSITION TO PETITIONERS OPENING BRIEF ON THE MERITS (TRANSACTION ID # 100020090) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION	View	
MAY-23-2016	PROOF OF SERVICE (TRANSACTION ID # 59048269) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
MAY-23-2016	DECLARATION OF THOMAS N. LIPPE IN SUPPORT OF MOTION TO AMEND PETITIONS (TRANSACTION ID # 59048269) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
MAY-23-2016	DECLARATION OF JERRY CAUTHEN IN SUPPORT OF MOTION TO AMEND PETITIONS (TRANSACTION ID # 59048269) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
MAY-23-2016	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO AMEND PETITIONS (TRANSACTION ID # 59048269) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
MAY-23-2016	NOTICE OF MOTION AND MOTION TO AMEND PETITIONS (TRANSACTION ID # 59048269) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER HEARING SET FOR JUN-15-2016 AT 01:30 PM IN DEPT 503	View	60.00
MAY-20-2016	ORDER DENYING PETITION FOR A WRIT OF MANDATE/PROHIBITION A148288 DIV 3		
MAY-13-2016	AMENDED OPENING BRIEF ON THE MERITS (TRANSACTION ID # 100019506) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
MAY-04-2016	NOTICE OF LODGING OF HYPERLINKED PETITIONERS? OPENING BRIEF (TRANSACTION ID # 100018901) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
MAY-03-2016	OPPOSITION TO PETITIONERS EX PARTE APPLICATION TO FILE SUPPLEMENTAL OPENING BRIEF ON THE MERITS (TRANSACTION ID # 58942970) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY	View	
MAY-02-2016	FIRST REQUEST FOR JUDICIAL NOTICE (TRANSACTION ID # 100018757) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
MAY-02-2016	DECLARATION OF OSHA R. MESERVE IN SUPPORT OF EX PARTE APPLICATION TO FILE SUPPLEMENTAL OPENING BRIEF (TRANSACTION ID # 100018757) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
MAY-02-2016	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF EX PARTE APPLICATION TO FILE SUPPLEMENTAL OPENING BRIEF (TRANSACTION ID # 100018757) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
MAY-02-2016	EX PARTE APPLICATION TO FILE SUPPLEMENTAL OPENING BRIEF ON THE MERITS (TRANSACTION ID # 100018757) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	60.00
MAY-02-2016	OPENING BRIEF ON THE MERITS (TRANSACTION ID # 100018757) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	

APR-29-2016	NOTICE OF ENTRY OF ORDER GRANTING ORDER AND STIPULATION RE BRIEFING SCHEDULE (TRANSACTION ID # 58935588) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION	View
APR-29-2016	PROOF OF SERVICE OF SUMMONS AND COMPLAINT BY PERSONAL SERVICE ON 2/29/16 (FOR CASE NO. CPF-16-514811) (TRANSACTION ID # 58929621) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER AS TO REAL PARTY IN INTEREST OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE (OCII)	View
APR-29-2016	PROOF OF SERVICE OF SUMMONS AND COMPLAINT BY SUBSTITUTED SERVICE ON 3/1/16 (FOR CASE NO. CPF-16-514811) (TRANSACTION ID # 58929621) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER AS TO REAL PARTY IN INTEREST KELLY, DAVID	View
APR-29-2016	PROOF OF SERVICE OF SUMMONS AND COMPLAINT BY SUBSTITUTED SERVICE ON 2/26/16 (FOR CASE NO. CPF-16-514811) (TRANSACTION ID # 58929621) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER AS TO REAL PARTY IN INTEREST GSW ARENA LLC	View
APR-29-2016	PROOF OF SERVICE OF SUMMONS AND COMPLAINT BY PERSONAL SERVICE ON 2/29/16 (FOR CASE NO. CPF-16-514811) (TRANSACTION ID # 58929621) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER AS TO RESPONDENT SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS (CPF-16-514811)	View
APR-29-2016	PROOF OF SERVICE OF SUMMONS AND COMPLAINT BY PERSONAL SERVICE ON 2/29/16 (FOR CASE NO. CPF-16-514811) (TRANSACTION ID # 58929621) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER AS TO RESPONDENT SAN FRANCISCO ENTERTAINMENT COMMISSION	View
APR-29-2016	PROOF OF SERVICE OF SUMMONS AND COMPLAINT BY PERSONAL SERVICE ON 2/29/16 (FOR CASE NO. CPF-16-514811) (TRANSACTION ID # 58929621) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER AS TO RESPONDENT SAN FRANCISCO PLANNING COMMISSION	View
APR-29-2016	PROOF OF SERVICE OF SUMMONS AND COMPLAINT BY PERSONAL SERVICE ON 2/29/16 (FOR CASE NO. CPF-16-514811) (TRANSACTION ID # 58929621) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER AS TO RESPONDENT SAN FRANCISCO BOARD OF APPEALS	View
APR-29-2016	PROOF OF SERVICE OF SUMMONS AND COMPLAINT BY PERSONAL SERVICE ON 2/29/16 (FOR CASE NO. CPF-16-514811) (TRANSACTION ID # 58929621) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER AS TO RESPONDENT SAN FRANCISCO BOARD OF SUPERVISORS	View
APR-29-2016	PROOF OF SERVICE OF SUMMONS BY PERSONAL SERVICE ON 2/29/16 (FOR CASE NO. CPF-16-514811) (TRANSACTION ID # 58929621) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER AS TO RESPONDENT CITY AND COUNTY OF SAN FRANCISCO	View
APR-28-2016	ORDER - STIPULATION AND ORDER RE BRIEFING SCHEDULE	View
APR-28-2016	PROOF OF SERVICE OF REQUEST FOR DISMISSAL (TRANSACTION ID # 100018587) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View
APR-28-2016		View

