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MUSLIM ADVOCATES

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

MUSLIM ADVOCATES,

Petitioner,

vs.

THE CITY OF LOS ANGELES; THE LOS ANGELES POLICE DEPARTMENT; DOES 1 THROUGH 10, INCLUSIVE,

Respondents.

Case No. BS163755
Assigned to the Hon. James C. Chalfant
Dept.: 85

PETITIONER'S REPLY IN SUPPORT OF VERIFIED PETITION FOR WRIT OF MANDATE

Date: October 12, 2017
Time: 9:30 a.m.
Dept: 85

[Objections to Evidence Submitted In Support of LAPD's Opposition; and Supplemental Declaration of Brendan N. Charney With Exhibits DDDD-GGGG Filed Concurrently]

Action Filed: July 25, 2016

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I. INTRODUCTION

In a twist of irony, LAPD complains that it is being "battered" by Muslim Advocates' request to inspect and copy records relating to "Community Mapping"—LAPD's plan to map Muslim communities in Los Angeles. The tone of LAPD's opposition demonstrates an unmistakable disdain of its legal obligation to search for records responsive to Muslim Advocates' request. But despite LAPD's cry that it is somehow being "victimized," the evidence shows that LAPD for years failed to conduct a proactive and diligent search for records relating to Community Mapping, as the law requires: it failed to search several places where it has ample reason to believe responsive records may be found; and it did not proactively search for records "relating" to Community Mapping, instead placing under-inclusive search terms into a handful of databases.

LAPD argues that its search, while not "perfect," was good enough based on two false premises. The first is the now-discredited claim that Community Mapping was a "short lived idea that LAPD terminated"—a claim contradicted by the LAPD's own records. Second, LAPD excuses its inadequate search by complaining that Muslim Advocates' request came six years after it announced the supposed termination of Community Mapping—a fact that improperly engrafts a statute of limitations on the CPRA. Neither excuse obviates LAPD's obligation to conduct a diligent search for responsive records. (See Section II, infra.)

Nor can LAPD show it would be an undue burden to access responsive records on backup tapes. Although it speculates that the searches are unlikely to yield results based on the debunked notion that Community Mapping was "short-lived," LAPD has conceded that it cannot know what documents were created until it actually searches the e-mail backups. (Pet. Ex. S at 5; cf. Opp. at 20.) What's more, any concern that responsive records will not be found is dispelled by LAPD's recent discovery of a highly responsive document in the first set of backup tapes accessed. (See Section IV, infra.) LAPD's remaining attempt to analogize to a situation where a backup system is used only for "disaster recovery" fails on its face—since LAPD has used its system to store and access records for non-disaster-recovery purposes. (See Section IV.A, infra.) On this record, the Court should order the LAPD to conduct a further search.

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II. LAPD CANNOT UNILATERALLY MINIMIZE ITS SEARCH OBLIGATIONS.

LAPD argues that its search obligations were mitigated because: (1) Downing described Community Mapping as a short-lived idea for which no documents were created; and (2) Muslim Advocates waited too long to request records relating to Community Mapping. Neither excuse justifies LAPD's slapdash search.

First, Downing's representations are entirely unreliable. For example, his description of Community Mapping as an "idea" that never was implemented is flatly contradicted by his Senate Statement, which clearly describes Community Mapping as an "initiative" that LAPD had "recently launched." (Pet. Ex. A at 7.) It is inconceivable that a high-ranking law enforcement official, like Downing, would testify under oath before the U.S. Senate's Committee on Homeland Security & Governmental Affairs that the LAPD had recently launched an initiative to map Muslim communities if the program was really just an idea that had not even been implemented. Moreover, before Downing delivered the Senate Statement, he submitted it to the Mayor's Office and the Office of the Chief of Police for approval. It is equally inconceivable that both the Office of the Mayor and the Office of the Chief of Police would have approved the Senate Statement unless the representations in it were accurate, especially the representation about the launch of an initiative to map Muslim communities. Under these circumstances, the notion that Community Mapping was just an "idea" is not credible[1] and the LAPD cannot rely on it to minimize its CPRA obligations.[2]

Second, LAPD cannot avoid its search obligations simply by complaining that the Request came six years after LAPD supposedly ended Community Mapping. LAPD may not engraft a statute of limitations onto the CPRA. The only time-limitation in the CPRA as to an agency's duty

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[1] Downing's claims that the LAPD never created records about Community Mapping and that he never sent or received emails about the initiative also have proved false. (See Nguyen Decl. Exs. A, E-G; Charney Decl. Ex. XX, KKK.)

