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9 UNITED WALNUT TAXPAYERS

CONFIRMED COPY
ORIGINAL FILED
Superior Court Of California
County Of Los Angeles

MAR 19 2018

Sherrin Carter, Executive Officer/Clerk
By: Marion Gomez, Deputy

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

12 UNITED WALNUT TAXPAYERS, a
13 California Nonprofit Fictitious Business
14 Entity,
15 Plaintiff and Petitioner,

16 v.

17 MT. SAN ANTONIO COMMUNITY
18 COLLEGE DISTRICT; WILLIAM
19 SCROGGINS, in his official capacity as
20 President and CEO of Mt. San Antonio
21 Community College and DOES ONE
22 through TEN, inclusive,

23 Defendants and Respondents,

24 AND ALL REAL PARTIES IN
25 INTERESTS and DOES ELEVEN
26 through THIRTY.

Case No.: BC 639908

[action filed: November 7, 2016]

**NOTICE OF MOTION OF PLAINTIFF
UNITED WALNUT TAXPAYERS'
MOTION FOR PRELIMINARY
INJUNCTION**

Motion Reservation ID: 171219275729

Filed concurrently with:

MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATION OF CRAIG
A. SHERMAN; DECLARATION OF DENNIS
G. MAJORS; REQUEST FOR JUDICIAL
NOTICE WITH SUPPORTING
DECLARATION; and [PROPOSED] ORDER

Hearing Date: April 11, 2018

Time: 8:30 a.m.

Dept.: 42

I/C Judge: Hon. Holly E. Kendig

27 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE TAKE**
28 **NOTICE** that on April 11, 2018 at 8:30 a.m., in Department 42 of the Los Angeles Superior
Court, Stanley Mosk Courthouse, located at 111 N. Hill Street in the City of Los Angeles, or as
soon thereafter as this matter may be heard, plaintiff and petitioner United Walnut Taxpayers
("United Walnut" or "Plaintiff") will, and hereby does, move for a preliminary injunction on its

1 *Third and Fourth Causes of Action*, based allegations that defendants and respondents Mt. San
2 Antonio Community College District, its President and CEO William Scroggins (“Mt. Sac”)
3 have (1) violated Proposition 39, (2) Education Code sections 15264-15288, (3) and Cal.
4 Const. Sec. 1 of Art. XIII A subd. (b)(3), and Art. XVI subd. (b). United Walnut seeks a
5 preliminary injunction pursuant to California Code of Civil Procedure section 526a and
6 Education Code section 15284, to enjoin and restrain the expenditure of Measure RR funds on
7 the new stadium at the former Hilmer Lodge stadium site, that was approved on October 12,
8 2016 by Mt. Sac, as consisting of the demolition of the existing Hilmer Lodge Stadium and the
9 construction of a new stadium.

10 This motion is based on this Notice of Motion, the concurrently filed Memorandum in
11 Support, Declaration of Craig A. Sherman, Declaration of Dennis G. Majors, and Request for
12 Judicial Notice (with supporting declaration and exhibits thereto), the [Proposed] Order, the
13 pleadings and papers on file with this Court, and such other evidence and argument as may be
14 presented in United Walnut’s responsive briefing or at the April 11, 2018 hearing.

15 Dated: March 19, 2018

CRAIG A. SHERMAN,
A PROFESSIONAL LAW CORP



18 CRAIG A. SHERMAN
19 Attorney for Plaintiff and Petitioner
20 UNITED WALNUT TAXPAYERS

Proof of Service

United Walnut Taxpayers v. Mt. San Antonio Community College District, et al.
Los Angeles Superior Court Case No.: BC 639908

I, the undersigned, declare under the penalty of perjury that I am over the age of eighteen years, my place of business is in the County of San Diego, located at 1901 First Avenue, San Diego, CA; and I served the below-named person(s) the following document(s):

NOTICE OF MOTION OF PLAINTIFF UNITED WALNUT TAXPAYERS' MOTION FOR PRELIMINARY INJUNCTION

on March 19, 2018 on the following person(s) in a sealed envelope or package, addressed as follows:

Sean B. Absher, Esq.
STRADLING YOCCA CARLSON & RAUTH
44 Montgomery Street, Suite 4200
San Francisco, CA 94104
sabsher@sycr.com

O: 415-283-2240
F: 415-283-2255

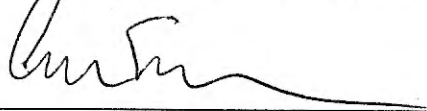
**Counsel for Mt. San Antonio
Community College District**

in the following manner:

- 1) By personally serving each person named above.

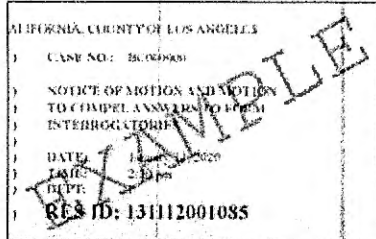
I declare under the penalty of perjury under the laws of the State of California that the above foregoing is true and correct.

Executed on March 19, 2018 at San Diego, California.



Craig A. Sherman

THIS IS YOUR CRS RECEIPT

INSTRUCTIONS
<p>Please print this receipt and attach it to the corresponding motion/document as the last page. Indicate the Reservation ID on the motion/document face page (see example). The document will not be accepted without this receipt page and the Reservation ID.</p>


RESERVATION INFORMATION

Reservation ID: 171219275729
Transaction Date: December 19, 2017
Case Number: BC639908
Case Title: UNITED WALNUT TAXPAYERS VS MT SAN ANTONIO COMMUNITY COLLEGE
Party: UNITED WALNUT TAXPAYERS (Plaintiff/Petitioner)
Courthouse: Stanley Mosk Courthouse
Department: 42
Reservation Type: Motion for Preliminary Injunction
Date: 4/11/2018
Time: 08:30 am

FEE INFORMATION (Fees are non-refundable)

First Paper Fee: Party asserts first paper was previously paid.

Description	Fee
Motion for Preliminary Injunction	\$60.00
Total Fees:	\$60.00

Receipt Number: 1171219K3540

PAYMENT INFORMATION

Name on Credit Card: Craig Sheerman
Credit Card Number: XXXX-XXXX-XXXX-7212

A COPY OF THIS RECEIPT MUST BE ATTACHED TO THE CORRESPONDING MOTION/DOCUMENT AS THE LAST PAGE AND THE RESERVATION ID INDICATED ON THE MOTION/DOCUMENT FACE PAGE.