

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): C.D. Michel - S.B.N. 144258 Sean A. Brady - S.B.N. 262007 Michel & Associates, P.C. 180 E. Ocean Blvd., Suite 200 Long Beach, CA 90802 TELEPHONE NO. (562) 216-4444 FAX NO. (optional): (562) 216-4445 E-MAIL ADDRESS (optional): cmichel@michellawyers.com ATTORNEY FOR (Name): Proposed Relators		ORIGINAL FILED JAN 22 2014 CIVIL APPEALS ROOM 111
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse		
Plaintiff/Petitioner: John Rando and Mariano A. Rodas Defendant/Respondent: Kamala Harris, et al		
APPELLANT'S NOTICE DESIGNATING RECORD ON APPEAL (UNLIMITED CIVIL CASE)		
RE: Appeal filed on (date): January 22, 2014		Superior Court Case Number: BS145904 Court of Appeal Case Number (if known):
Notice: Please read form APP-001 before completing this form. This form must be filed in the superior court, not in the Court of Appeal.		

1. RECORD OF THE DOCUMENTS FILED IN THE SUPERIOR COURT

I elect to use the following method of providing the Court of Appeal with a record of the documents filed in the superior (check a, b, c, d, or e and fill in any required information):

- a. ☐ A clerk's transcript under rule 8.122. (You must check (1) or (2) and fill out the clerk's transcript section on page 2 of this form.)
- (1) ☐ I will pay the superior court clerk for this transcript myself when I receive the clerk's estimate of the costs of this transcript. I understand that if I do not pay for this transcript, it will not be prepared and provided to the Court of Appeal.
- (2) ☐ I request that the clerk's transcript be provided to me at no cost because I cannot afford to pay this cost. I have attached the following document (check (a) or (b)):
- (a) ☐ An order granting a waiver of court fees and costs under rule 3.50 et seq.; or
- (b) ☐ An application for a waiver of court fees and costs under rule 3.50 et seq. (Use Request to Waive Court Fees (form FW-001) to prepare and file this application.)
- b. ☒ An appendix under rule 8.124.
- c. ☐ The original superior court file under rule 8.128. (NOTE: Local rules in the Court of Appeal, First, Third, Fourth, and Fifth Appellate Districts, permit parties to stipulate to use the original superior court file instead of a clerk's transcript; you may select this option if your appeal is in one of these districts and all the parties have stipulated to use the original superior court file instead of a clerk's transcript in this case. Attach a copy of this stipulation.)
- d. ☐ An agreed statement under rule 8.134. (You must complete item 2b(2) below and attach to your agreed statement copies of all the documents that are required to be included in the clerk's transcript. These documents are listed in rule 8.134(a).)
- e. ☐ A settled statement under rule 8.137. (You must complete item 2b(3) below and attach to your proposed statement on appeal copies of all the documents that are required to be included in the clerk's transcript. These documents are listed in rule 8.137(b)(3).)

2. RECORD OF ORAL PROCEEDINGS IN THE SUPERIOR COURT

I elect to proceed:

- a. ☐ WITHOUT a record of the oral proceedings in the superior court. I understand that without a record of the oral proceedings in the superior court, the Court of Appeal will not be able to consider what was said during those proceedings in determining whether an error was made in the superior court proceedings.

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Superior Court Case Number:

BS145904

b. ☒ WITH the following record of the oral proceedings in the superior court:(1) ☒ A reporter's transcript under rule 8.130. (You must fill out the reporter's transcript section on page 3 of this form.) I have (check all that apply):(a) ☒ Deposited the approximate cost of transcribing the designated proceedings with this notice as provided in rule 8.130(b)(1).(b) ☐ Attached a copy of a Transcript Reimbursement Fund application filed under rule 8.130(c)(1).(c) ☐ Attached the reporter's written waiver of a deposit for (check either (i) or (ii)):(i) ☐ all of the designated proceedings.(ii) ☐ part of the designated proceedings.(d) ☐ Attached a certified transcript under rule 8.130(b)(3).(2) ☐ An agreed statement. (Check and complete either (a) or (b) below.)(a) ☐ I have attached an agreed statement to this notice.(b) ☐ All the parties have agreed in writing (stipulated) to try to agree on a statement. (You must attach a copy of this stipulation to this notice.) I understand that, within 40 days after I file the notice of appeal, I must file either the agreed statement or a notice indicating the parties were unable to agree on a statement and a new notice designating the record on appeal.(3) ☐ A settled statement under rule 8.137. (You must attach the motion required under rule 8.137(a) to this form.)**3. RECORD OF AN ADMINISTRATIVE PROCEEDING TO BE TRANSMITTED TO THE REVIEWING COURT**☐ I request that the clerk transmit to the reviewing court under rule 8.123 the record of the following administrative proceeding that was admitted into evidence, refused, or lodged in the superior court (give the title and date or dates of the administrative proceeding):

Title of Administrative Proceeding

Date or Dates

4. NOTICE DESIGNATING CLERK'S TRANSCRIPT

(You must complete this section if you checked item 1a. above indicating that you elect to use a clerk's transcript as the record of the documents filed in the superior court.)

a. **Required documents.** The clerk will automatically include the following items in the clerk's transcript, but you must provide the date each document was filed or, if that is not available, the date the document was signed.

