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COUNTY OF LOS ANGELES, COUNTY OF LOS  
14 ANGELES BOARD OF SUPERVISORS, COUNTY  
OF LOS ANGELES REGIONAL PLANNING  
15 COMMISSION, COUNTY OF LOS ANGELES  
DEPARTMENT OF REGIONAL PLANNING and  
16 COUNTY OF LOS ANGELES DEPARTMENT OF  
PUBLIC WORKS

EXEMPT FROM FILING FEES PURSUANT  
TO GOVERNMENT CODE SECTION 6103

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA

18 COUNTY OF LOS ANGELES

19 FIBER FIRST LOS ANGELES; MOTHERS  
20 OF EAST LA; UNION BINACIONAL DE  
ORGANIZACIONES DE TRABAJADORES  
21 MEXICANOS EXBRACEROS 1942-1964;  
BOYLE HEIGHTS COMMUNITY  
22 PARTNERS; UNITED KEETOOWAH BAND  
OF CHEROKEE INDIANS IN OKLAHOMA;  
23 CALIFORNIA FIRES & FIREFIGHTERS;  
MALIBU FOR SAFE TECH; EMF SAFETY  
24 NETWORK; CALIFORNIANS FOR SAFE  
TECHNOLOGY; 5G FREE CALIFORNIA;  
25 and CHILDREN’S HEALTH DEFENSE,

Case No. 23STCP00750  
Judge: James C. Chalfant, Dept. 85

Filed Under California Environmental  
Quality Act (“CEQA”)

**DEFENDANTS AND RESPONDENTS’  
ANSWER TO FIRST AMENDED  
VERIFIED PETITION FOR WRIT OF  
MANDATE AND COMPLAINT FOR  
DECLARATORY AND INJUNCTIVE  
RELIEF**

26 Plaintiffs and Petitioners,

Action Filed: March 7, 2023  
Trial Date: Not Set

27 v.

28 COUNTY OF LOS ANGELES; COUNTY OF

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LOS ANGELES BOARD OF SUPERVISORS;  
COUNTY OF LOS ANGELES REGIONAL  
PLANNING COMMISSION; COUNTY OF  
LOS ANGELES DEPARTMENT OF  
REGIONAL PLANNING; COUNTY OF LOS  
ANGELES DEPARTMENT OF PUBLIC  
WORKS; and DOES 1-10, inclusive;

Defendants, Respondents,  
and Real Parties in Interest.



1           3.        Answering Paragraph 3, the County answers that this paragraph contains legal  
2 theory, argument, and conclusions of law, which require no response from the County. To the  
3 extent this paragraph contains allegations that require additional response, the County generally  
4 and specifically denies each and every such allegation contained within this paragraph.

5           4.        Answering Paragraph 4, the County answers that this paragraph purports to  
6 characterize the Ordinance, which speaks for itself, and no further response is required. The  
7 County further answers that this paragraph contains legal theory, argument, and conclusions of  
8 law, which require no response from the County . To the extent this paragraph contains  
9 allegations that require additional response, the County generally and specifically denies each and  
10 every such allegation contained within this paragraph.

11          5.        Answering Paragraph 5, the County answers that this paragraph contains legal  
12 theory, argument, and conclusions of law, which require no response from the County. To the  
13 extent this paragraph contains allegations that require additional response, the County generally  
14 and specifically denies each and every such allegation contained within this paragraph.

15          6.        Answering Paragraph 6, the County answers that this paragraph purports to  
16 characterize the Ordinance, which speaks for itself, and no further response is required. The  
17 County further answers that this paragraph contains legal theory, argument, and conclusions of  
18 law, which require no response from the County. To the extent this paragraph contains  
19 allegations that require additional response, the County generally and specifically denies each and  
20 every such allegation contained within this paragraph.

21          7.        Answering Paragraph 7, the County answers that this paragraph purports to  
22 characterize the Ordinance, which speaks for itself, and no further response is required. The  
23 County further answers that this paragraph contains legal theory, argument, and conclusions of  
24 law, which require no response from the County. To the extent this paragraph contains  
25 allegations that require additional response, the County generally and specifically denies each and  
26 every such allegation contained within this paragraph.

27          8.        Answering Paragraph 8, the County answers that this paragraph contains legal  
28 theory, argument, and conclusions of law, which require no response from the County. To the

1 extent this paragraph contains allegations that require additional response, the County generally  
2 and specifically denies each and every such allegation contained within this paragraph.

3 9. Answering Paragraph 9, the County answers that this paragraph contains legal  
4 theory, argument, and conclusions of law, which require no response from the County. To the  
5 extent this paragraph contains allegations that require additional response, the County generally  
6 and specifically denies each and every such allegation contained within this paragraph.

7 10. Answering Paragraph 10, the County answers that this paragraph contains legal  
8 theory, argument, and conclusions of law, which require no response from the County. To the  
9 extent this paragraph contains allegations that require additional response, the County generally  
10 and specifically denies each and every such allegation contained within this paragraph.

### 11 **PARTIES**

12 11. Answering Paragraph 11, the County answers that it lacks sufficient information or  
13 belief to enable it to answer the allegations contained therein, and basing its denial on this ground,  
14 generally and specifically denies each and every allegation contained within this paragraph.

15 12. Answering Paragraph 12, the County answers that it lacks sufficient information or  
16 belief to enable it to answer the allegations contained therein, and basing its denial on this ground,  
17 generally and specifically denies each and every allegation contained within this paragraph.

18 13. Answering Paragraph 13, the County answers that it lacks sufficient information or  
19 belief to enable it to answer the allegations contained therein, and basing its denial on this ground,  
20 generally and specifically denies each and every allegation contained within this paragraph.

21 14. Answering Paragraph 14, the County answers that it lacks sufficient information or  
22 belief to enable it to answer the allegations contained therein, and basing its denial on this ground,  
23 generally and specifically denies each and every allegation contained within this paragraph.

24 15. Answering Paragraph 15, the County answers that it lacks sufficient information or  
25 belief to enable it to answer the allegations contained therein, and basing its denial on this ground,  
26 generally and specifically denies each and every allegation contained within this paragraph.

27 16. Answering Paragraph 16, the County answers that it lacks sufficient information or  
28 belief to enable it to answer the allegations contained therein, and basing its denial on this ground,

1 generally and specifically denies each and every allegation contained within this paragraph.

2 17. Answering Paragraph 17, the County answers that it lacks sufficient information or  
3 belief to enable it to answer the allegations contained therein, and basing its denial on this ground,  
4 generally and specifically denies each and every allegation contained within this paragraph.

5 18. Answering Paragraph 18, the County answers that it lacks sufficient information or  
6 belief to enable it to answer the allegations contained therein, and basing its denial on this ground,  
7 generally and specifically denies each and every allegation contained within this paragraph.

8 19. Answering Paragraph 19, the County answers that it lacks sufficient information or  
9 belief to enable it to answer the allegations contained therein, and basing its denial on this ground,  
10 generally and specifically denies each and every allegation contained within this paragraph.

11 20. Answering Paragraph 20, the County answers that it lacks sufficient information or  
12 belief to enable it to answer the allegations contained therein, and basing its denial on this ground,  
13 generally and specifically denies each and every allegation contained within this paragraph.

14 21. Answering the allegations in Paragraph 21, the County answers that it lacks  
15 sufficient information or belief to enable it to answer the allegations contained therein, and basing  
16 its denial on this ground, generally and specifically denies each and every allegation contained  
17 within this paragraph.

18 22. Answering Paragraph 22, the County answers that this paragraph characterizes the  
19 contents of the Petition, which speaks for itself, and no further answer is required. To the extent  
20 Paragraph 22 contains allegations that require additional response, the County generally and  
21 specifically denies each and every such allegation contained within this paragraph.

22 23. Answering Paragraph 23, the County admits that the County is a public agency,  
23 and that the Project is within the “jurisdictional limits” of the County. Answering Sentence 2 of  
24 Paragraph 23, the County further answers that this sentence contains legal theory, argument, and  
25 conclusions of law, which require no response from the County. To the extent Paragraph 23  
26 contains allegations that require additional response, the County generally and specifically denies  
27 each and every such allegation contained within this paragraph. .

28

1           24.     Answering Paragraph 24, the County admits that the Board of Supervisors is an  
2 elected legislative and decision-making body in the County. The County further answers that this  
3 paragraph contains legal theory, argument, and conclusions of law, which require no response  
4 from the County. The County further answers that this paragraph contains factual allegations that  
5 are addressed in the Record, which speaks for itself, and no further response is required. To the  
6 extent Paragraph 24 contains allegations that require additional response, the County generally  
7 and specifically denies each and every such allegation contained within this paragraph. Except as  
8 expressly admitted, the County answers that it lacks sufficient information or belief to enable it to  
9 answer the allegations contained therein, and basing its denial on this ground, generally and  
10 specifically denies each and every allegation contained within this paragraph.

11           25.     Answering Paragraph 25, the County admits that the County of Los Angeles  
12 Regional Planning Commission is a body established by the County, and that the County of Los  
13 Angeles Department of Regional Planning and County of Los Angeles Department of Public  
14 Works are departments of the County. The County answers that this paragraph also contains  
15 legal theory, argument, and conclusions of law, which require no response from the County.  
16 Except as expressly admitted, the County answers that it lacks sufficient information or belief to  
17 enable it to answer the allegations contained therein, and basing its denial on this ground,  
18 generally and specifically denies each and every allegation contained within this paragraph.

19           26.     Answering Paragraph 26, the County answers that this paragraph characterizes the  
20 contents of the Petition, which speaks for itself, and no further answer is required. To the extent  
21 Paragraph 26 contains allegations that require additional response, the County generally and  
22 specifically denies each and every such allegation contained within this paragraph.

23           27.     Answering Paragraph 27, the County answers that this paragraph characterizes the  
24 contents of the Petition, which speaks for itself, and no further answer is required. To the extent  
25 Paragraph 27 contains allegations that require additional response, the County generally and  
26 specifically denies each and every such allegation contained within this paragraph.

27           28.     Answering Paragraph 28, the County answers that this paragraph characterizes the  
28 contents of the Petition, which speaks for itself, and no further answer is required. To the extent

1 Paragraph 28 contains allegations that require additional response, the County generally and  
2 specifically denies each and every such allegation contained within this paragraph..

3 **JURISDICTION AND VENUE**

4 29. Answering Paragraph 29, the County answers that this paragraph contains legal  
5 theory, argument, and conclusions of law, which require no response from the County. To the  
6 extent this paragraph contains allegations that require additional response, the County generally  
7 and specifically denies each and every such allegation contained within this paragraph.

8 30. Answering Paragraph 30, the County admits that the Project Site lies entirely  
9 within the County of Los Angeles. The County answers that this paragraph contains legal theory,  
10 argument, and conclusions of law, which require no response from the County; however, the  
11 County does not dispute that venue is proper in the County of Los Angeles. Except as expressly  
12 admitted, the County generally and specifically denies each and every other allegation contained  
13 within this paragraph.

14 31. Answering Paragraph 31, the County answers that this paragraph contains legal  
15 theory, argument, and conclusions of law, which require no response from the County. To the  
16 extent this paragraph contains allegations that require additional response, the County generally  
17 and specifically denies each and every such allegation contained within this paragraph.

18 32. Answering Paragraph 32, the County answers that this paragraph contains legal  
19 theory, argument, and conclusions of law, which require no response from the County. To the  
20 extent this paragraph contains allegations that require additional response, the County generally  
21 and specifically denies each and every such allegation contained within this paragraph.

22 33. Answering Paragraph 33, the County answers that this paragraph contains legal  
23 theory, argument, and conclusions of law, which require no response from the County. To the  
24 extent this paragraph contains allegations that require additional response, the County generally  
25 and specifically denies each and every such allegation contained within this paragraph.