	DISMISSAL WITHOUT PREJUDICE OF PETITION FOR WRIT OF MANDATE/ PROHIBITION/ CERTIFICATION TRANSFERRED FROM SACRAMENTO COUNTY (34-2016-80002271) AS TO THIRD CAUSE OF ACTION IN CASE NO. CPF-16-514811(TRANSACTION ID # 100018587)		
APR-26-2016	*** FEE PD *** PROPOSED ORDER STIPULATION RE BRIEFING SCHEDULE (TRANSACTION ID # 58917355) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO		EXEMPT
APR-26-2016	NOTICE OF RE-LODGING OF ADMINISTRATIVE RECORDS OF PROCEEDINGS (TRANSACTION ID # 58915226) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION	View	
APR-26-2016	NOTICE OF ENTRY OF ORDER/NOTICE OF RULING FILED (TRANSACTION ID # 58913888) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS	View	
APR-25-2016	ORDER TO CONSOLIDATE ACTIONS OF CASE(S) CPF-16-514811 WITH CASE CPF-16-514892, ORDER (ORDER GRANTING RESPONDENTS' AND REAL PARTIES IN INTEREST'S MOTION TO CONSOLIDATE) CONSOLIDATED FOR ALL PURPOSES, ALL SUBSEQUENT PAPERS TO BE FILED UNDER THE LEAD CASE, LEAD CASE #514892.	View	
APR-25-2016	NOTICE OF ENTRY OF ORDER AND STIPULATION TO DISMISS THIRD CAUSE OF ACTION FOR REVERSE VALIDATION (TRANSACTION ID # 58911467) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF BOARD OF SUPERVISORS	View	
APR-25-2016	NOTICE OF ENTRY OF ORDER/NOTICE OF RULING FILED DENYING PETITIONERS' APPLICATION FOR OSC (TRANSACTION ID # 58911467) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS	View	
APR-20-2016	MINI MINUTES FOR APR-20-2016 01:30 PM FOR DEPT 503		
APR-20-2016	MINI MINUTES FOR APR-20-2016 01:30 PM FOR DEPT 503		
APR-20-2016	ORDER DENYING PETITIONERS' APPLICATION FOR ORDER TO SHOW CAUSE RE: REMOVAL OF ACTION FROM EXPEDITED PROCEDURES	View	
APR-20-2016	ORDER AND STIPULATION TO DISMISS THIRD CAUSE OF ACTION FOR REVERSE VALIDATION	View	
APR-20-2016	TRIAL MOTION IN DEPT. 503, PETITIONERS' APPLICATION FOR ORDER TO SHOW CAUSE RE: REMOVAL OF ACTION FROM EXPEDITED PROCEDURES IS DENIED. ORDER SIGNED IN OPEN COURT. JUDGE: GARRETT L. WONG, REPORTER: RENEE SERA OF HANNAH KAUFMAN & ASSOCIATES, CSR #7435 (503)		
APR-20-2016	TRIAL MOTION CALENDAR ON APR-20-2016 IN 503, RESPONDENTS' AND REAL PARTIES IN INTEREST'S DEMURRER TO THIRD CAUSE OF ACTION IN THE PETITION FOR WRIT OF MANDAMUS AND COMPLAINT FOR REVERSE VALIDATION: PARTIES SUBMITTED A STIPULATION AND PROPOSED ORDER TO DISMISS THE THIRD CAUSE OF ACTION PRIOR TO THE HEARING. ORDER SIGNED IN CHAMBERS. THE DEMURRER WAS		

