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9

10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

12 LA COSTA BEACH HOMEOWNERS'
13 ASSOCIATION, a California Corporation,
14 RICHARD ZIMAN, an individual, DAPHNA
15 ZIMAN, an individual, HELEN ZOLOTH, an
16 individual, ART ZOLOTH, an individual, FREDDIE
17 FIELDS, an individual, CORRINA FIELDS, an
18 individual, PEG YORKIN, an individual, BUDGE
19 OFFER, an individual, JERRY MONKARSH, an
20 individual, VIRGINIA MANCINI, an individual,
21 RYAN O'NEAL, an individual, AARON SPELLING,
22 an individual, CANDY SPELLING, an individual,
23 NANCY HAYES, an individual, and LOU ADLER,
24 an individual,

Petitioners,

25 v.

26 CALIFORNIA COASTAL COMMISSION, a
27 California state agency, and DOES 1 through 50,
28 inclusive,

Respondents.

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GAMMA FAMILY TRUST, BROAD REVOCABLE
TRUST and NANCY M. DALY LIVING TRUST,

Real Parties-in-Interest.

Case No.: BS063276

Assigned to Hon. David Yaffe
Department: 86

NOTICE OF RELATED CASES
[LASC Rule 7.3 (f)]

Action Filed: May 12, 2000

Trial Date: None Set
Disc. Cut-Off: None Set
Motion Cut-Off: None Set

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LA COSTA BEACH HOMEOWNERS' ASSOCIATION, a California Corporation, RICHARD ZIMAN, an individual, DAPHNA ZIMAN, an individual, HELEN ZOLOTH, an individual, ART ZOLOTH, an individual, FREDDIE FIELDS, an individual, CORRINA FIELDS, an individual, PEG YORKIN, an individual, BUDGE OFFER, an individual, JERRY MONKARSH, an individual, VIRGINIA MANCINI, an individual, RYAN O'NEAL, an individual, AARON SPELLING, an individual, CANDY SPELLING, an individual, NANCY HAYES, an individual, and LOU ADLER, an individual,

Petitioners,

v.

CALIFORNIA STATE COASTAL CONSERVANCY, a California state agency, and DOES 1 through 50, inclusive,

Respondents.

GAMMA FAMILY TRUST, BROAD REVOCABLE TRUST and NANCY M. DALY LIVING TRUST,

Real Parties-in-Interest.

Case No.: BS063275

Assigned to Hon. Dzintra Janavs
Department: 85

Action Filed: May 12, 2000

Trial Date: None Set
Disc. Cut-Off: None Set
Motion Cut-Off: None Set

NOTICE IS HEREBY GIVEN THAT the above-entitled cases, each currently pending in Los Angeles County Superior Court, Central District, are related to each other within the meaning of Local Rule 7.3(f)(1) in the following manner:

1. Both La Costa Beach Homeowners' Association, et. al v. California Coastal Commission, (BS 063276), and La Costa Beach Homeowners' Association, et. al v. California State Coastal Conservancy, (BS 063275), arise from the same transaction: the approval of Coastal Development Permits (CDP) 4-99-146, 4-99-185 and 4-99-266 by the California Coastal Commission for residential development in the City of Malibu, conditioned upon the purchase and public dedication of a 80 ft. wide undeveloped beachfront parcel, commonly known as 21704 Pacific Coast Highway, in the La Costa Beach section of Malibu, California (Proposed Mitigation Site).
2. Both cases have the same Petitioners and the same Real Parties-in-Interest, to wit, GAMMA FAMILY TRUST, BROAD REVOCABLE TRUST and NANCY M. DALY LIVING

1 TRUST.

2 3. Both cases involve the same parcel of real property, namely the above-described
3 Proposed Mitigation Site.

4 4. The resolution of each case will require the determination of the same or
5 substantially identical questions of law or fact, namely, whether the Coastal Commission's
6 approval of CDPs 4-99-146 (Gamma) , 4-99-185 (Broad) and 4-99-266 (Daly), conditioned on the
7 Real Parties' purchase and public dedication of the Proposed Mitigation Site was supported by
8 substantial evidence. The cases are so interrelated that La Costa Beach Homeowners'
9 Association, et. al v. California State Coastal Conservancy, (BS 063275), now before the Court in
10 Department 85 has been stayed pending the outcome of La Costa Beach Homeowners'
11 Association, et. al v. California Coastal Commission, (BS 063276), which is currently before the
12 Court in Department 86.

13 5. Upon learning of the interrelationship of the two cases, and how the factual
14 determinations in La Costa Beach Homeowners' Association, et. al v. California Coastal
15 Commission may be dependent on the facts in La Costa Beach Homeowners' Association, et. al v.
16 California State Coastal Conservancy , the Court in Department 86 continued the hearing in the
17 Coastal Commission matter to allow adequate time for a Notice of Related Cases to be filed by
18 Respondent California Coastal Commission, since it had not previously been filed by Petitioners,
19 although the identical Petitioners were common to both cases.

20 6. To continue trying these cases before two different judges is unnecessarily
21 duplicative, a waste of judicial economy, and may result in confusion and further delay as a result
22 of facts critical to both cases not known by both judge. There is also a risk of inconsistent factual
23 determinations and rulings.

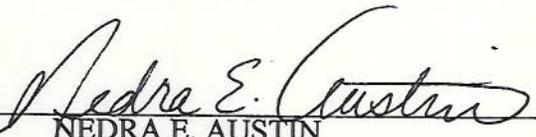
24 7. Given that Department 85 has stayed La Costa Beach Homeowners' Association,
25 et. al v. California State Coastal Conservancy (BS 063275) pending the outcome of La Costa
26 Beach Homeowners' Association, et. al v. California Coastal Commission (BS 063276), that the
27 final determination of each case is dependent on factual determinations made in the other, and that
28 Petitioners and Real Parties are identical in each case, there is logically no risk of prejudice to the

1 parties should the Court find that cases BS 063275 and BS 063276 are related cases within the
2 meaning of Los Angeles Superior Court Local Rule 7.3 (f).

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DATE: April 13, 2001.

BILL LOCKYER, Attorney General
of the State of California
RICHARD M. FRANK,
Chief Assistant Attorney General
J. MATTHEW RODRIQUEZ,
Senior Assistant Attorney General
NEDRA E. AUSTIN,
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By 
NEDRA E. AUSTIN
Deputy Attorney General
Counsel for Respondent
California Coastal Commission

PROOF OF SERVICE

Re: LA COSTA BEACH HOMEOWNERS' ASSN. v. CALIF. COASTAL COMMISSION
Los Angeles County Superior Court Case No.: BS 063276

I am over the age of 18 years and not a party to the within action; my business address is 300 South Spring Street, Los Angeles, California 90013.

On April 13, 2001, I caused the foregoing document(s) described as:

NOTICE OF RELATED CASES

to be served on the interested parties in this action as follows:

___ (BY OVERNIGHT DELIVERY) I caused such envelope(s) to be delivered by "Federal Express" addressed as follows:

XX BY FACSIMILE TRANSMITTAL to the offices of the following addressees:

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XX (BY MAIL) I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at Los Angeles, California, addressed as follows:

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Oakland, CA 94612

___ (BY PERSONAL SERVICE) I caused to be delivered by hand to the office(s) of the addressee(s):

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

Executed on April 13, 2001, at Los Angeles, California.

Bertha L. Linsley
Declarant

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