

COPY

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

<p>13 LA COSTA BEACH HOMEOWNERS'          ASSOCIATION, et al.,            14          15          16          17 CALIFORNIA STATE COASTAL          CONSERVANCY,          18          19</p>	<p>Petitioners,            v.            Respondent,</p>
<p>20 GAMMA FAMILY TRUST, BROAD REVOCABLE          TRUST and NANCY M. DALY LIVING TRUST,          21          22</p>	<p>Real Parties-in-Interest.</p>

Case No.: BS063275  
 ORDER OVERRULING MOTION  
 OF RESPONDENT CALIFORNIA  
 STATE COASTAL  
 CONSERVANCY TO STRIKE  
 PETITION FOR WRIT OF  
 MANDATE AND INJUNCTIVE  
 RELIEF  
 Date: 10/5/00  
 Time: 9:30 a.m.  
 Dept: 85

23 The motion of Respondent California State Coastal Conservancy for an order striking the  
 24 Petition for Writ of Mandate and Injunctive Relief in the above-named action came on regularly  
 25 for hearing in Department 85 of the Court on October 5, 2000. Clare Bronowski, Esq., of  
 26 Christensen, Miller, Fink, Jacobs, Glaser, Weil & Shapiro, LLP, appeared as counsel for  
 27 petitioners, and Patricia Sheehan Peterson, Deputy Attorney General, appearing as counsel for  
 28 respondent. The court having read and considered the supporting and opposing points and

1 authorities and having heard and considered the arguments of counsel, and good cause appearing  
2 therefor,

3 IT IS ORDERED that the motion is overruled.

4 Dated: \_\_\_\_\_

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6 DZINTRA I. JANAUS  
7 Judge, Los Angeles County Superior Court  
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## DECLARATION OF SERVICE BY OVERNIGHT MAIL

Case Name: LA COSTA BEACH HOMEOWNERS' ASSOCIATION, et al. v. CALIFORNIA  
STATE COASTAL CONSERVANCY

Case No.: Los Angeles County Superior Court No. BS063275

I declare that I am employed in the County of Alameda, State of California. I am over the age of 18 years and not a party to the within entitled cause; my business address is Office of the Attorney General, 1515 Clay Street, 20th Floor, Oakland, California. I am readily familiar with the business practice, at my place of business, for the collection and processing of correspondence for overnight mailing with **Golden State Overnight**. Correspondence so collected and processed is deposited with the service in the ordinary course of business on the same day to be delivered to addressee overnight.

On October 5, 2000, the following attached documents:

### ORDER OVERRULING MOTION TO STRIKE

was prepared by placing true and correct copies thereof enclosed in a sealed envelope and deposited in a box regularly maintained by this overnight service or picked up by driver authorized by this overnight service with delivery fees paid for overnight delivery, addressed as follows:

<p><b>PATRICIA L. GLASER, ESQ.</b> <b>CLARE BRONOWSKI, ESQ.</b> <b>DAVID J. ALTMAN, ESQ.</b> <b>CHRISTENSEN, MILLER, FINK,</b> <b>JACOBS,</b> <b>GLASER, WEIL &amp; SHAPIRO, LLP</b> <b>2121 Avenue of the Stars, 18th Floor</b> <b>Los Angeles, CA 90067</b></p> <p><b>Attorneys for Petitioners</b></p>	<p><b>ANDREW A. CUSHNIR, ESQ.</b> <b>1999 Avenue of the Stars, 37th Floor</b> <b>Los Angeles, CA 90067</b></p> <p><b>Attorney for Real Party Eli Broad</b></p>
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed at Oakland, California, on October 5, 2000.

Florita C. Mapalo  
Print Name

*Florita Mapalo*  
Signature

DSM 3-OAK