	TAKEN OFF CALENDAR AS MOOT. JUDGE: GARRETT L. WONG, MATTER NOT REPORTED (503)		
APR-11-2016	NOTICE OF ERRATA TO REPLY MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF ORDER TO SHOW CAUSE (TRANSACTION ID # 100017478) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
APR-07-2016	REPLY IN SUPPORT OF MOTION TO CONSOLIDATE (TRANSACTION ID # 100017229) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING COMMISSION	View	
APR-06-2016	SUPPLEMENTAL DECLARATION OF MINDY FOGG IN SUPPORT OF PETITIONERS' APPLICATION FOR ORDER TO SHOW CAUSE REGARDING RECORD (TRANSACTION ID # 58815416) FILED BY PETITIONER MISSION BAY ALLIANCE	View	
APR-06-2016	SUPPLEMENTAL DECLARATION OF OSHA MESERVE IN SUPPORT OF ORDER TO SHOW CAUSE (TRANSACTION ID # 58815416) FILED BY PETITIONER MISSION BAY ALLIANCE	View	
APR-06-2016	REPLY MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF OSC (TRANSACTION ID # 58815047) FILED BY PETITIONER MISSION BAY ALLIANCE	View	
APR-04-2016	MOTION TO CONSOLIDATE ACTIONS, CPF-16-514892 WITH CASE CPF-16-514811 (TRANSACTION ID # 100016984) HEARING SET FOR APR-20-2016 AT 01:30 PM IN DEPT 503		
APR-01-2016	MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO MOTION FOR CONSOLIDATION (TRANSACTION ID # 100016928) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
APR-01-2016	**FEE PAID** [PROPOSED] ORDER AND STIPULATION TO DISMISS THIRD CAUSE OF ACTION FOR REVERSE VALIDATION (TRANSACTION ID # 100016926) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION		EXEMPT
APR-01-2016	DECLARATION OF LENORE ELKAROU IN SUPPORT OF RESPONDENTS AND REAL PARTIES OPPOSITION TO MOTION FOR ORDER TO SHOW CAUSE (TRANSACTION ID # 100016847) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION	View	
APR-01-2016	DECLARATION OF BRENDAN PATRICK IN SUPPORT OF RESPONDENTS AND REAL PARTIES OPPOSITION TO APPLICATION FOR ORDER TO SHOW CAUSE (TRANSACTION ID # 100016847) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION	View	
APR-01-2016	DECLARATION OF DEPUTY CITY ATTORNEY BRIAN CROSSMAN IN SUPPORT OF RESPONDENTS AND REAL PARTIES OPPOSITION TO APPLICATION FOR ORDER TO SHOW CAUSE (TRANSACTION ID # 100016847) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION	View	

APR-01-2016	OPPOSITION TO PETITIONERS' APPLICATION FOR ORDER TO SHOW CAUSE (TRANSACTION ID # 100016847) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION	View	
APR-01-2016	REQUEST FOR HEARING (TRANSACTION ID # 58791339) FILED BY PETITIONER MISSION BAY ALLIANCE	View	
MAR-30-2016	PROOF OF SERVICE (TRANSACTION ID # 58790738) FILED BY PETITIONER MISSION BAY ALLIANCE	View	
MAR-30-2016	EXHIBITS 7 TO 9 OF DECLARATION OF OSHA R. MESERVE IN SUPPORT OF PETITIONERS MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF ORDER TO SHOW CAUSE (TRANSACTION ID # 58790738) FILED BY PETITIONER MISSION BAY ALLIANCE	View	
MAR-30-2016	EXHIBITS 1 TO 6 OF DECLARATION OF OSHA R. MESERVE IN SUPPORT OF PETITIONERS MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF ORDER TO SHOW CAUSE (TRANSACTION ID # 58790738) FILED BY PETITIONER MISSION BAY ALLIANCE	View	
MAR-30-2016	DECLARATION OF OSHA R. MESERVE IN SUPPORT OF PETITIONERS MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF ORDER TO SHOW CAUSE (PUB. RESOURCES CODE, SECTIONS 21178 ET SEQ.) (TRANSACTION ID # 58790738) FILED BY PETITIONER MISSION BAY ALLIANCE	View	
MAR-30-2016	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF ORDER TO SHOW CAUSE (TRANSACTION ID # 58790738) FILED BY PETITIONER MISSION BAY ALLIANCE	View	
MAR-30-2016	NOTICE OF APPLICATION AND APPLICATION FOR ORDER TO SHOW CAUSE (TRANSACTION ID # 58790738) FILED BY PETITIONER MISSION BAY ALLIANCE HEARING SET FOR APR-20-2016 AT 01:30 PM IN DEPT 503	View	60.00
MAR-30-2016	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEMURRER BY RESPONDENTS AND REAL PARTIES IN INTEREST TO PETITION FOR WRIT OF MANDAMUS AND COMPLAINT FOR REVERSE VALIDATION (TRANSACTION ID # 100016776) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION	View	
MAR-30-2016	DECLARATION OF CHRISTOPHER J. BUTCHER IN SUPPORT OF DEMURRER BY RESPONDENTS AND REAL PARTIES IN INTEREST TO PETITION FOR WRIT OF MANDAMUS AND COMPLAINT FOR REVERSE VALIDATION (TRANSACTION ID # 100016776) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION	View	
MAR-30-2016	DEMURRER TO PETITION FOR WRIT OF MANDATE/ PROHIBITION/ CERTIFICATION TRANSFERRED FROM SACRAMENTO COUNTY (34-2016-80002271), PROOF OF SERVICE (TRANSACTION ID # 100016776) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS	View	EXEMPT

	CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION HEARING SET FOR APR-20-2016 AT 01:30 PM IN DEPT 503	
MAR-30-2016	ACKNOWLEDGMENT OF RECEIPT OF ADMINISTRATIVE RECORD IN AN ELECTRONIC FORM (USB FLASH DRIVE) FOR DEPT 503 FROM SACRAMENTO SUPERIOR COURT	View
MAR-29-2016	MINUTES FOR MAR-29-2016 1:30 PM	View
MAR-29-2016	CEQAS STATUS CONFERENCE CALENDAR ON MAR-29-2016 - THE COURT AND COUNSEL DISCUSSED THE BRIEFING SCHEDULES. THE COURT ORDERED THE FOLLOWING: THE HEARING ON (1) RESPONDENTS' MOTION FOR CONSOLIDATION, (2) RESPONDENTS' DEMURRER TO THE PETITION, AND (3) PETITIONER'S MOTION RE: AB900 IS SET ON APRIL 20, 2016 AT 1:30 P.M. IN DEPARTMENT 503. THE MOVING PAPERS ARE TO BE FILED ON MARCH 30, OPPOSITIONS ON APRIL 1, AND REPLIES ON APRIL 5, 2016. JUDGE: GARRETT L. WONG; MATTER NOT REPORTED	
MAR-29-2016	SUPPLEMENT TO JOINT CASE MANAGEMENT CONFERENCE STATEMENT (TRANSACTION ID # 58782047) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View
MAR-24-2016	JOINT CASE MANAGEMENT CONFERENCE STATEMENT (TRANSACTION ID # 100016469) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View
MAR-16-2016	NOTICE OF ENTRY OF ORDER/NOTICE OF RULING FILED (TRANSACTION ID # 58731172) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO SAN FRANCISCO PLANNING DEPARTMENT SAN FRANCISCO PLANNING COMMISSION	View
MAR-16-2016	CEQA CASE MANAGEMENT CONFERENCE CALENDAR ON MAY- 31-2016 IS ADVANCED TO MAR-29-2016 AT 1:30 PM IN DEPT. 503 PER 3/16/16 EX PARTE ORDER. (503)	
MAR-16-2016	RESPONDENTS AND REAL PARTIES IN INTERESTS RESPONSE TO PETITIONERS NOTICE OF RELATED CASES (TRANSACTION ID # 100015957) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO SAN FRANCISCO PLANNING DEPARTMENT SAN FRANCISCO PLANNING COMMISSION SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY SAN FRANCISCO BOARD OF SUPERVISORS SAN FRANCISCO BOARD OF APPEALS SAN FRANCISCO ENTERTAINMENT COMMISSION	View
MAR-16-2016	ORDER RE CASE MANAGEMENT CONFERENCE	View
MAR-16-2016	DECLARATION OF THOMAS N. LIPPE IN SUPPORT OF PETITIONERS OPPOSITION TO RESPONDENTS AND REAL PARTIES EX PARTE APPLICATION FOR ORDER SCHEDULING CASE MANAGEMENT CONFERENCE (TRANSACTION ID # 58728482) FILED BY PETITIONER MISSION BAY ALLIANCE	View
MAR-16-2016	OPPOSITION TO RESPONDENTS AND REAL PARTIES EX PARTE APPLICATION FOR ORDER SCHEDULING CASE MANAGEMENT CONFERENCE (TRANSACTION ID # 58728482) FILED BY PETITIONER MISSION BAY ALLIANCE	View
MAR-15-2016	RESPONSE TO NOTICES OF RELATED CASE (TRANSACTION ID # 58724008) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View
MAR-15-2016	DECLARATION OF DEPUTY CITY ATTORNEY BRIAN CROSSMAN IN SUPPORT OF RESPONDENTS AND REAL PARTIES EX PARTE APPLICATION FOR ORDER SCHEDULING CASE MANAGEMENT CONFERENCE (TRANSACTION ID # 58722078) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO SAN FRANCISCO PLANNING DEPARTMENT SAN FRANCISCO PLANNING COMMISSION SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY SAN FRANCISCO BOARD OF	View