26 34. Answering Paragraph 34, the County answers that this paragraph contains legal  
27 theory, argument, and conclusions of law, which require no response from the County. To the  
28



1 extent this paragraph contains allegations that require additional response, the County generally  
2 and specifically denies each and every such allegation contained within this paragraph.

3 35. Answering Paragraph 35, the County answers that this paragraph contains legal  
4 theory, argument, and conclusions of law, which require no response from the County. To the  
5 extent this paragraph contains allegations that require additional response, the County generally  
6 and specifically denies each and every such allegation contained within this paragraph.

7 36. Answering Paragraph 36, the County answers that this paragraph contains legal  
8 theory, argument, and conclusions of law, which require no response from the County. To the  
9 extent this paragraph contains allegations that require additional response, the County generally  
10 and specifically denies each and every such allegation contained within this paragraph.

11 37. Answering Paragraph 37, the County answers that this paragraph contains legal  
12 theory, argument, and conclusions of law, which require no response from the County. To the  
13 extent this paragraph contains allegations that require additional response, the County generally  
14 and specifically denies each and every such allegation contained within this paragraph.

15 38. Answering Paragraph 38, the County answers that this paragraph contains legal  
16 theory, argument, and conclusions of law, which require no response from the County. To the  
17 extent this paragraph contains allegations that require additional response, the County generally  
18 and specifically denies each and every such allegation contained within this paragraph.

### 19 **STATUTORY BACKGROUND**

#### 20 **The California Environmental Quality Act**

21 39. Answering Paragraph 39, the County answers that this paragraph purports to  
22 characterize the California Environmental Quality Act (“CEQA”), which speaks for itself, and no  
23 further response is required. To the extent this paragraph contains allegations that require  
24 additional response, the County generally and specifically denies each and every such allegation  
25 contained within this paragraph.

26 40. Answering Paragraph 40, the County answers that this paragraph purports to  
27 characterize CEQA, which speaks for itself, and no further response is required. To the extent  
28

1 this paragraph contains allegations that require additional response, the County generally and  
2 specifically denies each and every such allegation contained within this paragraph.

3 41. Answering Paragraph 41, the County answers that this paragraph purports to  
4 characterize CEQA and case law, which speak for themselves, and no further response is  
5 required. The County further answers that this paragraph contains legal theory, argument, and  
6 conclusions of law, which require no response from the County. To the extent this paragraph  
7 includes additional allegations that require a response, the County generally and specifically  
8 denies each and every such allegation contained in this paragraph.

9 42. Answering Paragraph 42, the County answers that this paragraph purports to  
10 characterize CEQA and case law, which speak for themselves, and no further response is  
11 required. The County further answers that this paragraph contains legal theory, argument, and  
12 conclusions of law, which require no response from the County. To the extent this paragraph  
13 includes additional allegations that require a response, the County generally and specifically  
14 denies each and every such allegation contained in this paragraph.

15 43. Answering Paragraph 43, the County answers that this paragraph purports to  
16 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
17 response is required. The County further answers that this paragraph contains legal theory,  
18 argument, and conclusions of law, which require no response from the County. To the extent this  
19 paragraph includes additional allegations that require a response, the County generally and  
20 specifically denies each and every such allegation contained in this paragraph.

21 44. Answering Paragraph 44, the County answers that this paragraph purports to  
22 characterize CEQA, the State CEQA Guidelines, and case law, which speak for themselves, and  
23 no further response is required. The County further answers that this paragraph contains legal  
24 theory, argument, and conclusions of law, which require no response from the County. To the  
25 extent this paragraph includes additional allegations that require a response, the County generally  
26 and specifically denies each and every such allegation contained in this paragraph.

27 45. Answering Paragraph 45, the County answers that this paragraph purports to  
28 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further

1 response is required. The County further answers that this paragraph contains legal theory,  
2 argument, and conclusions of law, which require no response from the County. To the extent this  
3 paragraph includes additional allegations that require a response, the County generally and  
4 specifically denies each and every such allegation contained in this paragraph.

5 46. Answering Paragraph 46, the County answers that this paragraph purports to  
6 characterize CEQA and case law, which speak for themselves, and no further response is  
7 required. The County further answers that this paragraph contains legal theory, argument, and  
8 conclusions of law, which require no response from the County. To the extent this paragraph  
9 includes additional allegations that require a response, the County generally and specifically  
10 denies each and every such allegation contained in this paragraph.

11 47. Answering Paragraph 47, the County answers that this paragraph purports to  
12 characterize CEQA, the State CEQA Guidelines, and case law, which speak for themselves, and  
13 no further response is required. The County further answers that this paragraph contains legal  
14 theory, argument, and conclusions of law, which require no response from the County. To the  
15 extent this paragraph includes additional allegations that require a response, the County generally  
16 and specifically denies each and every such allegation contained in this paragraph.

17 48. Answering Paragraph 48, the County answers that this paragraph purports to  
18 characterize CEQA, the State CEQA Guidelines, and case law, which speak for themselves, and  
19 no further response is required. The County further answers that this paragraph contains legal  
20 theory, argument, and conclusions of law, which require no response from the County. To the  
21 extent this paragraph includes additional allegations that require a response, the County generally  
22 and specifically denies each and every such allegation contained in this paragraph.

### 23 **Exemptions from CEQA Environmental Review**

24 49. Answering Paragraph 49, the County answers that this paragraph purports to  
25 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
26 response is required. The County further answers that this paragraph contains legal theory,  
27 argument, and conclusions of law, which require no response from the County. To the extent this  
28

1 paragraph includes additional allegations that require a response, the County generally and  
2 specifically denies each and every such allegation contained in this paragraph.

3 50. Answering Paragraph 50, the County answers that this paragraph purports to  
4 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
5 response is required. The County further answers that this paragraph contains legal theory,  
6 argument, and conclusions of law, which require no response from the County. To the extent this  
7 paragraph includes additional allegations that require a response, the County generally and  
8 specifically denies each and every such allegation contained in this paragraph.

9 51. Answering Paragraph 51, the County answers that this paragraph purports to  
10 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
11 response is required. The County further answers that this paragraph contains legal theory,  
12 argument, and conclusions of law, which require no response from the County. To the extent this  
13 paragraph includes additional allegations that require a response, the County generally and  
14 specifically denies each and every such allegation contained in this paragraph.

15 52. Answering Paragraph 52, the County answers that this paragraph purports to  
16 characterize CEQA, the State CEQA Guidelines, and case law, which speak for themselves, and  
17 no further response is required. The County further answers that this paragraph contains legal  
18 theory, argument, and conclusions of law, which require no response from the County. To the  
19 extent this paragraph includes additional allegations that require a response, the County generally  
20 and specifically denies each and every such allegation contained in this paragraph.

21 53. Answering Paragraph 53, the County answers that this paragraph purports to  
22 characterize CEQA and case law, which speak for themselves, and no further response is  
23 required. The County further answers that this paragraph contains legal theory, argument, and  
24 conclusions of law, which require no response from the County. To the extent this paragraph  
25 includes additional allegations that require a response, the County generally and specifically  
26 denies each and every such allegation contained in this paragraph.

27 54. Answering Paragraph 54, the County answers that this paragraph purports to  
28 characterize CEQA, the State CEQA Guidelines, and case law, which speak for themselves, and

1 no further response is required. The County further answers that this paragraph contains legal  
2 theory, argument, and conclusions of law, which require no response from the County. To the  
3 extent this paragraph includes additional allegations that require a response, the County generally  
4 and specifically denies each and every such allegation contained in this paragraph.

5 55. Answering Paragraph 55, the County answers that this paragraph purports to  
6 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
7 response is required. The County further answers that this paragraph contains legal theory,  
8 argument, and conclusions of law, which require no response from the County. To the extent this  
9 paragraph includes additional allegations that require a response, the County generally and  
10 specifically denies each and every such allegation contained in this paragraph.

11 56. Answering Paragraph 56, the County answers that this paragraph purports to  
12 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
13 response is required. The County further answers that this paragraph contains legal theory,  
14 argument, and conclusions of law, which require no response from the County. To the extent this  
15 paragraph includes additional allegations that require a response, the County generally and  
16 specifically denies each and every such allegation contained in this paragraph.

17 57. Answering Paragraph 57, the County answers that this paragraph purports to  
18 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
19 response is required. The County further answers that this paragraph contains legal theory,  
20 argument, and conclusions of law, which require no response from the County. To the extent this  
21 paragraph includes additional allegations that require a response, the County generally and  
22 specifically denies each and every such allegation contained in this paragraph.

23 58. Answering Paragraph 58, the County answers that this paragraph purports to  
24 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
25 response is required. The County further answers that this paragraph contains legal theory,  
26 argument, and conclusions of law, which require no response from the County. To the extent this  
27 paragraph includes additional allegations that require a response, the County generally and  
28 specifically denies each and every such allegation contained in this paragraph.

1           59.     Answering Paragraph 59, the County answers that this paragraph purports to  
2 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
3 response is required. The County further answers that this paragraph contains legal theory,  
4 argument, and conclusions of law, which require no response from the County. To the extent this  
5 paragraph includes additional allegations that require a response, the County generally and  
6 specifically denies each and every such allegation contained in this paragraph.

7           60.     Answering Paragraph 60 of the Petition, the County answers that this paragraph  
8 purports to characterize CEQA and the State CEQA Guidelines, which speak for themselves, and  
9 no further response is required. The County further answers that this paragraph contains legal  
10 theory, argument, and conclusions of law, which require no response from the County. To the  
11 extent this paragraph includes additional allegations that require a response, the County generally  
12 and specifically denies each and every such allegation contained in this paragraph.

13           61.     Answering Paragraph 61, the County answers that this paragraph purports to  
14 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
15 response is required. The County further answers that this paragraph contains legal theory,  
16 argument, and conclusions of law, which require no response from the County. To the extent this  
17 paragraph includes additional allegations that require a response, the County generally and  
18 specifically denies each and every such allegation contained in this paragraph.

19           62.     Answering Paragraph 62, the County answers that this paragraph purports to  
20 characterize CEQA and case law, which speak for themselves, and no further response is  
21 required. The County further answers that this paragraph contains legal theory, argument, and  
22 conclusions of law, which require no response from the County. To the extent this paragraph  
23 includes additional allegations that require a response, the County generally and specifically  
24 denies each and every such allegation contained in this paragraph.

25           63.     Answering Paragraph 63, the County answers that this paragraph purports to  
26 characterize CEQA and case law, which speak for themselves, and no further response is  
27 required. The County further answers that this paragraph contains legal theory, argument, and  
28 conclusions of law, which require no response from the County. To the extent this paragraph

1 includes additional allegations that require a response, the County generally and specifically  
2 denies each and every such allegation contained in this paragraph.

3           64.     Answering Paragraph 64, the County answers that this paragraph purports to  
4 characterize CEQA and case law, which speak for themselves, and no further response is  
5 required. The County further answers that this paragraph contains legal theory, argument, and  
6 conclusions of law, which require no response from the County. To the extent this paragraph  
7 includes additional allegations that require a response, the County generally and specifically  
8 denies each and every such allegation contained in this paragraph.

9           65.     Answering Paragraph 65, the County answers that this paragraph purports to  
10 characterize CEQA and case law, which speak for themselves, and no further response is  
11 required. The County further answers that this paragraph contains legal theory, argument, and  
12 conclusions of law, which require no response from the County. To the extent this paragraph  
13 includes additional allegations that require a response, the County generally and specifically  
14 denies each and every such allegation contained in this paragraph.

15           66.     Answering Paragraph 66, the County answers that this paragraph purports to  
16 characterize CEQA, the State CEQA Guidelines, and case law, which speak for themselves, and  
17 no further response is required. The County further answers that this paragraph contains legal  
18 theory, argument, and conclusions of law, which require no response from the County. To the  
19 extent this paragraph includes additional allegations that require a response, the County generally  
20 and specifically denies each and every such allegation contained in this paragraph.

