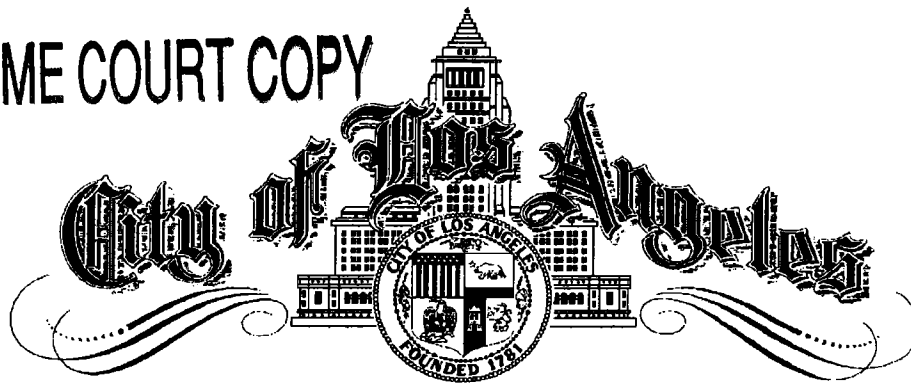


SUPREME COURT COPY



Heather Aubry  
Tel. (213) 978-8393  
Fax (213) 978-8787  
Heather.aubry@lacity.org

**MICHAEL N. FEUER**  
CITY ATTORNEY

March 30, 2017

SUPREME COURT  
**FILED**

APR 3 - 2017

Jorge Navarrete Clerk

Deputy

**VIA UPS**

Chief Justice and Associate Justices of the  
Supreme Court  
Supreme Court of California  
350 McAllister Street  
San Francisco, CA 94102-4797

Re: *American Civil Liberties Union Foundation of Southern California et. al., Petitioners, v. Superior Court of Los Angeles County, Respondent; City of Los Angeles et al., Real Parties in Interest.* (S277106)

S277106

Honorable Chief Justice and Associate Justices:

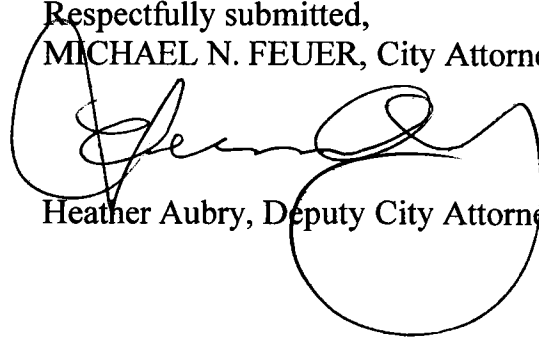
Real Party in Interest City of Los Angeles hereby responds to the Court's request that the parties serve and file supplemental letter briefs addressing the following question: Whether the catchall exemption of Government Code section 6255, subdivision (a) applies to any or all of the automatic license plate reader (ALPR) data collected by real parties during the one-week period in August, 2012, that is the subject of this Court's review under the California Public Records Act. (Gov. Code, § 6250, *et seq.*).

The City of Los Angeles submits that the exemption afforded by Government Code section 6255 applies to all of the ALPR data collected during the one-week period specified in the subject Public Records Act request, as the exemption applies to all ALPR data collected by real parties, regardless of when it was collected.

Chief Justice and Associate Justices  
of the Supreme Court  
March 30, 2017  
Page 2

In support of this initial response to the Court's question, the City of Los Angeles relies on its briefing in the Court of Appeal addressing the applicability of Government Code section 6255 at pages 19 through 41. The City reserves the right to serve and file a reply to any supplemental letter briefs filed by the parties and amici curiae.

Respectfully submitted,  
MICHAEL N. FEUER, City Attorney

A handwritten signature in black ink, appearing to read "Heather Aubry", is written over a large, faint circular stamp or watermark.

Heather Aubry, Deputy City Attorney

HA/aa

**PROOF OF SERVICE BY VARIOUS METHODS**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 200 N. Main Street, City Hall East Room 800, Los Angeles, CA 90012.