	SUPERVISORS SAN FRANCISCO BOARD OF APPEALS SAN FRANCISCO ENTERTAINMENT COMMISSION		
MAR-15-2016	EX PARTE APPLICATION FOR ORDER FOR SCHEDULING CASE MANAGEMENT CONFERENCE AND MEMORANDUM IN SUPPORT THEREOF (TRANSACTION ID # 58722078) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO SAN FRANCISCO PLANNING DEPARTMENT SAN FRANCISCO PLANNING COMMISSION SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY SAN FRANCISCO BOARD OF SUPERVISORS SAN FRANCISCO BOARD OF APPEALS SAN FRANCISCO ENTERTAINMENT COMMISSION	View	EXEMPT
MAR-14-2016	NOTICE OF CASE MANAGEMENT CONFERENCE (TRANSACTION ID # 58717066) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
MAR-14-2016	NOTICE OF FILING AND TRANSMITTAL	View	
MAR-14-2016	ORDER DENYING THE PETITION OF WRIT OF MANDAMUS BY THE THIRD APPELLATE DISTRICT COURT OF APPEAL [ORIGINALLY FILED ON MAR-4-16]	View	
MAR-14-2016	NOTICE OF ENTRY OF ORDER ON RESPONDENTS' AND REAL PARTIES IN INTERESTS' MOTION FOR CHANGE OF VENUE TO SAN FRANCISCO SUPERIOR COURT	View	
MAR-14-2016	AMENDED SUMMONS [ORIGINALLY ISSUED ON JAN-29-2016]	View	
MAR-14-2016	ORDER GRANTING MOTION FOR CHANGE OF VENUE TO SAN FRANCISCO SUPERIOR COURT	View	
MAR-14-2016	MINUTE ORDER GRANTING CHANGE OF VENUE TO SAN FRANCISCO SUPERIOR COURT	View	
MAR-11-2016	ANSWER TO PETITION FOR WRIT OF MANDATE/ PROHIBITION/ CERTIFICATION TRANSFERRED FROM SACRAMENTO COUNTY (34-2016-80002271) FILED BY RESPONDENT BOHEE, TIFFANY IN HER CAPACITY AS EXECUTIVE DIRECTOR OF OCII SAN FRANCISCO OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE	View	
MAR-11-2016	NOTICE OF RELATED CASE (TRANSACTION ID # 58710665) FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO	View	
MAR-11-2016	ANSWER TO PETITION FOR WRIT OF MANDATE/ PROHIBITION/ CERTIFICATION TRANSFERRED FROM SACRAMENTO COUNTY (34-2016-80002271) [ORIGINALLY FILED ON JAN-14-16] FILED BY REAL PARTY IN INTEREST GSW ARENA LLC KELLY, DAVID	View	
MAR-11-2016	ANSWER TO PETITION FOR WRIT OF MANDATE/ PROHIBITION/ CERTIFICATION TRANSFERRED FROM SACRAMENTO COUNTY (34-2016-80002271) [ORIGINALLY FILED ON JAN-14-16] FILED BY RESPONDENT CITY AND COUNTY OF SAN FRANCISCO SAN FRANCISCO PLANNING DEPARTMENT SAN FRANCISCO PLANNING COMMISSION SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY SAN FRANCISCO BOARD OF SUPERVISORS SAN FRANCISCO BOARD OF APPEALS SAN FRANCISCO ENTERTAINMENT COMMISSION	View	EXEMPT
MAR-11-2016	SUMMONS ISSUED [ORIGINALLY ISSUED IN SACRAMENTO COUNTY ON JAN-12-16]	View	
MAR-11-2016	NOTICE OF COMMENCEMENT OF ACTION [ORIGINALLY FILED ON JAN-7-16] FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER	View	
MAR-11-2016	NOTICE OF ELECTION TO PREPARE DOCUMENTS [ORIGINALLY FILED ON JAN-7-16]	View	
MAR-11-2016	*** REGISTER OF ACTIONS - TRANSFERRED FROM SACRAMENTO COUNTY SUPERIOR COURT - FILINGS FROM JAN-13-2016 THROUGH MAR-04-2016 - (SEE SCANNED DOCUMENTS) ***	View	

MAR-11-2016	*** FILING FEES OF \$450 PAID BY THE ATTORNEY THOMAS LAW GROUP FOR RESPONDENTS, OCII AND TIFFANY BOHEE ***		
MAR-11-2016	NOTICE TO PLAINTIFF	View	
MAR-11-2016	PETITION FOR WRIT OF MANDATE/ PROHIBITION/ CERTIFICATION TRANSFERRED FROM SACRAMENTO COUNTY (34-2016-80002271) FILED BY PETITIONER MISSION BAY ALLIANCE WADE, JENNIFER AS TO RESPONDENT OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE (OCII) BOHEE, TIFFANY IN HER CAPACITY AS EXECUTIVE DIRECTOR OF OCII OCII COMMISSION CITY AND COUNTY OF SAN FRANCISCO CCSF PLANNING DEPARTMENT CCSF PLANNING COMMISSION CCSF MUNICIPAL TRANSPORTATION AGENCY CCSF BOARD OF SUPERVISORS CCSF BOARD OF APPEALS CCSF ENTERTAINMENT COMMISSION DOES 1 TO 25 JUDICIAL COUNCIL CIVIL CASE COVER SHEET FILED	View	450.00

**EXHIBIT D: Court of Appeal, First
Appellate District docket case No.
A148865**

Appellate Courts Case Information

CALIFORNIA COURTS
THE JUDICIAL BRANCH OF CALIFORNIA

1st Appellate District

Change court *Court data last updated: 12/01/2016 10:03 AM*

Docket (Register of Actions)

Mission Bay Alliance et al. v. Office of the Community Investment and Infrastructure (OCII) et al.