21           67.     Answering Paragraph 67, the County answers that this paragraph purports to  
22 characterize CEQA, the State CEQA Guidelines, and case law, which speak for themselves, and  
23 no further response is required. The County further answers that this paragraph contains legal  
24 theory, argument, and conclusions of law, which require no response from the County. To the  
25 extent this paragraph includes additional allegations that require a response, the County generally  
26 and specifically denies each and every such allegation contained in this paragraph.

27           68.     Answering Paragraph 68, the County answers that this paragraph purports to  
28 characterize CEQA, the State CEQA Guidelines, and case law, which speak for themselves, and

1 no further response is required. The County further answers that this paragraph contains legal  
2 theory, argument, and conclusions of law, which require no response from the County. To the  
3 extent this paragraph includes additional allegations that require a response, the County generally  
4 and specifically denies each and every such allegation contained in this paragraph.

5 Class 1 and Class 3 Categorical Exemptions

6 69. Answering Paragraph 69, the County answers that this paragraph purports to  
7 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
8 response is required. The County further answers that this paragraph contains legal theory,  
9 argument, and conclusions of law, which require no response from the County.

10 70. Answering Paragraph 70, the County answers that this paragraph purports to  
11 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
12 response is required. The County further answers that this paragraph contains legal theory,  
13 argument, and conclusions of law, which require no response from the County.

14 Exceptions to Categorical Exemptions

15 71. Answering Paragraph 71, the County answers that this paragraph purports to  
16 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
17 response is required. The County further answers that this paragraph contains legal theory,  
18 argument, and conclusions of law, which require no response from the County. To the extent this  
19 paragraph includes additional allegations that require a response, the County generally and  
20 specifically denies each and every such allegation contained in this paragraph.

21 72. Answering Paragraph 72, the County answers that this paragraph purports to  
22 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
23 response is required. The County further answers that this paragraph contains legal theory,  
24 argument, and conclusions of law, which require no response from the County. To the extent this  
25 paragraph includes additional allegations that require a response, the County generally and  
26 specifically denies each and every such allegation contained in this paragraph.

27 73. Answering Paragraph 73, the County answers that this paragraph purports to  
28 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further



1 response is required. The County further answers that this paragraph contains legal theory,  
2 argument, and conclusions of law, which require no response from the County. To the extent this  
3 paragraph includes additional allegations that require a response, the County generally and  
4 specifically denies each and every such allegation contained in this paragraph.

5 74. Answering Paragraph 74, the County answers that this paragraph purports to  
6 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
7 response is required. The County further answers that this paragraph contains legal theory,  
8 argument, and conclusions of law, which require no response from the County. To the extent this  
9 paragraph includes additional allegations that require a response, the County generally and  
10 specifically denies each and every such allegation contained in this paragraph.

11 **Planning & Zoning Law and Los Angeles County Code: General Plan Consistency**

12 75. Answering Paragraph 75, the County answers that this paragraph purports to  
13 characterize Cal. Government Code 65000 *et seq.* (“Planning and Zoning Law”) and case law,  
14 which speak for themselves, and no further response is required. The County further answers that  
15 this paragraph contains legal theory, argument, and conclusions of law, which require no response  
16 from the County. To the extent this paragraph includes additional allegations that require a  
17 response, the County generally and specifically denies each and every such allegation contained  
18 in this paragraph.

19 76. Answering Paragraph 76, the County answers that this paragraph purports to  
20 characterize the Planning and Zoning Law and case law, which speak for themselves, and no  
21 further response is required. The County further answers that this paragraph contains legal  
22 theory, argument, and conclusions of law, which require no response from the County. To the  
23 extent this paragraph includes additional allegations that require a response, the County generally  
24 and specifically denies each and every such allegation contained in this paragraph.

25 77. Answering Paragraph 77, the County answers that this paragraph purports to  
26 characterize the Planning and Zoning Law and case law, which speak for themselves, and no  
27 further response is required. The County further answers that this paragraph contains legal  
28 theory, argument, and conclusions of law, which require no response from the County. To the

1 extent this paragraph includes additional allegations that require a response, the County generally  
2 and specifically denies each and every such allegation contained in this paragraph.

3 78. Answering Paragraph 78, the County answers that this paragraph purports to  
4 characterize the Planning and Zoning Law and case law, which speak for themselves, and no  
5 further response is required. The County further answers that this paragraph contains legal  
6 theory, argument, and conclusions of law, which require no response from the County. To the  
7 extent this paragraph includes additional allegations that require a response, the County generally  
8 and specifically denies each and every such allegation contained in this paragraph.

9 79. Answering Paragraph 79, the County answers that this paragraph purports to  
10 characterize the Planning and Zoning Law and case law, which speak for themselves, and no  
11 further response is required. The County further answers that this paragraph contains legal  
12 theory, argument, and conclusions of law, which require no response from the County. To the  
13 extent this paragraph includes additional allegations that require a response, the County generally  
14 and specifically denies each and every such allegation contained in this paragraph.

15 80. Answering Paragraph 80, the County answers that this paragraph purports to  
16 characterize the Planning and Zoning Law and case law, which speak for themselves, and no  
17 further response is required. The County further answers that this paragraph contains legal  
18 theory, argument, and conclusions of law, which require no response from the County. To the  
19 extent this paragraph includes additional allegations that require a response, the County generally  
20 and specifically denies each and every such allegation contained in this paragraph.

21 81. Answering Paragraph 81, the County answers that this paragraph purports to  
22 characterize the Los Angeles County Code (“County Code”) and the Los Angeles County General  
23 Plan 2035 (“County General Plan”), which speak for themselves, and no further response is  
24 required. The County further answers that this paragraph contains legal theory, argument, and  
25 conclusions of law, which require no response from the County. To the extent this paragraph  
26 includes additional allegations that require a response, the County generally and specifically  
27 denies each and every such allegation contained in this paragraph.

28

1           82.     Answering Paragraph 82, the County answers that this paragraph purports to  
2 characterize the County Code and the County General Plan, which speak for themselves, and no  
3 further response is required. The County further answers that this paragraph contains legal  
4 theory, argument, and conclusions of law, which require no response from the County. To the  
5 extent this paragraph includes additional allegations that require a response, the County generally  
6 and specifically denies each and every such allegation contained in this paragraph.

7           83.     Answering Paragraph 83, the County answers that this paragraph purports to  
8 characterize the Planning and Zoning Law and case law, which speak for themselves, and no  
9 further response is required. The County further answers that this paragraph contains legal  
10 theory, argument, and conclusions of law, which require no response from the County. To the  
11 extent this paragraph includes additional allegations that require a response, the County generally  
12 and specifically denies each and every such allegation contained in this paragraph.

13                   **State Law Requirements: Colocation of Wireless Facilities**

14           84.     Answering Paragraph 84, the County answers that this paragraph purports to  
15 characterize Cal. Government Code 65850.6 (“State Colocation Law”), which speaks for itself,  
16 and no further response is required. The County further answers that this paragraph contains  
17 legal theory, argument, and conclusions of law, which require no response from the County. To  
18 the extent this paragraph includes additional allegations that require a response, the County  
19 generally and specifically denies each and every such allegation contained in this paragraph.

20           85.     Answering Paragraph 85, the County answers that this paragraph purports to  
21 characterize the State Colocation Law, which speaks for itself, and no further response is  
22 required. The County further answers that this paragraph contains legal theory, argument, and  
23 conclusions of law, which require no response from the County. To the extent this paragraph  
24 includes additional allegations that require a response, the County generally and specifically  
25 denies each and every such allegation contained in this paragraph.

26           86.     Answering Paragraph 86, the County answers that this paragraph purports to  
27 characterize the State Colocation Law, which speaks for itself, and no further response is  
28 required. The County further answers that this paragraph contains legal theory, argument, and

1 conclusions of law, which require no response from the County. To the extent this paragraph  
2 includes additional allegations that require a response, the County generally and specifically  
3 denies each and every such allegation contained in this paragraph.

#### 4 **County of Los Angeles Legislative Land Use and Zoning Process**

5 87. Answering Paragraph 87, the County answers that this paragraph purports to  
6 characterize the Planning and Zoning Law, which speaks for itself, and no further response is  
7 required. The County further answers that this paragraph contains legal theory, argument, and  
8 conclusions of law, which require no response from the County. To the extent this paragraph  
9 includes additional allegations that require a response, the County generally and specifically  
10 denies each and every such allegation contained in this paragraph.

11 88. Answering Paragraph 88, the County answers that this paragraph purports to  
12 characterize the Planning and Zoning Law, which speaks for itself, and no further response is  
13 required. The County further answers that this paragraph contains legal theory, argument, and  
14 conclusions of law, which require no response from the County. To the extent this paragraph  
15 includes additional allegations that require a response, the County generally and specifically  
16 denies each and every such allegation contained in this paragraph.

17 89. Answering Paragraph 89, the County answers that this paragraph purports to  
18 characterize the Planning and Zoning Law, which speaks for itself, and no further response is  
19 required. The County further answers that this paragraph contains legal theory, argument, and  
20 conclusions of law, which require no response from the County. To the extent this paragraph  
21 includes additional allegations that require a response, the County generally and specifically  
22 denies each and every such allegation contained in this paragraph.

23 90. Answering Paragraph 90, the County answers that this paragraph purports to  
24 characterize the Planning and Zoning Law, which speaks for itself, and no further response is  
25 required. The County further answers that this paragraph contains legal theory, argument, and  
26 conclusions of law, which require no response from the County. To the extent this paragraph  
27 includes additional allegations that require a response, the County generally and specifically  
28 denies each and every such allegation contained in this paragraph.

1           91.     Answering Paragraph 91, the County answers that this paragraph purports to  
2 characterize the Planning and Zoning Law, which speaks for itself, and no further response is  
3 required. The County further answers that this paragraph contains legal theory, argument, and  
4 conclusions of law, which require no response from the County. To the extent this paragraph  
5 includes additional allegations that require a response, the County generally and specifically  
6 denies each and every such allegation contained in this paragraph.

7           92.     Answering Paragraph 92, the County answers that this paragraph purports to  
8 characterize the County Code, which speaks for itself, and no further response is required. The  
9 County further answers that this paragraph contains legal theory, argument, and conclusions of  
10 law, which require no response from the County. To the extent this paragraph includes additional  
11 allegations that require a response, the County generally and specifically denies each and every  
12 such allegation contained in this paragraph.

13           93.     Answering Paragraph 93, the County answers that this paragraph purports to  
14 characterize the County Code, which speaks for itself, and no further response is required. The  
15 County further answers that this paragraph contains legal theory, argument, and conclusions of  
16 law, which require no response from the County. To the extent this paragraph includes additional  
17 allegations that require a response, the County generally and specifically denies each and every  
18 such allegation contained in this paragraph.

19           94.     Answering Paragraph 94, the County answers that this paragraph purports to  
20 characterize the County Code, which speaks for itself, and no further response is required. The  
21 County further answers that this paragraph contains legal theory, argument, and conclusions of  
22 law, which require no response from the County. To the extent this paragraph includes additional  
23 allegations that require a response, the County generally and specifically denies each and every  
24 such allegation contained in this paragraph.

25           95.     Answering Paragraph 95, the County answers that this paragraph purports to  
26 characterize the County Code, which speaks for itself, and no further response is required. The  
27 County further answers that this paragraph contains legal theory, argument, and conclusions of  
28 law, which require no response from the County. To the extent this paragraph includes additional

1 allegations that require a response, the County generally and specifically denies each and every  
2 such allegation contained in this paragraph.

