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**BEFORE THE ATTORNEY GENERAL
OF THE STATE OF CALIFORNIA**

JOHN RANDO and MARIANO A.
RODAS,

Proposed Relators,

vs.

FRANK QUINTERO, individually and in
his official capacity as Glendale City
Councilmember; CITY OF GLENDALE,

Defendants.

) CASE NO.

)
)
) **APPLICATION FOR LEAVE TO SUE IN**
) **QUO WARRANTO TO TRY TITLE TO**
) **PUBLIC OFFICE AND REQUEST FOR**
) **SHORTENING OF TIME FOR RESPONSE**
) **THERETO**

TO THE ATTORNEY GENERAL OF THE STATE OF CALIFORNIA:

In accordance with Section 803 of the Code of Civil Procedure, application is hereby made
by Proposed Relators John Rando and Mariano A. Rodas ("Proposed Relators") for leave to sue
in quo warranto, in the name of the People of the State of California.

Pursuant to Title XI, section 2, of the California Code of Regulations, the following
documents are enclosed:

1. an original and one copy of the [Proposed] Verified Complaint prepared for the
signature of the Attorney General, a Deputy Attorney General, and the attorney for the Proposed
Relators;
2. a Verified Statement of Facts in Support of this Application;
3. a Memorandum of Points and Authorities in Support of this Application;

1 4. a copy of a Notice directed to the proposed Defendant, advising them of this
2 Application and giving them five (5) (or alternatively fifteen (15)) days to appear and to show
3 cause why leave to sue should not be granted; and

4 5. Proof of Service of the foregoing documents on the proposed Defendant — to be
5 added after service on proposed defendants.

6 In accordance with the California Code of Regulations, Title XI, section 3, good cause
7 exists to shorten the time within which the Proposed Defendants must appear in response to this
8 application. Typically, after being served with notice that a relator is applying to the Attorney
9 General for leave to sue in a *quo warranto* action, a proposed defendant has 15 days within which
10 to appear if served in the same county in which the proceeding will be brought. *See* 11 CCR § 3.
11 However, “a shorter time may and *will be* prescribed by the Attorney General in special cases or
12 upon a showing of good cause therefor.” *Id.* (emphasis added).

13 This is a special case. Proposed Relators seek to uphold the Glendale City Charter. If they
14 obtain the relief they seek, one of the Proposed Defendants, a sitting councilmember of the
15 Glendale City Council, will be removed, thereby leaving a vacancy on the Glendale City Council
16 that will need to be filled. (*See* Verified Statement of Facts “VSOF” ¶¶ 10).

17 By allowing Proposed Defendants the full 15 days after service to respond, at least two
18 full city council meetings will have occurred with Proposed Defendant participating in official
19 City business. (*See* VSOF ¶ 20.) The citizens of Glendale will risk having crucial decisions made
20 by a potentially unlawful officer for an even greater amount of time. Moreover, Glendale residents
21 have an interest in lawfully upholding the City Charter. Every day that passes in which a wrongful
22 person holds office on the council is another day wherein the integrity of the Charter and the
23 City’s governance is called into question.

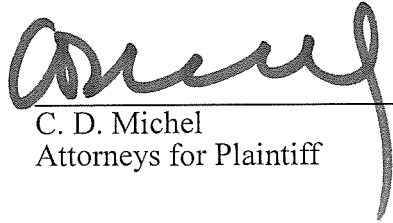
24 Additionally, the Glendale City Attorney was already made aware of the legal issues raised
25 in this application, analyzed them, and provided his opinion. (*See* VSOF ¶¶ 11-16.) So, these
26 arguments come as no surprise to him and he should be prepared to respond immediately without
27 being prejudiced.

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1 For the foregoing reasons, Proposed Relators believes there is good cause to shorten the
2 time for the appearance of the Proposed Defendants and respectfully asks the Attorney General to
3 shorten time for them to respond to this application to five (5) days – prior to the next scheduled
4 city council meeting on May 28, 2013. (See VSOF ¶ 20.)

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6 Dated: May 23, 2013

MICHEL & ASSOCIATES, P.C.

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9 C. D. Michel
Attorneys for Plaintiff