Document Title and Description

Date of Filing

(1) Notice of appeal

(2) Notice designating record on appeal (this document)

(3) Judgment or order appealed from

(4) Notice of entry of judgment (if any)

(5) Notice of intention to move for new trial or motion to vacate the judgment, for judgment notwithstanding the verdict, or for reconsideration of an appealed order (if any)

(6) Ruling on one or more of the items listed in (5).

(7) Register of actions or docket (if any)

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	BS145904

4. NOTICE DESIGNATING CLERK'S TRANSCRIPT

- b. **Additional documents.** (If you want any documents from the superior court proceeding in addition to the items listed in a. above to be included in the clerk's transcript, you must identify those documents here.)

☐ I request that the clerk include the following documents from the superior court proceeding in the transcript. (You must identify each document you want included by its title and provide the date it was filed or, if that is not available, the date the document was signed)

	Document Title and Description	Date of Filing
(8)		
(9)		
(10)		
(11)		
(12)		

☐ See additional pages.

- c. **Exhibits to be included in clerk's transcript.**

☐ I request that the clerk include in the transcript the following exhibits that were admitted in evidence, refused, or lodged in the superior court (for each exhibit, give the exhibit number, such as Plaintiff's #1 or Defendant's A, and a brief description of the exhibit. Indicate whether or not the court admitted the exhibit into evidence):

	Exhibit Number	Description	Admitted (Yes/No)
(1)			
(2)			
(3)			
(4)			
(5)			

☐ See additional pages.

5. NOTICE DESIGNATING REPORTER'S TRANSCRIPT

(You must complete this section if you checked item 2b(1) above indicating that you elect to use a reporter's transcript as the record of the oral proceedings in the superior court. Please remember that you must pay for the cost of preparing the reporter's transcript.)

- a. I request that the reporters provide (check one):

- (1) ☒ My copy of the reporter's transcript in paper format.
- (2) ☐ My copy of the reporter's transcript in computer-readable format.
- (3) ☐ My copy of the reporter's transcript in paper format and a second copy in computer-readable format.

(Code Civ. Proc., § 271; Cal. Rules of Court, rule 8.130(f)(4).)

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b. Proceedings.

I request that the following proceedings in the superior court be included in the reporter's transcript. (You must identify each proceeding you want included by its date, the department in which it took place, a description of the proceedings—for example, the examination of jurors, motions before trial, the taking of testimony, or the giving of jury instructions—the name of the court reporter who recorded the proceedings, and whether a certified transcript of the designated proceeding was previously prepared.)

Date	Department	Full/Partial Day	Description	Reporter's Name	Prev. prepared?
(1) 1/7/2011 85		Partial	Petition for Writ of Mandate Hearing	Louis R. Machuca	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(2)					<input type="checkbox"/> Yes <input type="checkbox"/> No
(3)					<input type="checkbox"/> Yes <input type="checkbox"/> No
(4)					<input type="checkbox"/> Yes <input type="checkbox"/> No
(5)					<input type="checkbox"/> Yes <input type="checkbox"/> No
(6)					<input type="checkbox"/> Yes <input type="checkbox"/> No
(7)					<input type="checkbox"/> Yes <input type="checkbox"/> No

c. The proceedings designated in 5b ☒ include ☐ do not include all of the testimony in the superior court.

If the designated proceedings DO NOT include all of the testimony, state the points that you intend to raise on appeal (rule 8.130(a)(2) provides that your appeal will be limited to these points unless, on motion, the reviewing court permits otherwise).

Date: January 22, 2014

C. D. Michel
(TYPE OR PRINT NAME)

(SIGNATURE OF APPELLANT OR ATTORNEY)

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA
3 COUNTY OF LOS ANGELES

4 I, Claudia Ayala, am employed in the City of Long Beach, Los Angeles County,
5 California. I am over the age eighteen (18) years and am not a party to the within action. My
6 business address is 180 East Ocean Blvd., Suite 200, Long Beach, California 90802.

7 On January 22, 2014, I served the foregoing document(s) described as

8 **APPELLANTS NOTICE DESIGNATING RECORD ON APPEAL**

9 on the interested parties in this action by placing

10 ☐ the original

11 ☒ a true and correct copy

12 thereof enclosed in sealed envelope(s) addressed as follows:

13 "SEE SERVICE LIST"

14 X (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and
15 processing correspondence for mailing. Under the practice it would be deposited with the
16 U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach,
17 California, in the ordinary course of business. I am aware that on motion of the party
18 served, service is presumed invalid if postal cancellation date is more than one day after
19 date of deposit for mailing an affidavit.

20 Executed on January 22, 2014, at Long Beach, California.

21 — (PERSONAL SERVICE) I caused such envelope to delivered by hand to the offices of the
22 addressee.