3 **Unlawful Precommitment and Prejudicial Effect of Designating Actions as**  
4 **Ministerial, Including under CEQA**

5 96. Answering Paragraph 96, the County answers that this paragraph purports to  
6 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
7 response is required. The County further answers that this paragraph contains legal theory,  
8 argument, and conclusions of law, which require no response from the County. To the extent this  
9 paragraph includes additional allegations that require a response, the County generally and  
10 specifically denies each and every such allegation contained in this paragraph.

11 97. Answering Paragraph 97, the County answers that this paragraph purports to  
12 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
13 response is required. The County further answers that this paragraph contains legal theory,  
14 argument, and conclusions of law, which require no response from the County. To the extent this  
15 paragraph includes additional allegations that require a response, the County generally and  
16 specifically denies each and every such allegation contained in this paragraph.

17 98. Answering Paragraph 98, the County answers that this paragraph purports to  
18 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
19 response is required. The County further answers that this paragraph contains legal theory,  
20 argument, and conclusions of law, which require no response from the County. To the extent this  
21 paragraph includes additional allegations that require a response, the County generally and  
22 specifically denies each and every such allegation contained in this paragraph.

23 99. Answering Paragraph 99, the County answers that this paragraph purports to  
24 characterize California law and case law, which speak for themselves, and no further response is  
25 required. The County further answers that this paragraph contains legal theory, argument, and  
26 conclusions of law, which require no response from the County. To the extent this paragraph  
27 includes additional allegations that require a response, the County generally and specifically  
28 denies each and every such allegation contained in this paragraph.

1           100. Answering Paragraph 100, the County answers that this paragraph purports to  
2 characterize California law and case law, which speak for themselves, and no further response is  
3 required. The County further answers that this paragraph contains legal theory, argument, and  
4 conclusions of law, which require no response from the County. To the extent this paragraph  
5 includes additional allegations that require a response, the County generally and specifically  
6 denies each and every such allegation contained in this paragraph.

7           101. Answering Paragraph 101, the County answers that this paragraph purports to  
8 characterize California law and case law, which speak for themselves, and no further response is  
9 required. The County further answers that this paragraph contains legal theory, argument, and  
10 conclusions of law, which require no response from the County. To the extent this paragraph  
11 includes additional allegations that require a response, the County generally and specifically  
12 denies each and every such allegation contained in this paragraph.

### 13           **Constitutional and Statutory Due Process**

14           102. Answering Paragraph 102, the County answers that this paragraph purports to  
15 characterize the U.S. Constitution and the California Constitution, which speak for themselves,  
16 and no further response is required. The County further answers that this paragraph contains  
17 legal theory, argument, and conclusions of law, which require no response from the County. To  
18 the extent this paragraph includes additional allegations that require a response, the County  
19 generally and specifically denies each and every such allegation contained in this paragraph.

20           103. Answering Paragraph 103, the County answers that this paragraph purports to  
21 characterize the U.S. Constitution, the California Constitution, and case law, which speak for  
22 themselves, and no further response is required. The County further answers that this paragraph  
23 contains legal theory, argument, and conclusions of law, which require no response from the  
24 County. To the extent this paragraph includes additional allegations that require a response, the  
25 County generally and specifically denies each and every such allegation contained in this  
26 paragraph.

27           104. Answering Paragraph 104, the County answers that this paragraph purports to  
28 characterize California law, which speaks for itself, and no further response is required. The

1 County further answers that this paragraph contains legal theory, argument, and conclusions of  
2 law, which require no response from the County. To the extent this paragraph includes additional  
3 allegations that require a response, the County generally and specifically denies each and every  
4 such allegation contained in this paragraph.

5 105. Answering Paragraph 105, the County answers that this paragraph purports to  
6 characterize the U.S. Constitution, the California Constitution, and case law, which speak for  
7 themselves, and no further response is required. The County further answers that this paragraph  
8 contains legal theory, argument, and conclusions of law, which require no response from the  
9 County. To the extent this paragraph includes additional allegations that require a response, the  
10 County generally and specifically denies each and every such allegation contained in this  
11 paragraph.

12 106. Answering Paragraph 106, the County answers that this paragraph purports to  
13 characterize the U.S. Constitution, the California Constitution, and case law, which speak for  
14 themselves, and no further response is required. The County further answers that this paragraph  
15 contains legal theory, argument, and conclusions of law, which require no response from the  
16 County. To the extent this paragraph includes additional allegations that require a response, the  
17 County generally and specifically denies each and every such allegation contained in this  
18 paragraph.

19 **Unlawful Delegation of Legislative Power to Non-Elected Decisionmakers, Including**  
20 **Under CEQA**

21 107. Answering Paragraph 107, the County answers that this paragraph purports to  
22 characterize California law, which speaks for itself, and no further response is required. The  
23 County further answers that this paragraph contains legal theory, argument, and conclusions of  
24 law, which require no response from the County. To the extent this paragraph includes additional  
25 allegations that require a response, the County generally and specifically denies each and every  
26 such allegation contained in this paragraph.

27 108. Answering Paragraph 108, the County answers that this paragraph purports to  
28 characterize California law, which speaks for itself, and no further response is required. The



1 County further answers that this paragraph contains legal theory, argument, and conclusions of  
2 law, which require no response from the County. To the extent this paragraph includes additional  
3 allegations that require a response, the County generally and specifically denies each and every  
4 such allegation contained in this paragraph.

5 109. Answering Paragraph 109, the County answers that this paragraph purports to  
6 characterize California law, which speaks for itself, and no further response is required. The  
7 County further answers that this paragraph contains legal theory, argument, and conclusions of  
8 law, which require no response from the County. To the extent this paragraph includes additional  
9 allegations that require a response, the County generally and specifically denies each and every  
10 such allegation contained in this paragraph.

11 110. Answering Paragraph 110, the County answers that this paragraph purports to  
12 characterize California law, which speaks for itself, and no further response is required. The  
13 County further answers that this paragraph contains legal theory, argument, and conclusions of  
14 law, which require no response from the County. To the extent this paragraph includes additional  
15 allegations that require a response, the County generally and specifically denies each and every  
16 such allegation contained in this paragraph.

17 111. Answering Paragraph 111, the County answers that this paragraph purports to  
18 characterize California law, which speaks for itself, and no further response is required. The  
19 County further answers that this paragraph contains legal theory, argument, and conclusions of  
20 law, which require no response from the County. To the extent this paragraph includes additional  
21 allegations that require a response, the County generally and specifically denies each and every  
22 such allegation contained in this paragraph.

23 112. Answering Paragraph 112, the County answers that this paragraph purports to  
24 characterize California law, which speaks for itself, and no further response is required. The  
25 County further answers that this paragraph contains legal theory, argument, and conclusions of  
26 law, which require no response from the County. To the extent this paragraph includes additional  
27 allegations that require a response, the County generally and specifically denies each and every  
28 such allegation contained in this paragraph.

1           113. Answering Paragraph 113, the County answers that this paragraph purports to  
2 characterize California law, which speaks for itself, and no further response is required. The  
3 County further answers that this paragraph contains legal theory, argument, and conclusions of  
4 law, which require no response from the County. To the extent this paragraph includes additional  
5 allegations that require a response, the County generally and specifically denies each and every  
6 such allegation contained in this paragraph.

7           114. Answering Paragraph 114, the County answers that this paragraph purports to  
8 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
9 response is required. The County further answers that this paragraph contains legal theory,  
10 argument, and conclusions of law, which require no response from the County. To the extent this  
11 paragraph includes additional allegations that require a response, the County generally and  
12 specifically denies each and every such allegation contained in this paragraph.

13           115. Answering Paragraph 115, the County answers that this paragraph purports to  
14 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
15 response is required. The County further answers that this paragraph contains legal theory,  
16 argument, and conclusions of law, which require no response from the County. To the extent this  
17 paragraph includes additional allegations that require a response, the County generally and  
18 specifically denies each and every such allegation contained in this paragraph.

19           116. Answering Paragraph 116, the County answers that this paragraph purports to  
20 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
21 response is required. The County further answers that this paragraph contains legal theory,  
22 argument, and conclusions of law, which require no response from the County. To the extent this  
23 paragraph includes additional allegations that require a response, the County generally and  
24 specifically denies each and every such allegation contained in this paragraph.

25           117. Answering Paragraph 117, the County answers that this paragraph purports to  
26 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
27 response is required. The County further answers that this paragraph contains legal theory,  
28 argument, and conclusions of law, which require no response from the County. To the extent this

1 paragraph includes additional allegations that require a response, the County generally and  
2 specifically denies each and every such allegation contained in this paragraph.

3 118. Answering Paragraph 118, the County answers that this paragraph purports to  
4 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
5 response is required. The County further answers that this paragraph contains legal theory,  
6 argument, and conclusions of law, which require no response from the County. To the extent this  
7 paragraph includes additional allegations that require a response, the County generally and  
8 specifically denies each and every such allegation contained in this paragraph.

### 9 **STATEMENT OF FACTS**

#### 10 **Procedural History of Ordinance Approval**

11 119. Answering Paragraph 119, the County answers that this paragraph purports to  
12 characterize the County Code, which speaks for itself, and no further response is required. The  
13 County further answers that this paragraph contains legal theory, argument, and conclusions of  
14 law, which require no response from the County. Further answering the allegations in Paragraph  
15 106, the County answers that this paragraph contains factual allegations that are addressed in the  
16 Record, which speaks for itself, and no further response is required. To the extent this paragraph  
17 contains allegations that require additional response, the County generally and specifically denies  
18 each and every such allegation contained within this paragraph.

19 120. Answering Paragraph 120, the County answers that this paragraph contains factual  
20 allegations that are addressed in the Record, which speaks for itself, and no further response is  
21 required. To the extent this paragraph includes additional allegations that require a response, the  
22 County generally and specifically denies each and every such allegation contained in this  
23 paragraph.

24 121. Answering Paragraph 121, the County answers that this paragraph contains factual  
25 allegations that are addressed in the Record, which speaks for itself, and no further response is  
26 required. To the extent this paragraph includes additional allegations that require a response, the  
27 County generally and specifically denies each and every such allegation contained in this  
28 paragraph.

1           122.    Answering Paragraph 122, the County answers that this paragraph contains factual  
2 allegations that are addressed in the Record, which speaks for itself, and no further response is  
3 required. To the extent this paragraph includes additional allegations that require a response, the  
4 County generally and specifically denies each and every such allegation contained in this  
5 paragraph.

6           123.    Answering Paragraph 123, the County answers that this paragraph contains  
7 factual allegations that are addressed in the Record, which speaks for itself, and no further  
8 response is required. To the extent this paragraph includes additional allegations that require a  
9 response, the County generally and specifically denies each and every such allegation contained  
10 in this paragraph.

11           124.    Answering Paragraph 124, the County answers that this paragraph contains factual  
12 allegations that are addressed in the Record, which speaks for itself, and no further response is  
13 required. To the extent this paragraph includes additional allegations that require a response, the  
14 County generally and specifically denies each and every such allegation contained in this  
15 paragraph.

16           125.    Answering Paragraph 125, the County answers that this paragraph contains factual  
17 allegations that are addressed in the Record, which speaks for itself, and no further response is  
18 required. To the extent this paragraph includes additional allegations that require a response, the  
19 County generally and specifically denies each and every such allegation contained in this  
20 paragraph.

21           126.    Answering Paragraph 126, the County answers that this paragraph contains factual  
22 allegations that are addressed in the Record, which speaks for itself, and no further response is  
23 required. To the extent this paragraph includes additional allegations that require a response, the  
24 County generally and specifically denies each and every such allegation contained in this  
25 paragraph.

