



**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE**

Central Justice Center  
700 W. Civic Center Drive  
Santa Ana, CA 92702

**SHORT TITLE:** The People of the State of California vs. City of Huntington Beach

**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE**

**CASE NUMBER:**  
**30-2024-01393606-CU-WM-CJC**

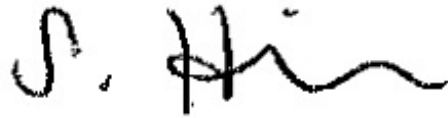
I certify that I am not a party to this cause. I certify that a true copy of the above Minute Order dated 12/16/24 has been placed for collection and mailing so as to cause it to be mailed in a sealed envelope with postage fully prepaid pursuant to standard court practice and addressed as indicated below. This certification occurred at Santa Ana, California on 12/17/24. Following standard court practice the mailing will occur at Sacramento, California on 12/18/24.

R. MATTHEW WISE  
P.O. BOX 944255  
SACRAMENTO, CA 94244

R. MATTHEW WISE  
1300 I STREET STE 125  
SACRAMENTO, CA 94244

ROB BONTA  
1300 I STREET STE 125  
SACRAMENTO, CA 94244

Clerk of the Court, by:



, Deputy

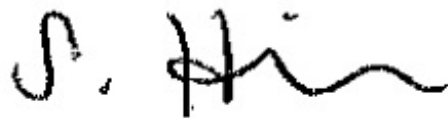
I certify that I am not a party to this cause. I certify that that the following document(s), Minute Order dated 12/16/24, was transmitted electronically by an Orange County Superior Court email server on December 17, 2024, at 8:53:58 AM PST. The business mailing address is Orange County Superior Court, 700 Civic Center Dr. W, Santa Ana, California 92701. Pursuant to Code of Civil Procedure section 1013b, I electronically served the document(s) on the persons identified at the email addresses listed below:

MICHAEL E GATES  
MICHAEL.GATES@SURFCITY-HB.ORG

MICHAEL E GATES  
PEGGY.HUANG@SURFCITY-HB.ORG

MICHAEL S COHEN  
MICHAEL.COHEN@DOJ.CA.GOV

Clerk of the Court, by:



, Deputy

**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE**

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER**

**MINUTE ORDER**

DATE: 12/16/2024

TIME: 10:00:00 AM

DEPT: C25

JUDICIAL OFFICER PRESIDING: Nico Dourbetas

CLERK: S. Hill

REPORTER/ERM: Donna E. Boulger CSR# 6162

BAILIFF/COURT ATTENDANT: F. Camandang

CASE NO: **30-2024-01393606-CU-WM-CJC** CASE INIT.DATE: 04/15/2024

CASE TITLE: **The People of the State of California vs. City of Huntington Beach**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Writ of Mandate

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EVENT ID/DOCUMENT ID: 74428566

**EVENT TYPE:** Status Conference

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**APPEARANCES**

Michael S Cohen, counsel, present for Petitioner(s) remotely.

Michael E Gates, counsel, present for Respondent(s).

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Hearing held, participants appearing remotely and in person.

Discussions held, on the record, regarding Petitioner's request to enter judgment.

The Court hears from all parties and is not inclined to enter judgment in this matter.

Petitioner informs the Court of the intent to appeal the Court's prior ruling regarding the Demurrer to the Petition of Writ.

Discussions held, regarding the Amended Petition having not been filed.

Due to the Amended Petition having not been filed, the Court orders the entire action dismissed without prejudice.

Court orders Clerk to give notice.

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE**

Central Justice Center  
700 W. Civic Center Drive  
Santa Ana, CA 92702

**SHORT TITLE:** The People of the State of California vs. City of Huntington Beach

**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE**

**CASE NUMBER:**  
**30-2024-01393606-CU-WM-CJC**

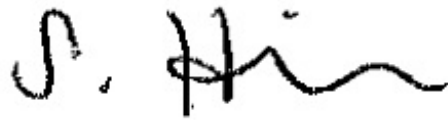
I certify that I am not a party to this cause. I certify that a true copy of the above Minute Order generated dated 11/15/24 has been placed for collection and mailing so as to cause it to be mailed in a sealed envelope with postage fully prepaid pursuant to standard court practice and addressed as indicated below. This certification occurred at Santa Ana, California on 11/15/24. Following standard court practice the mailing will occur at Sacramento, California on 11/18/24.