[2] Thus, LAPD fails in its attempt to analogize to FOIA cases where a search was deemed futile because the request was nonsensical or directed to the wrong agency. See, e.g., Earle v. DOJ, 217 F. Supp. 3d 117, 120, 124 (D.D.C. 2016) (prisoner's perplexing request for the tax ID number assigned to a grand jury); Jenkins v. DOJ, 2017 U.S. Dist. LEXIS 107363, *6-7 (D.D.C. July 12, 2017) (holding search by federal prosecutors for documents filed in state criminal court case would be futile where federal gov't was not involved in the state case); Reyes v. EPA, 991 F. Supp. 2d 20, 27 (D.D.C. 2015) (requester sought records beyond those "created or currently posses[ed]" by the agency, such as raw data developed by a separate U.K. agency).

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to search for records is the restriction of the definition of "'Public records' in the custody of, or maintained by, the Governor's office" as writings "prepared on or after January 6, 1975". Cal. Gov't Code 6252(e). Thus, even where the CPRA imposes a time-limit, it contemplates records dating back more than 40 years must be searched. See, e.g., Kleffman v. Vonage Holdings Corp., 49 Cal. 4th 334, 343 (2010).

III. LAPD'S SEARCH WAS NOT REASONABLY CALCULATED TO UNCOVER ALL RESPONSIVE RECORDS.

A. There Is No Excuse For LAPD's Failure To Search Additional Divisions.

LAPD admits that, while it is "not required to search every record system," it must search all places "reasonable in light of the circumstances." Opp. at 11 (citing Reyes, 991 F. Supp. 2d at 27). An agency "'cannot limit its search to only one record system if there are others that are likely to turn up the information requested.'" Campbell v. DOJ, 164 F.3d 20, 28 (D.C. Cir. 1998) (quoting Oglesby v. United States Dep't of the Army, 920 F.2d 57, 68 (D.C.Cir.1990)). An agency must also follow leads showing "positive indications of overlooked materials," Valencia-Lucena v. US Coast Guard, 336 U.S. App D.C. 386, 392 (DC Cir. 1999), and "must revise its assessment of what is 'reasonable' in a particular case to account for leads that emerge during its inquiry." Campbell, 164 F.3d at 28-29 (finding FBI should have searched "tickler files," even if they "rarely uncover information," because they may contain responsive records). Seeking to justify their failure to search repositories and divisions likely to hold records, LAPD cites abstract language from FOIA cases without acknowledging the actual facts and holdings from these cases—which show the dramatic search burdens courts hold reasonable.[3] In contrast, LAPD failed to search

[3] See, e.g., Meeropol v. Meese, 790 F.2d 942, 945, 951 (D.C. Cir. 1986) (remanding to determine whether the FBI responded adequately to "the most demanding FOIA request ever filed" by, among other things, assigning "65 full time and 21 part time FBI employees" to the request); Amnesty Int'l v. CIA, 2008 U.S. Dist. LEXIS 47882, *46 (S.D.N.Y., June 19, 2008) ("[s]imply stated, a search that is designed to return documents containing the phrase 'CIA detainees' but not 'CIA detainee' or 'detainee of the CIA' is not 'reasonably calculated to uncover all relevant documents'" (emphasis in original)); Citizens Comm. On Human Rights v. FDA, 45 F.3d 1325, 1328 (9th Cir. 1995) (FDA searched its main office, 7 divisional offices, and spent "over one hundred and forty hours reviewing the active and retired [subject matter] files"); Hamdan v. DOJ, 797 F.3d 759, 771-772 (9th Cir. 2015) (FBI searched several centralized databases that aggregate requested investigative records "using many variations of the terms suggested by Plaintiffs to account for spelling or other inconsistencies"); Reyes, 991 F. Supp. 2d at 27-28 (agency employees who recalled not having worked on subject of request nevertheless "searched their emails, calendar files,

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divisions and repositories likely to have records.

Here, there is ample reason to search the additional divisions identified by LAPD personnel and/or Muslim Advocates, including: Media Relations and Community Affairs Group, Community Relationship Division, Legal Affairs Division, Risk Management Division, Fiscal Operations Division, the Office of the Chief of Police, and the relevant patrol divisions. To avoid doing so, LAPD merely recites the general functions of some of these divisions without providing any justification for why they should not be searched. (Opp. at 11.) Indeed, LAPD concedes it found in the Media Relations Division dozens of pages of records concerning meetings, press releases, and a recorded statement concerning Community Mapping during this litigation. (Opp. at 12.)