26           127.    Answering Paragraph 127, the County answers that this paragraph contains factual  
27 allegations that are addressed in the Record, which speaks for itself, and no further response is  
28 required. To the extent this paragraph includes additional allegations that require a response, the

1 County generally and specifically denies each and every such allegation contained in this  
2 paragraph.

3 128. Answering Paragraph 128, the County answers that this paragraph contains factual  
4 allegations that are addressed in the Record, which speaks for itself, and no further response is  
5 required. To the extent this paragraph includes additional allegations that require a response, the  
6 County generally and specifically denies each and every such allegation contained in this  
7 paragraph.

8 129. Answering Paragraph 129, the County answers that this paragraph contains factual  
9 allegations that are addressed in the Record, which speaks for itself, and no further response is  
10 required. To the extent this paragraph includes additional allegations that require a response, the  
11 County generally and specifically denies each and every such allegation contained in this  
12 paragraph.

13 130. Answering Paragraph 130, the County answers that this paragraph contains factual  
14 allegations that are addressed in the Record, which speaks for itself, and no further response is  
15 required. To the extent this paragraph includes additional allegations that require a response, the  
16 County generally and specifically denies each and every such allegation contained in this  
17 paragraph.

18 131. Answering Paragraph 131, the County answers that this paragraph contains factual  
19 allegations that are addressed in the Record, which speaks for itself, and no further response is  
20 required. To the extent this paragraph includes additional allegations that require a response, the  
21 County generally and specifically denies each and every such allegation contained in this  
22 paragraph.

23 **The Ordinance**

24 132. Answering Paragraph 132, the County answers that this paragraph purports to  
25 characterize the Ordinance, which speaks for itself, and no further response is required. The  
26 County further answers that this paragraph contains legal theory, argument, and conclusions of  
27 law, which require no response from the County. To the extent this paragraph contains  
28

1 allegations that require additional response, the County generally and specifically denies each and  
2 every such allegation contained within this paragraph.

3 133. Answering Paragraph 133, the County answers that this paragraph purports to  
4 characterize the Ordinance, which speaks for itself, and no further response is required. The  
5 County further answers that this paragraph contains legal theory, argument, and conclusions of  
6 law, which require no response from the County. To the extent this paragraph contains  
7 allegations that require additional response, the County generally and specifically denies each and  
8 every such allegation contained within this paragraph.

9 134. Answering Paragraph 134, the County answers that this paragraph purports to  
10 characterize the Ordinance and federal regulations in 47 C.F.R, section 1.6100 (“Federal EFR  
11 Regulations”) incorporated into the Ordinance by reference, which speak for themselves, and no  
12 further response is required. The County further answers that this paragraph contains legal theory,  
13 argument, and conclusions of law, which require no response from the County. To the extent this  
14 paragraph contains allegations that require additional response, the County generally and  
15 specifically denies each and every such allegation contained within this paragraph.

16 135. Answering Paragraph 135, the County answers that this paragraph purports to  
17 characterize the Ordinance, which speaks for itself, and no further response is required. The  
18 County further answers that this paragraph contains legal theory, argument, and conclusions of  
19 law, which require no response from the County. To the extent this paragraph contains  
20 allegations that require additional response, the County generally and specifically denies each and  
21 every such allegation contained within this paragraph.

22 136. Answering Paragraph 136, the County answers that this paragraph purports to  
23 characterize the Ordinance, which speaks for itself, and no further response is required. The  
24 County further answers that this paragraph contains legal theory, argument, and conclusions of  
25 law, which require no response from the County. To the extent this paragraph contains  
26 allegations that require additional response, the County generally and specifically denies each and  
27 every such allegation contained within this paragraph.

28

1           137. Answering Paragraph 137, the County answers that this paragraph purports to  
2 characterize the Ordinance, which speaks for itself, and no further response is required. The  
3 County further answers that this paragraph contains legal theory, argument, and conclusions of  
4 law, which require no response from the County. To the extent this paragraph contains  
5 allegations that require additional response, the County generally and specifically denies each and  
6 every such allegation contained within this paragraph.

7           138. Answering Paragraph 138, the County answers that this paragraph purports to  
8 characterize the Ordinance, which speaks for itself, and no further response is required. The  
9 County further answers that this paragraph contains legal theory, argument, and conclusions of  
10 law, which require no response from the County. To the extent this paragraph contains  
11 allegations that require additional response, the County generally and specifically denies each and  
12 every such allegation contained within this paragraph.

13           139. Answering Paragraph 139, the County answers that this paragraph purports to  
14 characterize the Ordinance, which speaks for itself, and no further response is required. The  
15 County further answers that this paragraph contains legal theory, argument, and conclusions of  
16 law, which require no response from the County. To the extent this paragraph contains  
17 allegations that require additional response, the County generally and specifically denies each and  
18 every such allegation contained within this paragraph.

19           140. Answering Paragraph 140, the County answers that this paragraph purports to  
20 characterize the Ordinance, which speaks for itself, and no further response is required. The  
21 County further answers that this paragraph contains legal theory, argument, and conclusions of  
22 law, which require no response from the County. To the extent this paragraph contains  
23 allegations that require additional response, the County generally and specifically denies each and  
24 every such allegation contained within this paragraph.

25           141. Answering Paragraph 141, the County answers that this paragraph purports to  
26 characterize the Ordinance, which speaks for itself, and no further response is required. The  
27 County further answers that this paragraph contains legal theory, argument, and conclusions of  
28 law, which require no response from the County. To the extent this paragraph contains

1 allegations that require additional response, the County generally and specifically denies each and  
2 every such allegation contained within this paragraph.

3 142. Answering Paragraph 142, the County answers that this paragraph purports to  
4 characterize the Ordinance, which speaks for itself, and no further response is required. The  
5 County further answers that this paragraph contains legal theory, argument, and conclusions of  
6 law, which require no response from the County. To the extent this paragraph contains  
7 allegations that require additional response, the County generally and specifically denies each and  
8 every such allegation contained within this paragraph.

9 143. Answering Paragraph 143, the County answers that this paragraph purports to  
10 characterize the Ordinance, which speaks for itself, and no further response is required. The  
11 County further answers that this paragraph contains legal theory, argument, and conclusions of  
12 law, which require no response from the County. To the extent this paragraph contains  
13 allegations that require additional response, the County generally and specifically denies each and  
14 every such allegation contained within this paragraph.

15 144. Answering Paragraph 144, the County answers that this paragraph purports to  
16 characterize the Ordinance, which speaks for itself, and no further response is required. The  
17 County further answers that this paragraph contains legal theory, argument, and conclusions of  
18 law, which require no response from the County. To the extent this paragraph contains  
19 allegations that require additional response, the County generally and specifically denies each and  
20 every such allegation contained within this paragraph.

21 145. Answering Paragraph 145, the County answers that this paragraph purports to  
22 characterize the Ordinance, which speaks for itself, and no further response is required. The  
23 County further answers that this paragraph contains legal theory, argument, and conclusions of  
24 law, which require no response from the County. To the extent this paragraph contains  
25 allegations that require additional response, the County generally and specifically denies each and  
26 every such allegation contained within this paragraph.

27 146. Answering Paragraph 146, the County answers that this paragraph purports to  
28 characterize the Ordinance, which speaks for itself, and no further response is required. The



1 County further answers that this paragraph contains legal theory, argument, and conclusions of  
2 law, which require no response from the County. To the extent this paragraph contains  
3 allegations that require additional response, the County generally and specifically denies each and  
4 every such allegation contained within this paragraph.

5 147. Answering Paragraph 147, the County answers that this paragraph purports to  
6 characterize the Ordinance, which speaks for itself, and no further response is required. The  
7 County further answers that this paragraph contains legal theory, argument, and conclusions of  
8 law, which require no response from the County. To the extent this paragraph contains  
9 allegations that require additional response, the County generally and specifically denies each and  
10 every such allegation contained within this paragraph.

11 148. Answering Paragraph 135148, the County answers that this paragraph purports to  
12 characterize the Ordinance, which speaks for itself, and no further response is required. The  
13 County further answers that this paragraph contains legal theory, argument, and conclusions of  
14 law, which require no response from the County. To the extent this paragraph contains  
15 allegations that require additional response, the County generally and specifically denies each and  
16 every such allegation contained within this paragraph.

17 149. Answering Paragraph 149, the County answers that this paragraph purports to  
18 characterize the Ordinance, which speaks for itself, and no further response is required. The  
19 County further answers that this paragraph contains legal theory, argument, and conclusions of  
20 law, which require no response from the County. To the extent this paragraph contains  
21 allegations that require additional response, the County generally and specifically denies each and  
22 every such allegation contained within this paragraph.

23 150. Answering Paragraph 150, the County answers that this paragraph purports to  
24 characterize the Ordinance, which speaks for itself, and no further response is required. The  
25 County further answers that this paragraph contains legal theory, argument, and conclusions of  
26 law, which require no response from the County. To the extent this paragraph contains  
27 allegations that require additional response, the County generally and specifically denies each and  
28 every such allegation contained within this paragraph.

1           151. Answering Paragraph 151, the County answers that this paragraph purports to  
2 characterize the Ordinance, which speaks for itself, and no further response is required. The  
3 County further answers that this paragraph contains legal theory, argument, and conclusions of  
4 law, which require no response from the County. To the extent this paragraph contains  
5 allegations that require additional response, the County generally and specifically denies each and  
6 every such allegation contained within this paragraph.

7           152. Answering Paragraph 152, the County answers that this paragraph purports to  
8 characterize the Ordinance, which speaks for itself, and no further response is required. The  
9 County further answers that this paragraph contains legal theory, argument, and conclusions of  
10 law, which require no response from the County. To the extent this paragraph contains  
11 allegations that require additional response, the County generally and specifically denies each and  
12 every such allegation contained within this paragraph.

13           153. Answering Paragraph 153, the County answers that this paragraph purports to  
14 characterize the Ordinance, which speaks for itself, and no further response is required. The  
15 County further answers that this paragraph contains legal theory, argument, and conclusions of  
16 law, which require no response from the County. To the extent this paragraph contains  
17 allegations that require additional response, the County generally and specifically denies each and  
18 every such allegation contained within this paragraph.

19           154. Answering Paragraph 154, the County answers that this paragraph purports to  
20 characterize the Ordinance, which speaks for itself, and no further response is required. The  
21 County further answers that this paragraph contains legal theory, argument, and conclusions of  
22 law, which require no response from the County. To the extent this paragraph contains  
23 allegations that require additional response, the County generally and specifically denies each and  
24 every such allegation contained within this paragraph.

25           155. Answering Paragraph 155, the County answers that this paragraph purports to  
26 characterize the Ordinance, which speaks for itself, and no further response is required. The  
27 County further answers that this paragraph contains legal theory, argument, and conclusions of  
28 law, which require no response from the County. To the extent this paragraph contains

1 allegations that require additional response, the County generally and specifically denies each and  
2 every such allegation contained within this paragraph.

3 156. Answering Paragraph 156, the County answers that this paragraph purports to  
4 characterize the Ordinance, which speaks for itself, and no further response is required. The  
5 County further answers that this paragraph contains legal theory, argument, and conclusions of  
6 law, which require no response from the County. To the extent this paragraph contains  
7 allegations that require additional response, the County generally and specifically denies each and  
8 every such allegation contained within this paragraph.

9 157. Answering Paragraph 157, the County answers that this paragraph purports to  
10 characterize the Ordinance, which speaks for itself, and no further response is required. The  
11 County further answers that this paragraph contains legal theory, argument, and conclusions of  
12 law, which require no response from the County. To the extent this paragraph contains  
13 allegations that require additional response, the County generally and specifically denies each and  
14 every such allegation contained within this paragraph.

15 158. Answering Paragraph 158, the County answers that this paragraph purports to  
16 characterize the Ordinance, which speaks for itself, and no further response is required. The  
17 County further answers that this paragraph contains legal theory, argument, and conclusions of  
18 law, which require no response from the County. To the extent this paragraph contains  
19 allegations that require additional response, the County generally and specifically denies each and  
20 every such allegation contained within this paragraph.