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Clerk of the Court, by:



, Deputy

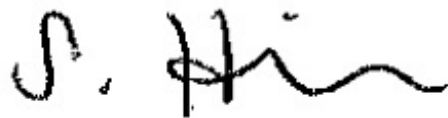
I certify that I am not a party to this cause. I certify that that the following document(s), Minute Order generated dated 11/15/24, was transmitted electronically by an Orange County Superior Court email server on November 15, 2024, at 10:55:17 AM PST. The business mailing address is Orange County Superior Court, 700 Civic Center Dr. W, Santa Ana, California 92701. Pursuant to Code of Civil Procedure section 1013b, I electronically served the document(s) on the persons identified at the email addresses listed below:

MICHAEL E GATES  
MICHAEL.GATES@SURFCITY-HB.ORG

MICHAEL E GATES  
PEGGY.HUANG@SURFCITY-HB.ORG

MICHAEL S COHEN  
MICHAEL.COHEN@DOJ.CA.GOV

Clerk of the Court, by:



, Deputy

**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE**

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER**

**MINUTE ORDER**

DATE: 11/15/2024

TIME: 10:14:13 AM

DEPT: C25

JUDICIAL OFFICER PRESIDING: Nico Dourbetas

CLERK: S. Hill

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: F. Camandang

CASE NO: **30-2024-01393606-CU-WM-CJC** CASE INIT.DATE: 04/15/2024

CASE TITLE: **The People of the State of California vs. City of Huntington Beach**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Writ of Mandate

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EVENT ID/DOCUMENT ID: 74428562

**EVENT TYPE:** Under Submission Ruling

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**APPEARANCES**

There are no appearances by any party.

The Court, having taken the above-entitled matter under submission on 11/14/2024 and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

Respondents City of Huntington Beach and Robin Estanislau's demurrer to the Petition for Writ of Mandate and Complaint is **SUSTAINED**, with leave to amend, on grounds of failure to state facts sufficient to constitute a cause of action. (Code Civ. Proc., § 430.10, subd. (e).) The Court finds that this matter is not ripe for adjudication, as § 705, subd. (a)(2) of the City's Charter is permissive and discretionary in character, and thus currently presents no conflict with state elections law. (City of Huntington Beach v. Becerra (2020) 44 Cal.App.5th 243, 270.)

Moving Parties' request for judicial notice is **GRANTED**. (Evid. Code, § 452, subd. (c); Vargas v. City of Salinas (2009) 46 Cal.4th 1, 22, fn. 10 [judicial notice of ballot language / arguments].)

Responding Parties' request for judicial notice is **DENIED** as to Ex. E, which addresses the validity of proposed changes to § 702 of the City's Charter, while the Petition challenges § 705, subd. (a)(2); thus, Ex. E is irrelevant. (Soukup v. Law Offices of Herbert Hafif (2006) 39 Cal.4th 260, 295 [court is not required to take judicial notice of irrelevant documents].) The remainder of Responding Parties' request for judicial notice is **GRANTED**. (Evid. Code, § 452, subds. (c), (d) [official acts, court records]; Vargas v. City of Salinas (2009) 46 Cal.4th 1, 22, fn. 10 [judicial notice of ballot language / arguments].)

Based on the ruling on the demurrer, Respondents' motion to strike is **MOOT**.

Petitioners shall have 20 days to file an Amended Petition.

\*\*\*Status Conference is set for December 16, 2024 at 10 AM.

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DATE: 11/15/2024

MINUTE ORDER

DEPT: C25

Page 1  
Calendar No.

Court orders Clerk to give notice.

RETRIEVED FROM DEMOCRACYDOCKET.COM

**DECLARATION OF SERVICE BY E-MAIL**

Case Name: **The People of the State of California, et al. v. City of Huntington Beach, et al.**

Case No.: **30-2024-01393606-CU-WM-NJC**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter.

On **January 14, 2025**, I served the attached **APP-002-NOTICE OF APPEAL; MINUTE ORDER DISMISSING CASE DATED 12/16/2024; MINUTE ORDER SUSTAINING DEMURRER DATED 11/15/2024** by sending a true copy via electronic service addressed as follows:

Michael E. Gates, City Attorney  
Peggy Huang, Sr. Deputy City Attorney  
Office of the City Attorney  
2000 Main Street, P.O. Box 190  
Huntington Beach, CA 92648  
E-Mail: [Michael.Gates@surfcity-hb.org](mailto:Michael.Gates@surfcity-hb.org)  
E-Mail: [Peggy.Huang@surfcity-hb.org](mailto:Peggy.Huang@surfcity-hb.org)  
E-Mail: [Michele.Hoffman@surfcity-hb.org](mailto:Michele.Hoffman@surfcity-hb.org)  
E-Mail: [Chris@surfcity-hb.org](mailto:Chris@surfcity-hb.org)  
***Attorneys for Respondents,  
City of Huntington Beach and Robin Estanislau***

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct, and that this declaration was executed on **January 14, 2025**, at Los Angeles, California.

\_\_\_\_\_  
Linda Zamora  
Declarant

\_\_\_\_\_  
  
Signature