

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 85

23STCP00750

FIBER FIRST LOS ANGELES, et al. vs COUNTY OF LOS ANGELES, et al.

February 13, 2024

9:30 AM

Judge: Honorable James C. Chalfant
Judicial Assistant: J. De Luna
Courtroom Assistant: C. Del Rio

CSR: L. Augustine, CSR #10419 (Pro Temp)
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Petitioner(s): Mitchell M. Tsai (X); Naira Soghatyan (Telephonic)

For Respondent(s): Agnes Patricia Ursea (X)

NATURE OF PROCEEDINGS: Hearing on Motion for Judgment on the Pleadings

Pursuant to Government Code sections 68086, 70044, and California Rules of Court, rule 2.956, Lisa Augustine, CSR# 10419, certified shorthand reporter is appointed as an official Court reporter pro tempore in these proceedings, and is ordered to comply with the terms of the Court Reporter Agreement. The Order is signed and filed this date.

The court's tentative ruling is published to all parties via posting on the court's website.

The matter is called for hearing.

After argument of counsel, the court rules in accordance with its tentative ruling which is filed and adopted as the final ruling of the court and incorporated herein by reference.

Summary of the court's ruling:

Respondents County of Los Angeles ("County"), County Board of Supervisors ("Board"), County Regional Planning Commission ("Planning Commission"), County Department of Regional Planning ("Planning Department"), and County Department of Public Works ("DPW") (collectively, "County") move for judgment on the pleadings for five causes of action in the First Amended Petition ("FAP") filed by Petitioners Fiber First Los Angeles, Mothers of East LA, Union Binacional De Organizaciones De Trabajadores Mexicanos Exbraceros 1942-1964, Boyle Heights Community Partners, United Keetoowah Band of Cherokee Indians in Oklahoma, California Fires & Firefighters, Malibu for Safe Tech, EMF Safety Network, Californians for Safe Technology, 5G Free California, and Children's Health Defense.

The court has read and considered the moving papers, opposition, and reply, and renders the following decisions.

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The motion for judgment on the pleadings is granted for the third and seventh causes of action, including declaratory relief under those claims and denied for the fourth, sixth and eighth causes of action.

The hearing on petition for writ of mandate scheduled for 03/12/2024 is to remain as previously set. Counsel are directed to lodge copies of Federal and Out-of-State Authorities.

Notice is waived.