Division 3

Case Number A148865

Date	Description	Notes
07/26/2016	Notice of appeal lodged/received.	by Attorney Susan Brandt-Hawley on behalf of Mission Bay Alliance, Jennifer Wade, SaveMuni Plaintiff(s)/ Appellant(s) filed 7/25/16.
07/26/2016	Notified parties of local rules and procedures.	
07/26/2016	Default notice sent-appellant notified per rule 8.100(c).	
07/26/2016	Appellant's notice designating record on appeal filed in trial court on:	Designating an appendix under rule 8.124 with RT filed 7/25/16.
07/27/2016	Filing fee.	paid by appellant via credit card
07/28/2016	Received copy of:	Register of Actions dated 3/11/16 through 7/25/16.
08/01/2016	Administrative record received *****	8 boxes, includes 54-volume "Joint Appendix of Documents and Excerpts of Documents Cited in the Parties Briefs, lodged on June 2, 2016; 2 bound volumes of Administrative Record Excerpts Cited in Petitioners' Reply Brief on the Merits, lodged on June 14, 2016; 1 USB of full administrative record of proceedings, lodged on 4/26/16
08/02/2016	Respondent's notice designating record on appeal filed in trial court on:	Designating RT filed 7/28/16.
08/02/2016	Received:	\$100, 000 fee from GSW Arena, LLC per CRC rule 8.705

08/03/2016	Civil case information statement filed.	from atty Brandt-Hawley for appellants; copy of judgment attached
08/04/2016	Filed document entitled:	Notice of payment of fee. Christopher L. Stiles, counsel for RPI and respondent, To all parties and their attorneys of record, on 8/3/16, RPI and respondent GSW Arena LLC and David Kelly paid the requisite fee of \$100, 000 to Court of appeal first appellate district, per rule 8.705(1).
08/04/2016	Record to court for review.	
08/08/2016	Notice to reporter to prepare transcript.	filed 8/1/16; due 10 days
08/17/2016	Stipulation filed to:	Stipulation regarding contents of joint appendix.
08/18/2016	Record on appeal filed.	RT 1 (4/20/16)
08/19/2016	Supplemental record/transcript filed.	r-1 (6/17/16)
08/22/2016	Appellant notified re failure to timely file opening brief.	Plaintiff and Appellant: Mission Bay Alliance Attorney: Susan Lynne Brandt-Hawley
08/23/2016	Joint appendix filed.	Vol. 1 of 3, (JA1 - JA528)
08/23/2016	Joint appendix filed.	Vol. 2 of 3, (JA529 - JA1023)
08/23/2016	Joint appendix filed.	Vol. 3 of 3, (JA1024 - JA1514)
08/24/2016	Appellant's opening brief.	Plaintiff and Appellant: Mission Bay Alliance Attorney: Susan Lynne Brandt-Hawley
08/29/2016	Exhibits lodged.	flash drive containing electronic AOB with hyperlinks (8.702(f)(3)(C))
08/29/2016	Filed document entitled:	Notice of lodging of hyperlinked appellants' opening brief.
09/07/2016	Filed document entitled:	Notice of submission of paper copies of appellant's opening brief.
09/08/2016	Received:	Paper copies of Appellants' Opening Brief. (filed 8/24/16)
09/14/2016	Filed document entitled:	Supplemental certificate of counsel re: word count; declaration of Susan Brandt-Hawley.
09/15/2016	Application filed to:	Respondents' application regarding appellant's oversized opening brief.

09/15/2016	Filed declaration of:	Christopher J. Butcher in support of respondents' application regarding appellants' oversized opening brief.
09/15/2016	Order filed.	BY THE COURT: Upon due consideration, respondents' unopposed request to file a brief in excess of 14, 000 words is GRANTED. The respondents' may file a brief of no more than 14, 500 words.
09/19/2016	Respondent's brief.	Defendant and Respondent: Office of the Community Investment and Infrastructure (OCII) Attorney: James Brian Morales Attorney: Tina A. Thomas Defendant and Respondent: City and County of San Francisco (CCSF) Attorney: Brian F. Crossman Real Party in Interest and Respondent: GSW Arena LLC Attorney: Daniel Miles Kolkey Attorney: Whitman Fortescue Manley
09/26/2016	Filed document entitled:	Notice of lodging of hyperlinked respondents' brief.
09/27/2016	Exhibits lodged.	hyperlinked respondents' opening brief on USB flash drive
10/03/2016	Application to file amicus curiae brief filed by:	by Center for Biological Diversity, Coalition for Clean Air, Communities for a Better Environment, and Sunset Coalition in support of Mission Bay Alliance; brief attached
10/03/2016	Request for judicial notice filed.	from amicus curiae
10/04/2016	Order granting motion to file amicus curiae brief.	The request by attorneys for Center for Biological Diversity, Coalition for Clean Air, Communities for a Better Environment, and Sunset Coalition to file an amicus curiae brief on behalf of appellants is granted. Respondents may file a response on or before October 24, 2016. Consideration of amici's request for judicial notice and opposition thereto, if any, is deferred to the decision of this appeal on its merits.
10/04/2016	Amicus curiae brief filed by:	Amicus curiae for appellant: Center for Biological Diversity Attorney: Douglas P. Carstens attached to application filed on 10/3/15
10/04/2016	Appellant's reply brief.	Plaintiff and Appellant: Mission Bay Alliance Attorney: Susan Lynne Brandt-Hawley Plaintiff and Appellant: Jennifer Wade