It is thus hard to understand LAPD's insistence that "none of the records…contain positive indications that more records about Community Mapping exist." (Opp. at 14.) An agenda LAPD recently produced shows the project's "status" was part of an ongoing conversation within CTSOB that likely generated other records; and the November 2007 correspondence from the Chief of Police about the supposed end of Community Mapping invited follow-up with the Mayor and "future dialogue" with Muslim leaders—likely prompting a response from one or more of them. (Nguyen Ex. F.) Among other places, this supports searching the Office of the Chief of Police—a search that LAPD's own personnel suggested, Muslim Advocates reiterated (Petitioner's Brief ["BP"] at 15), but that the Opposition wholly fails to address.

B. LAPD's Perfunctory Search Of CTSOB Was Especially Inadequate.

Given that CTSOB proposed, "launched," and continued to promote the program in internal strategy documents, the search of this division should have been especially thorough. (Opp. at 11; SF No. 11.) Far from it. For instance, although LAPD now acknowledges that Community

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electronic files in their personal drives and network drives, and paper files" while, as to another item 31 employees "searched all of their electronic and paper files for records" (emphasis added)); Rein v. USPTO, 553 F.3d 353, 359-364 (4th Cir. 2009) (agency's search included among many other things, "paper and electronic searches" of more than 8 offices using a "electronic keyword search list" including "additional related words or phrases [the agency] conceived…that were not specifically mentioned in any of the FOIA requests, but might have produced responsive records"; employees were further instructed "not to 'limit searches to only the above-listed keywords" and to use "all spelling variants"; notably, the electronic search included "remnants of email accounts" of former employees); Schoenman v FBI, 764 F. Supp. 2d 40, 48-49 (D.D.C. 2011) (agency "employed a wide range of search terms …which included numerous variants" (emphasis added)).

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Mapping was part of "outreach" and "countering violent extremism" concepts (Downing Decl. ¶ 5), LAPD does not explain Seguin's failure to consult subject-matter folders for these concepts on CTSOB's server. (SF No. 47.) Rather, LAPD defends Seguin's search—a 5-minute conversation with Downing and a minute or two entering limited terms into CTSOB's file server—as reasonable because he relied on Downing's claim that there were no records. (Opp. at 12; SF No. 45.)

LAPD, however, cannot controvert facts showing that Seguin's heavy reliance on Downing's representations was misplaced, and should have been supplemented. In particular:

- Downing's claim that there were no records was based on an impermissibly cramped view of what constitutes a disclosable public record (SF No. 49);
- Downing's memory—and his claim that there were no records—has been repeatedly contradicted by disclosure of documents, including Downing's own e-mails about Community Mapping, which he did not recall (SF No. 50); and
- Seguin failed to ask Downing obvious follow-up questions such as who else might have knowledge and/or records of the program—an especially appropriate question in light of the official meetings revealed by the agenda.

In particular, the CTSOB meeting agenda directly controverts Downing's testimony and precludes reliance on his claim that records are unlikely to exist (e.g., Downing Decl. ¶¶ 6, 21). The official CTSOB meeting revealed by the agenda raises doubts about Downing's claim that, at the time of his Senate Statement, "there was nothing done" on the Community Mapping program, just a conversation between Downing, a Muslim community leader, and an academic at USC. (Charney Decl. Ex. KK at 97:16-98:16.) The agenda also contradicts Downing's testimony that he and then-Chief Bratton were the only LAPD personnel that had any discussions about Community Mapping during the month prior to the Senate Statement—given that the agenda is dated two weeks before the Senate Statement. (Id. at 77:11-78:20). Indeed, the meeting agenda even undercuts Downing's declaration (filed after the agenda's release) claiming that he did not create any documentation relating to Community Mapping in the month before the Senate Statement. (Downing Decl. ¶ 6.) Assuming Downing's statement is accurate, it means others within CTSOB created the agenda—which underscores that LAPD should have consulted other CTSOB personnel.