On March 30, 2017, I served the foregoing document described as:

**LETTER BRIEF**

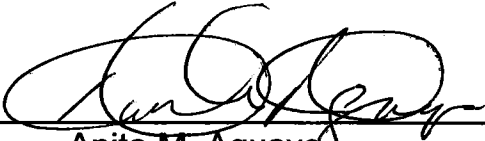
on all interested parties by transmitting a copy addressed as follows:

**SEE ATTACHED SERVICE LIST**

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

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

Dated: March 30, 2017

  
\_\_\_\_\_  
Anita M. Aguayo

**SERVICE LIST**

*American Civil Liberties Union Foundation of Southern California*

v.

*Superior Court (County of Los Angeles)*

Case No. S227106

**VIA OVERNIGHT MAIL**

Clerk of the Supreme Court  
Earl Warren Building  
350 McAllister Street  
San Francisco, CA 94102

**VIA U.S. MAIL**

Clerk of the Court of Appeal  
2<sup>nd</sup> Appellant District  
Division Three  
Ronald Reagan State Building  
300 South Spring Street  
2<sup>nd</sup> Floor, North Tower  
Los Angeles, CA 90013-1213

Hon. James C. Chalfant  
Superior Court of Los Angeles County  
111 North Hill Street, Dept. 85  
Los Angeles, CA 90012

**Respondent**

Frederick Bennett  
Superior court of Los Angeles County  
111 North Hill Street, Room 546  
Los Angeles, CA 90012

**Respondent**

Tomas A. Guterres, Esq.  
Eric C. Brown, Esq.  
James Jardin  
MUIR & STEWART LLP  
1100 El Centro Street  
South Pasadena, CA 91030  
[ebrown@ccmslaw.com](mailto:ebrown@ccmslaw.com)

**Attorneys for Real Party in  
Interest: County of L.A.**

Peter Bibring, Esq.  
ACLU FOUNDATION OF SOUTHERN CALIFORNIA  
1313 West Eight Street  
Los Angeles, CA 90017  
Tel. (213) 977-9500; Fax (213) 977-5299  
[pbibring@aclu-sc.org](mailto:pbibring@aclu-sc.org)

**Attorney for Petitioner:  
ACLU Foundation of  
Southern California**

Jennifer Lynch, Esq.  
ELECTRONIC FRONTIER FOUNDATION  
815 Eddy Street  
San Francisco, CA 94109  
Tel. (415) 436-9333; Fax (415) 436-9993  
[jlynch@eff.org](mailto:jlynch@eff.org)

**Attorney for Petitioner:  
Electronic Frontier  
Foundation**

Martin J. Mayer, Esq.  
James Touchstone, Esq.  
Deborah Pernice-Knefel, Esq.  
Jones & Mayer  
3777 N. Harbor Blvd.  
Fullerton, CA 92835

**Attorney for Amicus curiae:  
California State Sheriff's  
Association, et al.**

James R. Wheaton  
Cherokee D.M. Melton  
FIRST AMENDMENT PROJECT  
1736 Franklin Street, 9<sup>th</sup> Floor  
Oakland, CA 94612  
[wheaton@thefirstamendment.org](mailto:wheaton@thefirstamendment.org)  
[cmelton@thefirstamendment.org](mailto:cmelton@thefirstamendment.org)

**Attorney for Amicus Curiae:  
Northern California  
Chapter of Society of  
Professional Journalists**

Katielynn Boyd Townsend  
Reporters Committee for Freedom of  
The Press  
1156 15<sup>th</sup> Street NW, Suite 1250  
Washington, DC 20005  
Tel. (202) 795-9303

**Attorneys for Amicus Curiae:  
Reporters Committee for Freedom  
of the Press and Media  
Organizations**

Alan Butler  
Electronic Privacy Info Center  
**Center**  
1718 Connecticut Ave., NW, #200  
Washington, DC 20009

**Attorney for Amicus curiae  
Electronic Privacy Information**

Richard Adam Schwartz, Esq.  
300 South Grand Ave., #3400  
Los Angeles, CA 90071

**Attorney for Amicus curiae  
Jerry Hill**

Michael G. Colantuono  
Michael Ryan Cobden  
Colantuono, Highsmith & Whatley, PC  
420 Sierra College Drive, #140  
Grass Valley, CA 95945

**Attorneys for Amicus curiae  
California State Assoc. of Counties  
and League of California Cities**