		Plaintiff and Appellant: SaveMuni
10/04/2016	Case fully briefed.	
10/05/2016	Calendar notice sent. Calendar date:	11/16/16 at 2:00 p.m.; each side is allocated one hour and counsel should anticipate receiving a memorandum prior to oral argument regarding issues the court would like addressed.
10/11/2016	Exhibits lodged.	flash drive with hyperlinked ARB
10/12/2016	Filed document entitled:	Notice of lodging of hyperlinked arb.
10/14/2016	Response to amicus curiae brief filed by:	<p>Defendant and Respondent: Office of the Community Investment and Infrastructure (OCII) Attorney: Tina A. Thomas</p> <p>Defendant and Respondent: City and County of San Francisco (CCSF) Attorney: Brian F. Crossman</p> <p>Real Party in Interest and Respondent: GSW Arena LLC Attorney: Mary Gabriel Murphy</p> <p>Real Party in Interest and Respondent: David Kelly</p> <p>Defendant and Respondent: Tiffany Bohee</p>
10/14/2016	Opposition filed.	Respondents' opposition to request for judicial notice in support of amicus curiae brief of Center For Biological Diversity, Coalition For Clean Air, Communities For a Better Environment and Sunsent Coalitionin in Support of Mission Bay Alliance.
10/14/2016	Request for Media Coverage filed.	media request from Ch. 7, KGO, to record oral argument on 11/16/16
10/19/2016	Filed document entitled:	Notice of lodging of hyperlinked respondents' answer to amicus curiae brief of Center for Biological Diversity, Coalition for Clean Air, Communities for a Better Environment and Sunset Coalitionin support of Mission Bay Alliance.
10/20/2016	Exhibits lodged.	Flash drive with hyperlinked respondents' answer to amicus brief.
10/20/2016	Letter sent to counsel re:	MEMORANDUM TO COUNSEL Re: A148865 - Mission Bay Alliance v. OCII At oral argument, in addition to any other issues the parties wish to address, the parties should be prepared to address the following: (1) Respondents

contend the substantial evidence standard applies because the proposed event center is consistent with the 1998 Mission Bay FSEIR and Mission Bay South redevelopment plan. (RB 44-46.) Do the facts support a finding of consistency here? (Pub. Resources Code, § 21094, subd. (c).) Is the event center truly consistent with the 1998 FSEIR, which did not contemplate a sports arena in the area? (AR 13018.) If the event center is not consistent with the 1998 FSEIR, does the fair argument standard apply? (Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency (2000) 82 Cal.App.4th 511, 528-529; Sierra Club v. County of Sonoma (1992) 6 Cal.App.4th 1307, 1321.) (2)

Respondents state that the discussion of land use impacts in the initial study "tracks Guidelines Appendix G, section X." (RB 47.) The initial study evaluates potential impacts "upon the existing character of the vicinity." (AR 1719-1721.) Did OCII tailor the Appendix G checklist to its own needs? (Cal. Code Regs., tit. 14, § 15063, subd. (f); Appendix G, § X.) Is petitioners' challenge to OCII's finding concerning the existing character of the vicinity affected by the absence of the criterion from Appendix G? (3) What evidence supports the finding in the initial study that the proposed event center will not have a substantial impact upon the existing character of the vicinity? (AR 1719-1722.) The initial study states, concerning land use, while "entertainment use was addressed in the FSEIR, the size and intensity of the event center use was not previously analyzed. [¶] Once completed, the proposed project would function as a destination site, with an intensification of use during events. Attendance at these events would alter the overall land use character of the project site from that analyzed in the FSEIR." (AR 1720.) Given the admitted alteration in land use from that analyzed in the prior EIR, was supplemental review required?

(4) What evidence supports the initial study's conclusion that the proposed 488, 000-square-foot, 18, 500-seat arena (AR 862) constitutes no more than the nighttime entertainment use contemplated in the 1998 FSEIR? The only "entertainment-oriented commercial use" explicitly stated in the

prior EIR is a 56,000-square-foot area associated with a hotel planned for the area. (AR 13018, 13068.) Nighttime entertainment is listed as a secondary use and defined in the Mission Bay South redevelopment plan as "dance halls, discotheques, nightclubs, private clubs, and other similar evening-oriented entertainment activities." (AR 15402, 15408-15409, 15444.) Is a sports arena comparable to a nightclub or the other listed entertainment activities? (5) The initial study concluded that the proposed event center would not create adverse land use impacts beyond those studied in the 1998 FSEIR, and that the impacts of the event center on transportation, noise and air emissions would be addressed in the event center's EIR. (AR 1720.) If we conclude there is no substantial evidence to show that the project will have no significant additional impact on the existing character of the vicinity, so that land use should not have been scoped out of the FSEIR, was the substance of land use nonetheless covered by the subjects that were addressed in the FSEIR? What additional issues, if any, should have been but were not studied in the FSEIR? (6) In what way, if any, do the performance standards in the Transportation Management Plan ensure elimination or reduction of unreasonable delays in boarding and overcrowding on regional transit carriers following large events? (7) CEQA Guidelines permit an agency to "use a methodology to quantify greenhouse gas emissions resulting from a project" or to rely on "performance based standards" but also state that an agency should "describe, calculate or estimate the amount of greenhouse gas emissions." (Cal. Code Regs., tit. 14, § 15064, subd. (a).) Do the Guidelines compel a numerical calculation of a project's greenhouse gas emissions or does an agency have discretion to determine that quantification would not assist in analyzing the significance of the emissions and to rely entirely on performance based standards? (See Center for Biological Diversity v. Dept. of Fire & Wildlife (2015) 62 Cal.4th 204, 220-221.) (8) The Bay Area Air Quality Management District (BAAQMD) 2012 Air Quality Guidelines refer agencies to