21 **Los Angeles County General Plan 2035**

22 159. Answering Paragraph 159, the County answers that this paragraph purports to  
23 quote the General Plan, which speaks for itself, and no further response is required. Moreover,  
24 this paragraph contains factual allegations that are addressed in the Record, which speaks for  
25 itself, and no further response is required. To the extent this paragraph includes additional  
26 allegations that require a response, the County generally and specifically denies each and every  
27 such allegation contained in this paragraph.  
28



1           166. Answering Paragraph 166, the County incorporates Paragraphs 1 through 152 of  
2 this Answer as though set forth in full herein by this reference.

3           167. Answering Paragraph 167, the County answers that this paragraph contains legal  
4 theory, argument, and conclusions of law, which require no response from the County. To the  
5 extent this paragraph contains allegations that require additional response, the County generally  
6 and specifically denies each and every such allegation contained within this paragraph.

7           168. Answering Paragraph 168, the County answers that this paragraph purports to  
8 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
9 response is required. The County further answers that this paragraph contains legal theory,  
10 argument, and conclusions of law, which require no response from the County. To the extent this  
11 paragraph includes additional allegations that require a response, the County generally and  
12 specifically denies each and every such allegation contained in this paragraph.

13           169. Answering Paragraph 169, the County answers that this paragraph purports to  
14 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
15 response is required. The County further answers that this paragraph contains legal theory,  
16 argument, and conclusions of law, which require no response from the County. To the extent this  
17 paragraph includes additional allegations that require a response, the County generally and  
18 specifically denies each and every such allegation contained in this paragraph.

19           170. Answering Paragraph 170, the County answers that this paragraph purports to  
20 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
21 response is required. The County further answers that this paragraph contains legal theory,  
22 argument, and conclusions of law, which require no response from the County. To the extent this  
23 paragraph includes additional allegations that require a response, the County generally and  
24 specifically denies each and every such allegation contained in this paragraph.

25           171. Answering Paragraph 171, the County answers that this paragraph purports to  
26 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
27 response is required. The County further answers that this paragraph contains legal theory,  
28 argument, and conclusions of law, which require no response from the County. To the extent this

1 paragraph includes additional allegations that require a response, the County generally and  
2 specifically denies each and every such allegation contained in this paragraph.

3 172. Answering Paragraph 172, the County answers that this paragraph purports to  
4 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
5 response is required. The County further answers that this paragraph contains legal theory,  
6 argument, and conclusions of law, which require no response from the County. To the extent this  
7 paragraph includes additional allegations that require a response, the County generally and  
8 specifically denies each and every such allegation contained in this paragraph.

9 173. Answering Paragraph 173, the County answers that this paragraph purports to  
10 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
11 response is required. The County further answers that this paragraph contains legal theory,  
12 argument, and conclusions of law, which require no response from the County. To the extent this  
13 paragraph includes additional allegations that require a response, the County generally and  
14 specifically denies each and every such allegation contained in this paragraph.

15 174. Answering Paragraph 174, the County answers that this Sentences 1 and 2 of this  
16 paragraph purport to characterize CEQA and the State CEQA Guidelines, which speak for  
17 themselves, and no further response is required. The County further answers that this paragraph  
18 contains legal theory, argument, and conclusions of law, which require no response from the  
19 County. To the extent this paragraph includes additional allegations that require a response, the  
20 County generally and specifically denies each and every such allegation contained in this  
21 paragraph.

22 175. Answering Paragraph 175, the County answers that this paragraph purports to  
23 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
24 response is required. The County further answers that this paragraph contains legal theory,  
25 argument, and conclusions of law, which require no response from the County. To the extent this  
26 paragraph includes additional allegations that require a response, the County generally and  
27 specifically denies each and every such allegation contained in this paragraph.  
28

1           176.    Answering Paragraph 176, the County answers that this paragraph purports to  
 2 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
 3 response is required. The County further answers that this paragraph contains legal theory,  
 4 argument, and conclusions of law, which require no response from the County. To the extent this  
 5 paragraph includes additional allegations that require a response, the County generally and  
 6 specifically denies each and every such allegation contained in this paragraph.

7           177.    Answering Paragraph 177, the County answers that this paragraph purports to  
 8 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
 9 response is required. The County further answers that this paragraph contains legal theory,  
 10 argument, and conclusions of law, which require no response from the County. To the extent this  
 11 paragraph includes additional allegations that require a response, the County generally and  
 12 specifically denies each and every such allegation contained in this paragraph.

### SECOND CAUSE OF ACTION

**(By Petitioners Against Respondents For Writ of Administrative Mandate Under CCP  
 §1094.5 and PRC §21168 Or in the Alternative CCP § 1085 and PRC § 21168.5, Re:  
 Violations of CEQA; Failure to Substantially Support Findings)**

16           178.    Answering Paragraph 178, the County incorporates Paragraphs 1 through 164 of  
 17 this Answer as though set forth in full herein by this reference.

18           179.    Answering Paragraph 179, the County answers that this paragraph purports to  
 19 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
 20 response is required. The County further answers that this paragraph contains legal theory,  
 21 argument, and conclusions of law, which require no response from the County. To the extent this  
 22 paragraph includes additional allegations that require a response, the County generally and  
 23 specifically denies each and every such allegation contained in this paragraph.

24           180.    Answering Paragraph 180, the County answers that this paragraph purports to  
 25 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
 26 response is required. The County further answers that this paragraph contains legal theory,  
 27 argument, and conclusions of law, which require no response from the County. The County  
 28 further answers that this paragraph contains factual allegations that are addressed in the Record,

1 which speaks for itself, and no further response is required. To the extent this paragraph includes  
2 allegations that require additional response, the County generally and specifically denies each and  
3 every such allegation contained in this paragraph.

4 181. Answering Paragraph 181, the County answers that this paragraph purports to  
5 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
6 response is required. The County further answers that this paragraph contains legal theory,  
7 argument, and conclusions of law, which require no response from the County. The County  
8 further answers that this paragraph contains factual allegations that are addressed in the Record,  
9 which speaks for itself, and no further response is required. To the extent this paragraph includes  
10 allegations that require additional response, the County generally and specifically denies each and  
11 every such allegation contained in this paragraph.

12 182. Answering Paragraph 182, the County answers that this paragraph contains legal  
13 theory, argument, and conclusions of law, which require no response from the County. To the  
14 extent this paragraph includes allegations that require additional response, the County generally  
15 and specifically denies each and every such allegation contained in this paragraph.

### 16 **THIRD CAUSE OF ACTION**

#### 17 **(By Petitioners Against Respondents For Writ of Administrative Mandate Under CCP 18 §1094.5 Or in the Alternative CCP §1085, Re: Unlawful Colocation)**

19 183. Answering Paragraph 183, the County incorporates Paragraphs 1 through 169 of  
20 this Answer as though set forth in full herein by this reference.

21 184. Answering Paragraph 184, the County answers that this paragraph purports to  
22 characterize the State Colocation Law, which speaks for itself, and no further response is  
23 required. The County further answers that this paragraph contains legal theory, argument, and  
24 conclusions of law, which require no response from the County. To the extent this paragraph  
25 includes additional allegations that require a response, the County generally and specifically  
26 denies each and every such allegation contained in this paragraph.

27 185. Answering Paragraph 185, the County answers that this paragraph purports to  
28 characterize the Ordinance, defined terms in federal wireless regulations in 47 C.F.R, section



1 1.6002-3 and in the Federal EFR Regulations incorporated into the Ordinance by reference, the  
2 State Colocation Law, CEQA and the State CEQA Guidelines, which speak for themselves, and  
3 no further response is required. The County further answers that this paragraph contains legal  
4 theory, argument, and conclusions of law, which require no response from the County. To the  
5 extent this paragraph includes additional allegations that require a response, the County generally  
6 and specifically denies each and every such allegation contained in this paragraph.

7 186. Answering Paragraph 186, the County answers that this paragraph purports to  
8 characterize the Ordinance, the Federal EFR Regulations incorporated into the Ordinance by  
9 reference, and the State Colocation Law, which speak for themselves, and no further response is  
10 required. The County further answers that this paragraph contains legal theory, argument, and  
11 conclusions of law, which require no response from the County. To the extent this paragraph  
12 includes additional allegations that require a response, the County generally and specifically  
13 denies each and every such allegation contained in this paragraph.

14 187. Answering Paragraph 187, the County answers that this paragraph contains legal  
15 theory, argument, and conclusions of law, which require no response from the County. To the  
16 extent this paragraph includes additional allegations that require a response, the County generally  
17 and specifically denies each and every such allegation contained in this paragraph.

#### 18 **FOURTH CAUSE OF ACTION**

#### 19 **(By Petitioners Against Respondents For Writ of Administrative Mandate Under CCP** 20 **§1094.5 Or in the Alternative CCP §1085, Re: General Plan Inconsistency)**

21 188. Answering Paragraph 188, the County incorporates Paragraphs 1 through 174 of  
22 this Answer as though set forth in full herein by this reference.

23 189. Answering Paragraph 189, the County answers that this paragraph contains legal  
24 theory, argument, and conclusions of law, which require no response from the County. To the  
25 extent this paragraph includes additional allegations that require a response, the County generally  
26 and specifically denies each and every such allegation contained in this paragraph.

27 190. Answering Paragraph 190, the County answers that this paragraph purports to  
28 quote the General Plan and characterize the Ordinance, which speak for themselves, and no

1 further response is required. The County further answers that this paragraph contains legal  
2 theory, argument, and conclusions of law, which require no response from the County. The  
3 County generally and specifically denies each and every other allegation contained in this  
4 paragraph.

5 191. Answering Paragraph 191, the County answers that this paragraph purports to  
6 quote the General Plan and characterize the Ordinance, which speak for themselves, and no  
7 further response is required. The County further answers that this paragraph contains legal  
8 theory, argument, and conclusions of law, which require no response from the County. The  
9 County generally and specifically denies each and every other allegation contained in this  
10 paragraph.

11 192. Answering Paragraph 192, the County answers that this paragraph purports to  
12 quote the General Plan and characterize the Ordinance, which speak for themselves, and no  
13 further response is required. The County further answers that this paragraph contains legal  
14 theory, argument, and conclusions of law, which require no response from the County. The  
15 County generally and specifically denies each and every other allegation contained in this  
16 paragraph.

17 193. Answering Paragraph 193, the County answers that this paragraph purports to  
18 quote the General Plan and characterize the Ordinance, which speak for themselves, and no  
19 further response is required. The County further answers that this paragraph contains legal  
20 theory, argument, and conclusions of law, which require no response from the County. The  
21 County generally and specifically denies each and every other allegation contained in this  
22 paragraph.

23 194. Answering Paragraph 194, the County answers that this paragraph purports to  
24 quote the General Plan and characterize the Ordinance, which speak for themselves, and no  
25 further response is required. The County further answers that this paragraph contains legal  
26 theory, argument, and conclusions of law, which require no response from the County. The  
27 County generally and specifically denies each and every other allegation contained in this  
28 paragraph.





1 paragraph includes additional allegations that require a response, the County generally and  
2 specifically denies each and every such allegation contained in this paragraph.

3 207. Answering Paragraph 207, the County answers that this paragraph purports to  
4 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
5 response is required. The County further answers that this paragraph contains legal theory,  
6 argument, and conclusions of law, which require no response from the County. To the extent this  
7 paragraph includes additional allegations that require a response, the County generally and  
8 specifically denies each and every such allegation contained in this paragraph.