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Courts, moreover, "evaluate[ ] the reasonableness of an agency's search based on what the agency knew at its conclusion rather than what the agency speculated at its inception." Campbell v. U.S. Dep't of Justice, 164 F.3d 20, 28 (D.C. Cir. 1998), as amended (Mar. 3, 1999). Thus, even if it were reasonable for Seguin to employ such limited efforts at the outset of his search, it is unjustifiable for LAPD to continue to refuse to conduct a deeper search of CTSOB's files given what it knows now, i.e.: Downing's memory of program records is unreliable (SF No. 50); additional CTSOB personnel likely knew of the program and its records as a result of "status" meeting(s); CTSOB personnel referred to Community Mapping as "critical" even after its supposed end; Downing testified that he may have sent emails about Community Mapping (Charney Decl. Ex. KK at 194:15-209:25); and the then-Chief of Police sent letters to the Mayor and Muslim groups that may have prompted follow-up (Nguyen Decl. Ex. F).

C. LAPD's Belated Disclosures Warrant, Not Preclude, Further Search.

LAPD insists that it did not act in bad faith, but the question of LAPD's subjective good or bad faith is beside the point, as "[n]o bad faith finding [i]s required to support the finding there was a PRA violation." Community Youth Athletic Center v. City of National City, 220 Cal. App. 4th 1385 (2013) ("CYAC"). LAPD's search was not inadequate simply because it produced additional records during litigation (cf. Opp. at 14); rather, the specific deficiencies in LAPD's search demonstrate LAPD's abject failure to look in logical places, consult knowledgeable people, and review available indices;[4] while the records produced by LAPD themselves suggest the existence of additional records and avenues for search.[5] Thus, LAPD's insistence that it has acted in good faith during litigation is pure misdirection. In sum, LAPD's search was inadequate, and violated the CPRA, thereby supporting an order requiring a further search, as "[t]he effect of the City's inability or unwillingness to locate the records had the same effect as withholding requested information from the public." CYAC, 220 Cal. App. 4th at 1425; see also McNash v. CIA, 2016 U.S. Dist. LEXIS 156485, *14 (N.D. Cal. Nov. 10, 2016) ("[a] search for records found to be inadequate is

[4] Indeed, LAPD offers no defense for its failure to review available indices that are required to be maintained under departmental policy. (PB at 16; SF Nos. 40-41.)

[5] As discussed below, there also is reason to believe that additional records will be found on the CTSOB's divisional server, and on backups of Downing's email from 2007-2008.

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considered an 'improper withholding' under FOIA" (internal citations omitted)).

IV. SEARCHING DIVISIONAL AND EMAIL BACKUPS IS NOT AN UNDUE BURDEN.

For years, LAPD insisted it was impossible (Pet. Ex. O at 3), then impracticable (Pet. Ex. S at 4), then inordinately costly (Pet. Ex. W at 2) to search backup tapes. But when pressed to search divisional backups, LAPD not only confirmed that it is well within its ability to do so, it found the CTSOB meeting agenda, an indisputably responsive public record that none of its witnesses acknowledged. (Opp. at 17.)

Seeking to avoid further disclosure, LAPD posits a categorical exemption for backup tapes made for "disaster recovery purposes only" (Opp. at 15); and argues that there is "minimal likelihood" of finding records based on its narrative that Community Mapping was a short-lived program that generated few records (Opp. at 17)—despite the ongoing discovery of responsive records. Notably, LAPD ignores evidence showing specific records are likely to exist, including the apparent tracked changes on Downing's Senate Statement that indicate drafts should exist in CTSOB's divisional backups. (SF No. 76-77.)

A. Deeming Backups "Disaster Recovery" Does Not Insulate Them From Search.

LAPD principally relies on Stewart v. U.S. Dept. of Interior to argue that accessing data on backup tapes is unduly burdensome if an agency can claim that the data is stored for "disaster recovery." Stewart's holding is narrow and does not support shielding LAPD's backup tapes. Stewart involved the question of whether a group of counties would receive a fee waiver,[6] not whether the records were subject to disclosure. 554 F.3d 1236, 1241-42 (10th Cir. 2009). Indeed, the court in Stewart noted that a "fee waiver request is different than a records request, and should be evaluated independently." Id. Second, Stewart did not hold that searching backups created for "disaster recovery" is always unduly burdensome; rather, it held that the fee waiver was not warranted on the facts of that case because it was not clear that searching those backup tapes would lead to the disclosure of new records, in part because the agency involved "is required to print and

[6] See 5 U.S.C. 552(a)(4)(A)(iii); 43 C.F.R. pt. 2 app. D (Dept. of Interior fee waiver regulation at issue).