23 Executed on January 22, 2014, at Long Beach, California.

24 — (OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of
25 collection and processing correspondence for overnight delivery by UPS/FED-EX. Under
26 the practice it would be deposited with a facility regularly maintained by UPS/FED-EX for
27 receipt on the same day in the ordinary course of business. Such envelope was sealed and
28 placed for collection and delivery by UPS/FED-EX with delivery fees paid or provided for
in accordance.

Executed on January 22, 2014, at Long Beach, California.

X (STATE) I declare under penalty of perjury under the laws of the State of California that
the foregoing is true and correct.

— (FEDERAL) I declare that I am employed in the office of the member of the bar of this
court at whose direction the service was made.

CLAUDIA AYALA

1 "SERVICE LIST"

2 JOHN RANDO et al. v. KAMALA HARRIS et al.

3 Case No.: BS145904

4 Mark R. Beclomgton, Supervising Attorney for Defendant Kamala Harris
5 Deputy Attorney General
6 Susan K. Smith, Deputy Attorney General
7 Office of the Attorney General
8 300 S. Spring Street, Suite 1702
Los Angeles, CA 90013
Email: Susan.Smith@doj.ca.gov
Attorney for Defendants

9 Andrew C. Rawcliffe Attorney for Defendant/Real Party in Interest
10 Deputy City Attorney, Litigation Frank Quintero and the City of Glendale
11 Glendale city Attorney's Office
12 613 E. Broadway, Suite 220
Glendale, CA 91206
Email: ARawcliffe@ci.glendale.ca.us
Attorneys for Defendants

13 Honorable James C. Chalfant Judge
14 Los Angeles Superior Court
15 Stanley Mosk Courthouse
16 111 North Hill Street
Los Angeles, CA 90012
Department 85

17 Clerk of the Court Clerk
18 Los Angeles Superior Court
19 Stanley Mosk Courthouse
20 111 North Hill Street
Los Angeles, CA 90012

FIRM:

MICHEL & ASSOCIATES, P.C.
180 E. OCEAN BLVD.
SUITE 200
LONG BEACH CA 90802
PH: 562/216-4444

Signal
ATTORNEY SERVICE
INCORPORATED

DATE 1/22/14 SECRETARY CA ATTORNEY COM ATTORNEY FILE # 1092633

DO TODAY**RETURN TODAY**

Mark X for special assignment(s). RUSH CHARGES APPLY

Long Beach 562-595-1337
Torrance 310-316-1256
Fax 562-595-6294

PLAINTIFF: John Rando et al
VS.
DEFENDANT: Kamala Harris et al

COURT: LASC
JUDICIAL DIST: Central
CITY: BS145904 CASE #: Los Angeles

APPROVED DIRECT BILLING:

CARRIER NAME:

ADDRESS:

CITY, STATE, & ZIP:

ADJUSTER:

INSURED:

CLAIM NUMBER:

DATE OF LOSS:

LIST ALL DOCUMENTS:

HEARING
DATEFEES PAID/
DATEFEES
ATTACHED

1) Notice of Appeal

2) Appellants Notice Designating Record on Appeal

3) Filing Fees

INSTRUCTIONS: FILE BY 1/22/14 SERVE BY

DEPT. _____ CLERK _____

IMPORTANT

FILE

SERVE

DELIVER

COPY

OTHER

☐ RESIDENCE☐ BUSINESS

MALE _____ FEMALE _____ RACE _____ AGE _____ HT _____ WT _____ HAIR _____

DATE 1/22

ORIGINAL SUBMIT

RUNNER ZM

DATE _____

2nd SUBMIT

RUNNER _____

OKAY ☐BACK TO COURT ☐REJECTED ☐OKAY ☐BACK TO COURT ☐REJECTED ☐**TOTAL**

SPECIAL ASSIGNMENT #

NO CONFORM SHERIFF COURTESY DROP C/W DROP DP RCV C/W RCV DP FILE C/W FILE DP ATT CK OUR CK CASH

Corporate Mailing Address: P.O. Box 91985 • Long Beach, CA 90809-1985

ORIGINAL

MICHEL & ASSOCIATES, P.C.

009284

Los Angeles Superior Court
Client Costs:Attorney Service

1/22/2014
Los Angeles Superior Court: 01/21/14 Fee to Design

130.00

MICHEL & ASSOCIATES, P.C.

009282

Los Angeles County Superior Court
Client Costs:Filing Fees

1/20/2014
Los Angeles County Superior Court: 01/20/14 Fee to

100.00

LASC - FINANCE
111 N. HILL STREET
LOS ANGELES CA 90012
DATE PAID: 01/22/14 03:52 PM
RECEIPT #: FIM458224013
CIT/CASE: B8145904
LEA/DEF#:

PAYMENT: \$130.00
RECEIVED:

310

CHECK: \$130.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00

LASC - FINANCE
111 N. HILL STREET
LOS ANGELES CA 90012
DATE PAID: 01/22/14 03:51 PM
RECEIPT #: FIM458224012
CIT/CASE: B8145904
LEA/DEF#:

PAYMENT: \$100.00
RECEIVED:

310

CHECK: \$100.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00