9 208. Answering Paragraph 208, the County answers that this paragraph purports to  
10 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
11 response is required. The County further answers that this paragraph contains legal theory,  
12 argument, and conclusions of law, which require no response from the County. To the extent this  
13 paragraph includes additional allegations that require a response, the County generally and  
14 specifically denies each and every such allegation contained in this paragraph.

15 209. Answering Paragraph 209, the County answers that this paragraph purports to  
16 characterize the Ordinance, which speaks for itself, and no further response is required. The  
17 County further answers that this paragraph contains legal theory, argument, and conclusions of  
18 law, which require no response from the County. To the extent this paragraph includes additional  
19 allegations that require a response, the County generally and specifically denies each and every  
20 such allegation contained in this paragraph.

21 210. Answering Paragraph 210, the County answers that this paragraph purports to  
22 characterize the Ordinance, which speaks for itself, and no further response is required. The  
23 County further answers that this paragraph contains legal theory, argument, and conclusions of  
24 law, which require no response from the County. To the extent this paragraph includes additional  
25 allegations that require a response, the County generally and specifically denies each and every  
26 such allegation contained in this paragraph.

27 211. Answering Paragraph 211, the County answers that this paragraph purports to  
28 characterize the Ordinance, which speaks for itself, and no further response is required. The

1 County further answers that this paragraph contains legal theory, argument, and conclusions of  
2 law, which require no response from the County. To the extent this paragraph includes additional  
3 allegations that require a response, the County generally and specifically denies each and every  
4 such allegation contained in this paragraph.

5 212. Answering Paragraph 212, the County answers that this paragraph purports to  
6 characterize the Ordinance, which speaks for itself, and no further response is required. The  
7 County further answers that this paragraph contains legal theory, argument, and conclusions of  
8 law, which require no response from the County. To the extent this paragraph includes additional  
9 allegations that require a response, the County generally and specifically denies each and every  
10 such allegation contained in this paragraph.

11 213. Answering Paragraph 213, the County answers that this paragraph purports to  
12 characterize the Ordinance, which speaks for itself, and no further response is required. The  
13 County further answers that this paragraph contains legal theory, argument, and conclusions of  
14 law, which require no response from the County. To the extent this paragraph includes additional  
15 allegations that require a response, the County generally and specifically denies each and every  
16 such allegation contained in this paragraph.

17 214. Answering Paragraph 214, the County answers that this paragraph purports to  
18 characterize the Ordinance, which speaks for itself, and no further response is required. The  
19 County further answers that this paragraph contains legal theory, argument, and conclusions of  
20 law, which require no response from the County. To the extent this paragraph includes  
21 additional allegations that require a response, the County generally and specifically denies each  
22 and every such allegation contained in this paragraph.

23 215. Answering Paragraph 215, the County answers that this paragraph purports to  
24 characterize the Ordinance, which speaks for itself, and no further response is required. The  
25 County further answers that this paragraph contains legal theory, argument, and conclusions of  
26 law, which require no response from the County. To the extent this paragraph includes additional  
27 allegations that require a response, the County generally and specifically denies each and every  
28 such allegation contained in this paragraph.

1           216. Answering Paragraph 216, the County answers that this paragraph purports to  
2 characterize the Ordinance, which speaks for itself, and no further response is required. The  
3 County further answers that this paragraph contains legal theory, argument, and conclusions of  
4 law, which require no response from the County. To the extent this paragraph includes additional  
5 allegations that require a response, the County generally and specifically denies each and every  
6 such allegation contained in this paragraph.

7           217. Answering Paragraph 217, the County answers that this paragraph purports to  
8 characterize the Ordinance, which speaks for itself, and no further response is required. The  
9 County further answers that this paragraph purports to characterize CEQA and the State CEQA  
10 Guidelines, which speak for themselves, and no further response is required. The County further  
11 answers that this paragraph contains legal theory, argument, and conclusions of law, which  
12 require no response from the County. To the extent this paragraph includes additional allegations  
13 that require a response, the County generally and specifically denies each and every such  
14 allegation contained in this paragraph.

15           218. Answering Paragraph 218, the County answers that this paragraph purports to  
16 characterize California law and case law as well as CEQA and the State CEQA Guidelines, which  
17 speak for themselves, and no further response is required. The County further answers that this  
18 paragraph contains legal theory, argument, and conclusions of law, which require no response  
19 from the County. To the extent this paragraph includes additional allegations that require a  
20 response, the County generally and specifically denies each and every such allegation contained  
21 in this paragraph.

22           219. Answering Paragraph 219, the County answers that this paragraph purports to  
23 characterize California law and case law as well as CEQA and the State CEQA Guidelines, which  
24 speak for themselves, and no further response is required. The County further answers that this  
25 paragraph contains legal theory, argument, and conclusions of law, which require no response  
26 from the County. To the extent this paragraph includes additional allegations that require a  
27 response, the County generally and specifically denies each and every such allegation contained  
28 in this paragraph.

1           220. Answering Paragraph 220, the County answers that this paragraph purports to  
2 characterize the Ordinance, California law and case law as well as CEQA and the State CEQA  
3 Guidelines, which speak for themselves, and no further response is required. The County further  
4 answers that this paragraph contains legal theory, argument, and conclusions of law, which  
5 require no response from the County. To the extent this paragraph includes additional allegations  
6 that require a response, the County generally and specifically denies each and every such  
7 allegation contained in this paragraph.

8           221. Answering Paragraph 221, the County answers that this paragraph purports to  
9 characterize California law and case law as well as CEQA and the State CEQA Guidelines, which  
10 speak for themselves, and no further response is required. The County further answers that this  
11 paragraph contains legal theory, argument, and conclusions of law, which require no response  
12 from the County. To the extent this paragraph includes additional allegations that require a  
13 response, the County generally and specifically denies each and every such allegation contained  
14 in this paragraph.

15           222. Answering Paragraph 222, the County answers that this paragraph purports to  
16 characterize California law and case law as well as CEQA and the State CEQA Guidelines, which  
17 speak for themselves, and no further response is required. The County further answers that this  
18 paragraph contains legal theory, argument, and conclusions of law, which require no response  
19 from the County. To the extent this paragraph includes additional allegations that require a  
20 response, the County generally and specifically denies each and every such allegation contained  
21 in this paragraph.

22           223. Answering Paragraph 223, the County answers that this paragraph purports to  
23 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
24 response is required. The County further answers that this paragraph contains legal theory,  
25 argument, and conclusions of law, which require no response from the County. To the extent this  
26 paragraph includes additional allegations that require a response, the County generally and  
27 specifically denies each and every such allegation contained in this paragraph.  
28



1           224. Answering Paragraph 224, the County answers that this paragraph purports to  
 2 characterize the Ordinance as well as CEQA and the State CEQA Guidelines, which speak for  
 3 themselves, and no further response is required. The County further answers that this paragraph  
 4 contains legal theory, argument, and conclusions of law, which require no response from the  
 5 County. To the extent this paragraph includes additional allegations that require a response, the  
 6 County generally and specifically denies each and every such allegation contained in this  
 7 paragraph.

8           225. Answering Paragraph 225, the County answers that this paragraph purports to  
 9 characterize the Ordinance as well as California law and case law, which speak for themselves,  
 10 and no further response is required. The County further answers that this paragraph contains legal  
 11 theory, argument, and conclusions of law, which require no response from the County. To the  
 12 extent this paragraph includes additional allegations that require a response, the County generally  
 13 and specifically denies each and every such allegation contained in this paragraph.

14           226. Answering Paragraph 226, the County answers that this paragraph purports to  
 15 characterize the Ordinance, California law and case law, and CEQA and the State CEQA  
 16 Guidelines, which speak for themselves, and no further response is required. The County further  
 17 answers that this paragraph contains legal theory, argument, and conclusions of law, which  
 18 require no response from the County. To the extent this paragraph includes additional allegations  
 19 that require a response, the County generally and specifically denies each and every such  
 20 allegation contained in this paragraph.

### SEVENTH CAUSE OF ACTION

**(By Petitioners Against Respondents For Writ of Administrative Mandate Under CCP  
 §1094.5 and PRC § 21168 Or in the Alternative CCP § 1085 and PRC §21168.5;and  
 Declaratory Relief Under CCP § 1060, Re: Constitutional Due Process Violations)**

24           227. Answering Paragraph 227, the County incorporates Paragraphs 1 through 204 of  
 25 this Answer as though set forth in full herein by this reference.

26           228. Answering Paragraph 228, the County answers that this paragraph purports to  
 27 characterize the U.S. Constitution, the California Constitution, and case law, which speak for  
 28 themselves, and no further response is required. The County further answers that this paragraph

1 contains legal theory, argument, and conclusions of law, which require no response from the  
2 County. To the extent this paragraph includes additional allegations that require a response, the  
3 County generally and specifically denies each and every such allegation contained in this  
4 paragraph.

5 229. Answering Paragraph 229, the County answers that this paragraph purports to  
6 characterize the Ordinance, which speaks for itself, and no further response is required. The  
7 County further answers that this paragraph contains legal theory, argument, and conclusions of  
8 law, which require no response from the County. To the extent this paragraph includes additional  
9 allegations that require a response, the County generally and specifically denies each and every  
10 such allegation contained in this paragraph.

11 230. Answering Paragraph 230, the County answers that this paragraph purports to  
12 characterize the Ordinance, which speaks for itself, and no further response is required. To the  
13 extent this paragraph includes additional allegations that require a response, the County generally  
14 and specifically denies each and every such allegation contained in this paragraph.

15 231. Answering Paragraph 231, the County answers that this paragraph purports to  
16 characterize the Ordinance, which speaks for itself, and no further response is required. The  
17 County further answers that this paragraph contains legal theory, argument, and conclusions of  
18 law, which require no response from the County. To the extent this paragraph includes additional  
19 allegations that require a response, the County generally and specifically denies each and every  
20 such allegation contained in this paragraph.

21 232. Answering Paragraph 232, the County answers that is paragraph contains legal  
22 theory, argument, and conclusions of law, which require no response from the County. To the  
23 extent this paragraph includes additional allegations that require a response, the County generally  
24 and specifically denies each and every such allegation contained in this paragraph.

25 233. Answering Paragraph 233, the County answers that this paragraph purports to  
26 characterize the Ordinance, California law and case law, and CEQA and the State CEQA  
27 Guidelines, which speak for themselves, and no further response is required. The County further  
28 answers that this paragraph contains legal theory, argument, and conclusions of law, which

1 require no response from the County. To the extent this paragraph includes additional allegations  
2 that require a response, the County generally and specifically denies each and every such  
3 allegation contained in this paragraph.

4         234. Answering Paragraph 234, the County answers that this paragraph purports to  
5 characterize the Ordinance, the U.S. Constitution, defined terms in federal wireless regulations in  
6 47 C.F.R, section 1.6002-3 and in the Federal EFR Regulations incorporated into the Ordinance  
7 by reference, and case law, which speak for themselves, and no further response is required. The  
8 County further answers that this paragraph contains legal theory, argument, and conclusions of  
9 law, which require no response from the County. To the extent this paragraph includes additional  
10 allegations that require a response, the County generally and specifically denies each and every  
11 such allegation contained in this paragraph.

12         235. Answering Paragraph 235, the County answers that this paragraph purports to  
13 characterize the U.S. Constitution and case law, which speak for themselves, and no further  
14 response is required. The County further answers that this paragraph contains legal theory,  
15 argument, and conclusions of law, which require no response from the County. To the extent this  
16 paragraph includes additional allegations that require a response, the County generally and  
17 specifically denies each and every such allegation contained in this paragraph.

18         236. Answering Paragraph 236, the County answers that this paragraph purports to  
19 characterize the Ordinance, U.S. Constitution, California law, and case law, which speak for  
20 themselves, and no further response is required. The County further answers that this paragraph  
21 contains legal theory, argument, and conclusions of law, which require no response from the  
22 County. To the extent this paragraph includes additional allegations that require a response, the  
23 County generally and specifically denies each and every allegation contained in this paragraph.