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store hard copies of all documents that meet the definition of a 'record.'" Id. at 1243. Third, the remaining[7] FOIA case cited by Plaintiff on this point illustrates that searches of backup tapes are appropriate; there, the court held that a further search of backup tapes would be "futile" because the agency had already "included its earliest available backup tape, from December 2008, in its search." Citizens for Responsibility & Ethics in Washington v. Dep't of Veterans Affairs, 69 F. Supp. 3d 115, 123 (D.D.C. 2014) (emphasis added).

LAPD's claim that backups only are intended for "disaster recovery" rings hollow given its concession that it has accessed backed-up e-mail records for its own internal purposes unrelated to disaster recovery (SF Nos. 90-91)[8]—and that its divisional server backups are kept in part for the purpose of "restor[ing] user files that were accidentally deleted." (Huynh Decl. ¶ 5.)

B. The Claimed Burden In Accessing Divisional Servers Does Not Clearly Outweigh The Public Interest In Disclosure.

LAPD does not seriously dispute the public interest in understanding a law-enforcement program to surveil a religious group; instead, it suggests there is a diminished interest because the program was "undeveloped" and "aborted". (Opp. at 10, 18.) These claims merely beg the question; the point of the Request is to understand how, and to what extent LAPD developed the surveillance program. Obtaining records to address these points is all the more important given that the strategy document and CTSOB meeting agenda cast serious doubt on LAPD's narrative.

Against the public's interest in Community Mapping, LAPD concedes that it would take only 1 hour to determine if remaining tapes contain CTSOB divisional file backups (McClain Decl. ¶ 16); and only 1 business day per tape to restore the contents of catalogued tapes. (SF No 83;

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[7] In Safety Research & Strategies, Inc. v. United States DOT, the district court simply followed the opinion in Stewart without applying much reasoning. See 903 F. Supp. 2d 1, 7 (D.D.C. 2012).

[8] LAPD's insistence that previous successful instances of accessing email data on backup tapes were just "tests" is directly contradicted by PMQ testimony and LAPD records clearly showing that results of searches of e-mail backups were actually provided to LAPD personnel for internal LAPD purposes. (Charney Decl. Ex. OOO, Ex. DD at 541:19-542:10.) As discussed further in Muslim Advocates' concurrently filed evidentiary objections, the LAPD should not be permitted to revise the testimony of its PMQ deponents with eleventh-hour declarations. CCP §§ 2025.010, 2025.230; Maldonado v. Superior Court, 94 Cal. App. 4th 1390, 1395 (2002); see also Rainey v. Am. Forest & Paper Ass'n, Inc., 26 F. Supp. 2d 82, 94-95 (D.D.C. 1998); Wilkins v. NBC, Inc., 71 Cal. App. 4th 1066, 1082 (1999); Guthrey v. State, 63 Cal. App. 4th 1108, 1120 (1998).

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McClain Decl. ¶ 21.) During his deposition, Mr. Huynh, LAPD's PMQ on its divisional servers and undue burden claim thereto, testified that the entire process for accessing data on a backup tape would take a "business day max" (including machine time). (Charney Decl. Ex. GG at 150:10-21.) Ms. McClain's declaration makes clear that the LAPD has now already done preliminary work, including "troubleshoot[ing] the server and tape drive" (McClain Decl. ¶ 20), meaning that restoring the remaining 23 months of backup tapes will likely take less than 23 business days (including machine time), plus the time to search the contents of the tapes for keywords (as would have to be done on any electronic repository—whether backed-up or current). The project may take less time, as tapes for every month may not have been catalogued, and LAPD will not be able to (and so need not spend the time) restoring uncatalogued tapes. (McClain Decl. ¶¶ 13, 17.) This burden scarcely "clearly outweighs" the public interest in understanding a program to map Muslims. See, e.g., State Bd. of Equalization v. Super. Ct., 10 Cal. App. 4th 1177, 1183, 1190 n.14 (1992) ("month and one-half of a staff counsel's time" to review and excise records).