		"a number of resources" in determining appropriate air quality thresholds for toxic air contaminants (TACs). Those resources include differing standards set forth in 2009 BAAQMD guidelines and federal Environmental Protection Agency rulings. Is there scientific consensus on the appropriate threshold of significance for TACs? If not, did the city abuse its discretion in selecting the appropriate threshold utilized in the FSEIR? (9) Did the FSEIR apply scientifically outdated breathing rates in assessing health risks to children from the project's TAC emissions? Would application of the higher rate advocated by petitioners increase a child resident's cancer risk beyond the threshold of significance utilized in the FSEIR? (AOB 63, fn. 24.)
10/24/2016	Response to amicus curiae brief filed by:	Plaintiff and Appellant: Mission Bay Alliance Attorney: Susan Lynne Brandt-Hawley Plaintiff and Appellant: Jennifer Wade Plaintiff and Appellant: SaveMuni
10/25/2016	Order filed.	The request to photograph, record or broadcast is granted (Ch. 7) subject to the conditions in rule 1.150 of the California Rules of Court and the following: The local rules of this court regulating media activity outside the courtroom (copy attached). Other: This order does not permit recording devices inside the courtroom.
10/25/2016	Filed letter from:	from OCII and GSW Arena LLC requesting permission to file further points and authorities not to exceed 4 pages by Friday, Oct. 28.
10/25/2016	Opposition filed.	If the court allow the respondents to file a supplemental brief, appellants request the same opportunity in a concurrently filing.
10/26/2016	Order filed.	BY THE COURT: Upon due consideration, respondents' request for permission to file a supplemental letter brief is GRANTED. Appellants and respondents may each file a supplemental letter brief on or before November 2, 2016 in a length not to exceed four (4) pages. The supplemental letter briefs shall be limited to addressing the list of questions sent to counsel by the court on October 20, 2016.
11/02/2016		

	Supplemental brief filed by:	Plaintiff and Appellant: Mission Bay Alliance Attorney: Susan Lynne Brandt-Hawley Plaintiff and Appellant: Jennifer Wade Plaintiff and Appellant: SaveMuni
11/02/2016	Supplemental brief filed by:	Defendant and Respondent: Office of the Community Investment and Infrastructure (OCII) Attorney: Tina A. Thomas Defendant and Respondent: City and County of San Francisco (CCSF)
11/04/2016	Filed document entitled:	Notice of lodging of hyperlinked respondents' supplemental letter brief.
11/08/2016	Exhibits lodged.	Flash drive with hyperlinked respondents' supplemental letter brief.
11/08/2016	Exhibits lodged.	Flash drive with hyperlinked appellants' supplemental letter brief.
11/08/2016	Filed document entitled:	Notice of lodgin of hyperlinked appellant's memorandum to court.
11/09/2016	Filed document entitled:	Notice of Lodging of Hyperlinked Appellants' Answer to Amicus Curiae Brief. Flash drive attached.
11/09/2016	Filed document entitled:	Notice of Lodging of Hyperlinked Appellants' answer to Amicus Curiae Brief via Truefiling
11/10/2016	Filed additional cites for oral argument.	from appellants
11/14/2016	Request for Media Coverage filed.	from NBC Bay Area
11/14/2016	Order filed.	The request to photograph, record or broadcast (NBC Bay Area) is granted subject to the conditions in rule 1.150 of the California Rules of Court and the following: The local rules of this court regulating media activity outside the courtroom (copy attached). Other: This order does not permit recording devices inside the courtroom.
11/14/2016	Filed letter from:	from atty Brandt-Hawley re presentation of argument
11/15/2016	Filed letter from:	atty Thomas for repsondents re allocation of time for OA between respondents and RPIs
11/16/2016	Cause argued and submitted.	Susan L. Brandt-Hawley and Osha Meserve for appellants; Tina Thomas, Whitman F. Manley and Brian Crossman for respondents
11/17/2016	Filed letter from:	

		atty Manley requesting leave to provide citations supporting land-use compatibility referenced at OA
11/18/2016	Filed letter from:	respondents OCII for 2 copies of OA CD
11/18/2016	Filed document entitled:	Respondents' notice of lodging of hyperlinked letter
11/21/2016	Response filed to:	appellants' response to post-argument citation request
11/21/2016	Filed letter from:	respondents, with copy of letter filed 11/17/16 and notice of lodging hyperlinked letter, filed 11/18/16 flash drive attached
11/21/2016	Order filed.	The letter request by respondents to provide additional record citations, dated November 17, 2016, is DENIED. The letter will be disregarded. Appellants response to respondents' post-argument citation request will similarly be disregarded.
11/28/2016	Note:	sent 2 oral argument CDs to respondent OCII
11/29/2016	Opinion filed.	(Signed Published) The judgment is affirmed.

[Click here](#) to request automatic e-mail notifications about this case.