24         237. Answering Paragraph 237, the County answers that this paragraph purports to  
25 characterize the Ordinance, California law, U.S. Constitution, and case law, which speak for  
26 themselves, and no further response is required. The County further answers that this paragraph  
27 contains legal theory, argument, and conclusions of law, which require no response from the  
28 County. To the extent this paragraph includes additional allegations that require a response, the

1 County generally and specifically denies each and every such allegation contained in this  
2 paragraph.

3 **EIGHTH CAUSE OF ACTION**

4 **(By Petitioners Against Respondents For Writ of Administrative Mandate Under CCP §**  
5 **1094.5 or in the Alternative CCP § 1085, and Declaratory Relief Under CCP § 1060 Re:**  
6 **Unlawful Delegation of Legislative Authority to an Administrative Agency)**

7 238. Answering Paragraph 238, the County incorporates Paragraphs 1 through 207 of  
8 this Answer as though set forth in full herein by this reference.

9 239. Answering Paragraph 239, the County answers that this paragraph contains legal  
10 theory, argument, and conclusions of law, which require no response from the County. To the  
11 extent this paragraph includes additional allegations that require a response, the County generally  
12 and specifically denies each and every such allegation contained in this paragraph.

13 240. Answering Paragraph 240, the County answers that this paragraph purports to  
14 characterize California law, which speaks for itself, and no further response is required. The  
15 County further answers that this paragraph contains legal theory, argument, and conclusions of  
16 law, which require no response from the County. To the extent this paragraph includes additional  
17 allegations that require a response, the County generally and specifically denies each and every  
18 such allegation contained in this paragraph.

19 241. Answering Paragraph 241, the County answers that this paragraph purports to  
20 characterize the Ordinance, which speaks for itself, and no further response is required. The  
21 County further answers that this paragraph contains legal theory, argument, and conclusions of  
22 law, which require no response from the County. To the extent this paragraph includes additional  
23 allegations that require a response, the County generally and specifically denies each and every  
24 such allegation contained in this paragraph.

25 242. Answering Paragraph 242, the County answers that this paragraph purports to  
26 characterize the Ordinance, which speaks for itself, and no further response is required. The  
27 County further answers that this paragraph contains legal theory, argument, and conclusions of  
28 law, which require no response from the County. To the extent this paragraph includes additional

1 allegations that require a response, the County generally and specifically denies each and every  
2 such allegation contained in this paragraph.

3         243. Answering Paragraph 243, the County answers that this paragraph purports to  
4 characterize the Ordinance, which speaks for itself, and no further response is required. The  
5 County further answers that this paragraph contains legal theory, argument, and conclusions of  
6 law, which require no response from the County. To the extent this paragraph includes additional  
7 allegations that require a response, the County generally and specifically denies each and every  
8 such allegation contained in this paragraph.

9         244. Answering Paragraph 244, the County answers that this paragraph purports to  
10 characterize the Ordinance, which speaks for itself, and no further response is required. The  
11 County further answers that this paragraph contains legal theory, argument, and conclusions of  
12 law, which require no response from the County. To the extent this paragraph includes additional  
13 allegations that require a response, the County generally and specifically denies each and every  
14 such allegation contained in this paragraph.

15         245. Answering Paragraph 245, the County answers that this paragraph purports to  
16 characterize the Ordinance, CEQA and the State CEQA Guidelines, and the California  
17 Constitution which speak for themselves, and no further response is required. The County further  
18 answers that this paragraph contains legal theory, argument, and conclusions of law, which  
19 require no response from the County. To the extent that this paragraph includes additional  
20 allegations that require a response, the County generally and specifically denies each and every  
21 such allegation contained in this paragraph.

22         246. Answering Paragraph 246, the County answers this paragraph purports to  
23 characterize CEQA and the State CEQA Guidelines, which speak for themselves, and no further  
24 response is required. The County further answers that this paragraph contains legal theory,  
25 argument, and conclusions of law, which require no response from the County. To the extent this  
26 paragraph includes additional allegations that require a response, the County generally and  
27 specifically denies each and every such allegation contained in this paragraph.  
28



1 **FIRST AFFIRMATIVE DEFENSE**

2 **(Exhaustion of Administrative Remedies)**

3 252. Petitioners have not exhausted their administrative remedies, including issue  
4 exhaustion, as required by law, including without limitation, under the Public Resources Code  
5 (including Public Resources Code section 21177) and the Government Code. The County alleges  
6 that Petitioners did not present the alleged bases of Petitioners' causes of action to the County's  
7 decision-making bodies before the close of the public hearing before the close of the public  
8 hearing on the Project, as that term is defined in Paragraph 1 of the Petition.

9 **SECOND AFFIRMATIVE DEFENSE**

10 **(Statute of Limitations)**

11 253. Petitioners are barred from maintaining this action by the applicable statutes of  
12 limitations including, but not limited to, the statutes of limitations set forth in Public Resources  
13 Code section 21167.

14 **THIRD AFFIRMATIVE DEFENSE**

15 **(Standing)**

16 254. Petitioners lack standing to assert some or all of the claims set forth in the Petition.

17 **FOURTH AFFIRMATIVE DEFENSE**

18 **(Failure to State a Cause of Action)**

19 255. The Petition fails to state facts sufficient to constitute a cause of action.

20 **FIFTH AFFIRMATIVE DEFENSE**

21 **(Public Interest Against Injunction)**

22 256. Petitioner is barred from maintaining this action because the balancing of  
23 hardships and considerations of public interest mandate against issuance of an injunction.

24 **SIXTH AFFIRMATIVE DEFENSE**

25 **(No Prejudicial Error)**

26 257. No prejudicial error has been shown by Petitioner. The County fully complied  
27 with CEQA and all relevant laws when it approved the Project, as that term is defined in  
28 Paragraph 1 of the Petition.

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**SEVENTH AFFIRMATIVE DEFENSE**

**(There Is An Adequate Remedy At Law)**

258. Petitioner has an adequate remedy at law.

**EIGHTH AFFIRMATIVE DEFENSE**

**(Compliance with Applicable Laws)**

259. With respect to all actions and allegations in the Petition, the Respondents' actions complied with all applicable laws and all applicable statutory and regulatory requirements, including those set forth in the Government Code, Code of Civil Procedure, CEQA, the State CEQA Guidelines, the General Plan, and the County's General Plan.

**NINTH AFFIRMATIVE DEFENSE**

**(No Irreparable Harm)**

260. Petitioners have not experienced and will not experience irreparable harm, making injunctive relief improper. The County alleges that the project will not adversely impact the environment, and the project will not result in any irreparable harm.

**TENTH AFFIRMATIVE DEFENSE**

**(Ineligible for Attorneys' Fees)**

261. Any claim for attorneys' fees is barred because Petitioner does not meet and cannot fulfill the requirements of any doctrine allowing attorneys' fees.

**ELEVENTH AFFIRMATIVE DEFENSE**

**(Mootness)**

262. The Petition is barred under the doctrine of mootness.

**TWELFTH AFFIRMATIVE DEFENSE**

**(Federal Preemption)**

263. The Petition fails to state facts sufficient to constitute a cause of action to the extent that it is based on claims that are preempted by federal law by operation of the Supremacy Clause, U.S. Const. Art. VI, cl. 2.



1 **THIRTEENTH AFFIRMATIVE DEFENSE**

2 **(Ripeness)**

3 264. The Petition is barred under the doctrine of ripeness.

4 **FOURTEENTH AFFIRMATIVE DEFENSE**

5 **(Laches)**

6 265. The Petitioners’ claims are barred, in whole or in part, by the doctrine of laches.

7 **FIFTEENTH AFFIRMATIVE DEFENSE**

8 **(Cannot Compel Unlawful Act or Violation of Duty)**

9 266. The writ of mandamus, if enforced, would compel an illegal act or a violation of  
10 duty by a public officer.

11 **SIXTEENTH AFFIRMATIVE DEFENSE**

12 **(No Beneficial Right)**

13 267. Petitioners have no clear, present, and beneficial right to the relief sought.

14 **PRAYER FOR RELIEF**

15 WHEREFORE, the County denies that any relief for or on behalf of Petitioners is  
16 appropriate, and the County prays that:

- 17 1. The Petition be dismissed in its entirety with prejudice;
- 18 2. Petitioners’ request for a writ of mandate be denied;
- 19 3. All injunctive relief—including by way of a temporary stay, stay, temporary  
20 restraining order, preliminary injunction, and/or permanent injunction—be denied;
- 21 4. Petitioners take nothing by way of the Petition, including attorney’s fees or  
22 costs;
- 23 5. Judgment be entered in favor of the County;
- 24 6. The County recover its costs and attorneys’ fees in this proceeding, as  
25 permitted by law; and
- 26 7. The Court grant any such other relief as the Court may deem just and proper.

1 Dated: December 5, 2023

BEST BEST & KRIEGER LLP

2  
3 By: 

4 ALISHA M. WINTERSWYK  
5 GAIL A. KARISH  
6 ALI V. TEHRANI  
7 A. PATRICIA URSEA  
8 Attorneys for Defendants and Respondents  
9 COUNTY OF LOS ANGELES, COUNTY  
10 OF LOS ANGELES BOARD OF  
11 SUPERVISORS, COUNTY OF LOS  
12 ANGELES REGIONAL PLANNING  
13 COMMISSION, COUNTY OF LOS  
14 ANGELES DEPARTMENT OF  
15 REGIONAL PLANNING and LOS  
16 ANGELES DEPARTMENT OF PUBLIC  
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**PROOF OF SERVICE**

At the time of service I was over 18 years of age and not a party to this action. My business address is 300 S. Grand Avenue, 25th Floor, Los Angeles, California 90071. On December 5, 2023, I served the following document(s):

**DEFENDANTS AND RESPONDENTS' ANSWER TO FIRST AMENDED VERIFIED PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

**By fax transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

**By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed below (specify one):

Deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

Placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Riverside, California.

**By personal service.** At \_\_\_\_ a.m./p.m., I personally delivered the documents to the persons at the addresses listed below. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an Individual in charge of the office. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not less than 18 years of age between the hours of eight in the morning and six in the evening.

**By messenger service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a professional messenger service for service. A Declaration of Messenger is attached.

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- By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- By e-mail or electronic transmission.** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons .at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

<p>Mitchell M. Tsai Armita A. Ariano Mitchell M. Tsai, Attorney at Law 139 South Hudson Avenue, Suite 200 Pasadena, CA 91101 Emails: mitch@mitchtsailaw.com armita@mitchtsailaw.com info@mitchtsailaw.com</p> <p><i>Attorneys for Plaintiffs and Petitioners Fiber First Los Angeles, et al.</i></p>	<p>Robert F. Kennedy, Jr. Chief Litigation Counsel, Children’s Health Defense 752 Franklin Avenue, Suite 511 Franklin Lakes, NJ 07417 Email: rfk.assistant@childrenshealthdefense.org</p> <p><i>Attorney for Plaintiffs and Petitioners Fiber First Los Angeles, et al.</i></p>
<p>Julian Gresser Law Office of Julian Gresser P.O. Box 30397 Santa Barbara, CA 93130 Email: juliangresser77@gmail.com</p> <p><i>Attorney for Plaintiffs and Petitioners Fiber First Los Angeles, et al.</i></p>	<p>W. Scott McCollough McCollough Law Firm PC 2290 Gatlin Creek Road Dripping Springs, TX 78620 Email: wsmc@dotlaw.biz</p> <p><i>Attorney for Plaintiffs and Petitioners Fiber First Los Angeles, et al.</i></p>

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

Executed on December 5, 2023, at Los Angeles, California.

  
 \_\_\_\_\_  
 Houda Matar