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ROCKARD J. DELGADILLO
City Attorney
RICHARD BROWN
General Counsel Water and Power
MARY DENNIS
Deputy City Attorney (Bar No. 149016)
JULIE CONBOY
Deputy City Attorney (Bar No. 197407)
111 North Hope Street, Suite 340
Los Angeles, California 90051-0100
Telephone: (213) 367-4500

Exempt from filing
fees. Government Code
§ 6103.

CRAIG A. MOYER (Bar No. 094187)
MARK D. JOHNSON (Bar No. 135288)
MARC LUESEBRINK (Bar No. 215735)
MANATT, PHELPS & PHILLIPS, LLP
11355 West Olympic Boulevard
Los Angeles, CA 90064-1614
Telephone: (310) 312-4000
Facsimile: (310) 312-4224

Attorneys for Petitioner and Plaintiff
CITY OF LOS ANGELES, DEPARTMENT OF WATER AND
POWER

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF KERN

CITY OF LOS ANGELES
DEPARTMENT OF WATER AND
POWER,

Petitioner and Plaintiff,

vs.

GREAT BASIN UNIFIED AIR
POLLUTION CONTROL DISTRICT,

Respondents and Defendant.

Case No. S-1500-CV-258678, RJO
[Assigned for all purposes to the Honorable
Judge Richard J. Oberholzer, Dept. 5]
[Case transferred from Inyo County Superior
Court to Kern County Superior Court. The
case was designated as Inyo County Superior
Case No. SICVPT-06-41092]
**NOTICE OF FILING OF REQUEST FOR
HEARING ON MERITS OF FIRST
AMENDED AND SUPPLEMENTAL
VERIFIED PETITION FOR WRIT OF
ADMINISTRATIVE AND TRADITIONAL
MANDAMUS**

(Public Resources Code § 21167.4(a))


CEQA

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the purpose of this notice is to advise the parties and the Court of the previously filed Request and the error in it regarding the proper case number for this matter.

Dated: August 3, 2006

MANATT, PHELPS & PHILLIPS, LLP
CRAIG A. MOYER (Bar No. 094187)
MARK D. JOHNSON (Bar No. 135288)
MARC LUESEBRINK (Bar No. 215735)

By: 

Mark D. Johnson
Attorneys for
CITY OF LOS ANGELES
DEPARTMENT OF WATER
AND POWER

EXHIBIT A

ORIGINAL

Exempt from filing fees, Government Code § 6103.

RECEIVED

JUL 26 2006

SUPERIOR COURT METROPOLITAN DIVISION

FILED BY FAX

1 **ROCKARD J. DELGADILLO**
 City Attorney
 2 **RICHARD BROWN**
 General Counsel Water and Power
 3 **MARY DENNIS**
 Deputy City Attorney (Bar No. 149016)
 4 **JULIE CONBOY**
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 10 Telephone: (310) 312-4000
 Facsimile: (310) 312-4224

Attorneys for Petitioner and Plaintiff

CITY OF LOS ANGELES, DEPARTMENT OF WATER AND POWER

13
 14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 15 **FOR THE COUNTY OF KERN**

16
 17 **CITY OF LOS ANGELES**
DEPARTMENT OF WATER AND
 18 **POWER,**

Petitioner and Plaintiff,

20 vs.

21 **GREAT BASIN UNIFIED AIR**
POLLUTION CONTROL DISTRICT,

Respondents and Defendant.

Case No. S-1503-CV-235642

[Case transferred from Inyo County Superior Court to Kern County Superior Court. The case was designated as Inyo County Superior Case No. SICVPT-06-41692.]

REQUEST FOR HEARING ON MERITS OF FIRST AMENDED AND SUPPLEMENTAL VERIFIED PETITION FOR WRIT OF ADMINISTRATIVE AND TRADITIONAL MANDAMUS

(Public Resources Code § 21167.4(a))

CEQA.

417226121

MANATT, PHELPS & PHILLIPS, LLP
ATTORNEYS AT LAW
LOS ANGELES


REQUEST FOR HEARING ON MERITS OF PETITION

1 TO THE COURT, ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF
2 RECORD:

3 PLEASE TAKE NOTICE that pursuant to Public Resources Code § 21167.4(a),
4 Petitioner and Plaintiff CITY OF LOS ANGELES DEPARTMENT OF WATER AND
5 POWER ("City") hereby requests that a hearing be held on the merits of the City's First
6 Amended and Supplemental Verified Petition For Writ of Administrative and Traditional
7 Mandamus in the above-captioned matter ("FASVP"). The City filed the FASVP in the
8 Inyo County Superior Court on May 4, 2006. On July 10, 2006, the Inyo County Superior
9 Court ordered that this matter be transferred to the Kern County Superior Court. The
10 Sixth and Seventh Causes of Action in the FASVP assert claims under the California
11 Environmental Quality Act, Public Resources Code Section 21000 *et seq.*