C. Downing's Email Backups Can Be Accessed Without Any Undue Burden.

LAPD concedes that it has the equipment, the know-how, and the staff to search its backup tapes (McClain Decl. ¶¶ 9, 12, 18, 20, 23, 29), and Downing conceded that he may have sent e-mails about Community Mapping during that time. (Opp. at 20). Indeed, he sent and received e-mails on the topic as late as 2015. (Nguyen Decl. Ex. A). Thus, all LAPD can do to resist disclosure is emphasize the lack of clarity created by its refusal to search the backup tapes, point out that the existence of e-mails is therefore necessarily speculative, and characterize what Downing would have sent as "'FYI' type" e-mails. (Opp at 20.) But "in any FOIA request, the existence of responsive documents is somewhat 'speculative' until the agency has finished looking for them…the proper inquiry is whether the requesting party has established a sufficient predicate to justify searching for a particular type of record." Campbell, 164 F.3d at 28. Given that Downing's memory failed to account for many records that relate to Community Mapping (including forgetting his own e-mails (Charney Decl. Ex. KK at 189:2-192:11))—and given his concession that he may have sent e-mails to colleagues with whom he had regular contact concerning programs such as Community Mapping (SF No. 50)—there is a clear predicate for expecting additional e-mails to be

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found in his email account from the time the program was being planned and "launched." Moreover, what LAPD dismisses as "'FYI' type" e-mails with other agencies could have immense public relevance, illuminating how other agencies consulted on or reacted to Community Mapping.

As to the claimed burden,[9] LAPD cannot dispute that, every time it has predicted the amount of time and effort that would be required to access backup tapes, it has been forced to acknowledge that it is less time-consuming and more practical than previously claimed. After initially claiming that it "did not have the equipment," then that "each and every tape" would need to be accessed, then that it would take "960 hours" (Pet. Exs. O at 3, S at 4, W at 2), LAPD now concedes that it will take only 3 hours to determine if the remaining tapes contain Downing's email, and may take as little as 3-4 weeks to retrieve a portion of Downing's e-mail—though LAPD still resists disclosure by raising speculative roadblocks such as the "chance" that equipment will suddenly become inoperable (Opp at 17), or that LAPD will be unable to clear the password (McClain Decl. ¶ 8)—even though Ms. McClain testified in her capacity as PMQ that LAPD has a feature of its "ConsoleOne" software that can sometimes bypass a password (see, e.g., Charney Decl. Ex. DD at 573:3-9). Given the discrepancies and past exaggeration, LAPD should, at a minimum, be ordered to perform a "time study" to confirm the reality of the time the process will take. (McClain Decl. ¶¶ 14-15.)

DATED: October 4, 2017

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[9] Muslim Advocates' request was made in 2013, when only two years had passed since LAPD successfully—and repeatedly—accessed backup tapes in 2011. (SF Nos 90-91.) The LAPD must take responsibility for any increase in burden incurred between 2013 and the present, as it repeatedly dawdled in identifying and searching places likely to hold records (such as backup tapes), and stalled assistance in minimizing the claimed burden of searching them. (See PB at 9-10; Pet. at ¶¶ 14-54, Exs H-Y.) Indeed, LAPD did not even disclose the existence of backup tapes that might hold records until 2015 (Pet. Ex. O at 3), and did not fully disclose its ability to access these backups until its PMQ testified in 2017 (SF No. 72).

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PROOF OF SERVICE

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 Davis Wright Tremaine LLP, Suite 2400, 865 South Figueroa Street, Los Angeles, California 90017-2566.

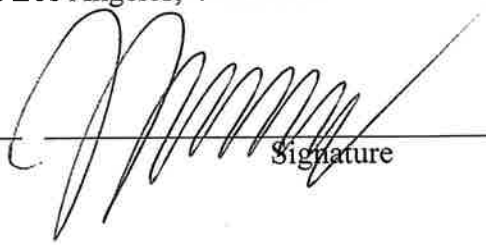
On October 4, 2017, I served the foregoing document(s) described as: **PETITIONER'S REPLY IN SUPPORT OF VERIFIED PETITION FOR WRIT OF MANDATE** by placing a **true copy** of said document(s) enclosed in a sealed envelope(s) for each addressee named below, with the name and address of the person served shown on the envelope as follows:

Michael N. Feuer, City Attorney
Carlos De La Guerra, Managing Assistant City Attorney
Linda N. Nguyen, Deputy City Attorney
Soraya C. Kelly, Deputy City Attorney
200 N. Main Street, City Hall East, Room 800
Los Angeles, CA 90012

X (VIA PERSONAL DELIVERY) to be served on all other parties to this action by requesting that a messenger from *GLOBAL NETWORK LEGAL SERVICES* deliver true copies of the above-named documents, enclosed in sealed envelopes addressed indicated above.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed on October 4, 2017, at Los Angeles, California.

Yvette M. Merino
Print Name



Signature

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