12 Dated: July 25, 2006

MANATT, PHELPS & PHILLIPS, LLP
CRAIG A. MOYER (Bar No. 094187)
MARK D. JOHNSON (Bar No. 135288)
MARC LUESEBRINK (Bar No. 215735)

13
14
15
16 By: 
Mark D. Johnson
Attorneys for
CITY OF LOS ANGELES
DEPARTMENT OF WATER
AND POWER

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PROOF OF SERVICE

1
2 I, C.M. Guitian, declare:

3 I am a citizen of the United States and employed in Los Angeles County, California. I am
4 over the age of eighteen years and not a party to the within-entitled action. My business address
5 is 11355 West Olympic Boulevard, Los Angeles, California 90064-1614. On July 26, 2006, I
6 served a copy of the within document(s):

7 **REQUEST FOR HEARING ON MERITS OF FIRST AMENDED AND
8 SUPPLEMENTAL VERIFIED PETITION FOR WRIT OF
9 ADMINISTRATIVE AND TRADITIONAL MANDAMUS**

- 10 by transmitting via facsimile the document(s) listed above to the fax number(s) set
11 forth below on this date before 5:00 p.m.
- 12 by placing the document(s) listed above in a sealed envelope with postage thereon
13 fully prepaid, in the United States mail at Los Angeles, California addressed as set
14 forth below.
- 15 by placing the document(s) listed above in a sealed Golden State Overnight
16 envelope and affixing a pre-paid air bill, and causing the envelope to be delivered
17 to a Golden State Overnight agent for delivery.
- 18 by personally delivering the document(s) listed above to the person(s) at the
19 address(es) set forth below.

20 Peter Hsiao, Esq.
21 Morrison & Foerster LLP
22 555 West Fifth Street
23 Los Angeles, CA 90013-1024
24 Tel.: 213/892-5200
25 Fax: 213/892-5454

26 I am readily familiar with the firm's practice of collection and processing correspondence
27 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
28 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
motion of the party served, service is presumed invalid if postal cancellation date or postage
meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on July 26, 2006, at Los Angeles, California.


C.M. Guitian

PROOF OF SERVICE

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C.M. Guitian

EXHIBIT B



**SUPERIOR COURT OF CALIFORNIA
METROPOLITAN DIVISION
1415 TRUXTON AVENUE, BAKERSFIELD, CA 93301**

FOR COURT USE ONLY

RECEIVED
AUG 2 2006
MANATT, PHELPS & PHILLIPS

PLAINTIFF
CITY OF LOS ANGELES DEPARTMENT OF WATER AND
POWER

DEFENDANT
GREAT BASIN UNIFIED AIR POLLUTION CONTROL
DISTRICT

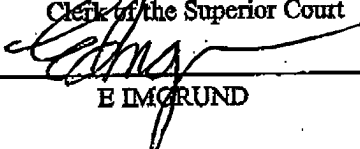
CASE NUMBER: S-1500-CV-258678, RJO

NOTICE OF TRANSFER (IN)

TO THE ABOVE NAMED PARTIES AND THEIR ATTORNEY(S) OF RECORD:

YOU ARE HEREBY NOTIFIED THAT THE ABOVE-ENTITLED MATTER WAS TRANSFERRED TO KERN COUNTY SUPERIOR COURT, 1415 TRUXTON AVENUE, BAKERSFIELD, CALIFORNIA, AND FILED IN THIS OFFICE ON JULY 13, 2006 AND NUMBERED S 1500 CV 258678 OF THE CIVIL DIVISION OF THE ABOVE-ENTITLED COURT.

DATE: Monday, July 31, 2006

TERRY McNALLY
Clerk of the Superior Court
By  Deputy
E IMGRUND

DECLARATION OF MAILING

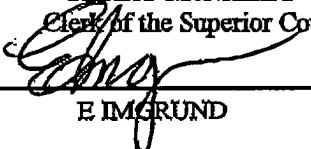
The undersigned, of said Kern County, says: That I am a Deputy Clerk of the Superior Court of the State of California, in and for the County of Kern; that I am a citizen of the United States, over 18 years of age, a resident of Kern County, and not a party to the within action, that I served the above NOTICE OF TRANSFER (IN) on counsel for respective parties in the within action by depositing true copies thereof, enclosed in sealed envelopes with postage thereon fully prepaid in the United States mail at Bakersfield, California, addressed as follows:

MARK D JOHNSON
MANATT PHELPS & PHILLIPS LLP
11355 W OLYMPIC BLVD
LOS ANGELES, CA 90064-1614
PH:(310) 312-4000

JULIE CONBOY
LOS ANGELES CITY ATTORNEY
111 NORTH HOPE STREET STE 340
LOS ANGELES, CA 90051-010
PH:(213) 367-4500

PETER HSIAO
MORRISON & FOERSTER
555 WEST FIFTH
LOS ANGELES, CA 90013-102
PH:(213) 892-5200

DATE: July 31, 2006

TERRY McNALLY
Clerk of the Superior Court
By  Deputy
E IMGRUND

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is true and correct.

Executed on August 3, 2006, at Los Angeles, California.


C.M. Guitian