

C. D. Michel - SBN 144258
Sean A. Brady- SBN 262007
MICHEL & ASSOCIATES, P.C.
180 East Ocean Blvd., Suite 200
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cmichel@michellawyers.com

Attorneys for Plaintiffs/Petitioners

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

CENTRAL DISTRICT

BS145904

JOHN RANDO and MARIANO A.
RODAS,

Plaintiffs and Petitioners,

vs.

KAMALA HARRIS, individually and in her
official capacity as Attorney General;

Defendant and Respondent,

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

Real Parties in Interest.

CASE NO.

**DECLARATION OF NOTICE IN
SUPPORT OF PLAINTIFFS AND
PETITIONERS' EX PARTE
APPLICATION FOR AN ALTERNATIVE
WRIT OF MANDATE AND ORDER TO
SHOW CAUSE WHY PEREMPTORY
WRIT SHOULD NOT ISSUE**

Date: November 13, 2013

Time: 8:30 a.m.

Dept. 82, 85, or 86

1 I, Sean A. Brady, declare as follows:

2 1. I am an attorney licensed to practice law before the courts of the State of
3 California. I am an associate attorney of the law firm Michel & Associates, P.C., attorneys of
4 record in this action for Petitioners, John Rando and Mariano Rodas. I have personal knowledge
5 of the facts set forth herein and, if called and sworn as a witness, could testify and would testify
6 competently thereto.

7 2. On November 8, 2013, I notified the Attorney General's Office in Los Angeles via
8 email, voice mail and personal service that Petitioners would be presenting to this Court on
9 November 13, 2013, at 8:30 a.m., in either Department 82, 85, or 86, an ex parte application for
10 an alternative writ of mandate challenging Respondent's denial of Petitioners' application for
11 leave to sue Real Parties in Interest in *quo warranto* and to compel that said application be
12 granted. More specifically, I attempted to discover whether Respondent would appear to challenge
13 Petitioners' ex parte application by having a law clerk under my direction call and leave a detailed
14 message for Laura Paik, the deputy in charge of the Los Angeles Office of the Attorney General's
15 Office at 3:10 p.m. on November 8, 2013. In addition, to notifying Ms. Paik, I left a detailed voice
16 message for Marc Nolan, the Deputy Attorney of record on Respondent's opinion denying
17 Petitioners' *quo warranto* application that is the subject of this action.

18 3. On November 8, 2013, I notified Real Parties in Interest, the City of Glendale and
19 Glendale Councilmember Frank Quintero via email, voice mail, and personal service that
20 Petitioners would be presenting to this Court on November 13, 2013, at 8:30 a.m., in either
21 Department 82, 85, or 86, an ex parte application for writ of mandate challenging Respondent's
22 denial of Petitioners' application for leave to sue in *quo warranto* and to compel that said
23 application be granted. More specifically, I attempted to discover whether counsel for Real Parties
24 in Interest (the Glendale City Attorneys' Office) would appear to challenge Petitioners' ex parte
25 application by sending an electronic mail to Ann M. Maurer, General Counsel for the City of
26 Glendale who was attorney of record for Real Parties in Interests in opposing Petitioners' *quo*
27 *warranto* application, Glendale City Attorney Michael Garcia, and Mr. Quintero at around 3:25
28 p.m. on November 8, 2013, and by calling and leaving a detailed message for Ms. Maurer at 4:23

1 p.m. I called and left another similar voicemail at around 3:40 on November 12, 2013.

2 4. A copy of the proofs of receipt are attached as Exhibit "A" to this declaration.

3 5. At about 3:40 p.m. on November 12, 2013, I spoke with Susan Smith, Acting
4 Solicitor General of the Department of Justice, who confirmed that she will be appearing to
5 oppose Petitioners' ex parte application on behalf of Respondent.

6 6. At about 4:00p.m. on November 12, 2013, I spoke with Ms. Maurer who said she
7 or someone from her office will be appearing on behalf of Real Parties in Interest to oppose
8 Petitioners' ex parte application.

9
10 I declare under penalty of perjury under the laws of the State of California that the
11 foregoing is true and correct. Executed this 12th day of November, 2013 at Long Beach,
12 California.

13 Dated: November 12, 2013

MICHEL & ASSOCIATES, P.C.

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16 _____
17 Sean A. Brady
18 Attorneys for Plaintiffs and Petitioners
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EXHIBIT A

Attorney or Party Without Attorney (Name and Address) SEAN A. BRADY, ESQ. MICHEL & ASSOCIATES, P.C. 180 E OCEAN BLVD STE 200 LONG BEACH CA 90802 562-216-4444 Attorney For (Name): PLAINTIFF		Telephone No. 562-216-4444 Ref. No. or File No. 092651/RANDO	FOR COURT USE ONLY	
Insert name of court and name of judicial district and branch court, if any. LOS ANGELES SUPERIOR CRT CENTRAL DISTRICT-STANLEY MOSK 111 N. HILL STREET LOS ANGELES, CA. 90012				
Short Title of Case: RANDO VS HARRIS				
Invoice No.: 564271	Date: 11/13/13	Time: 8:30 AM	Dep./Div.: 82,85,86	Case Number:

PROOF OF SERVICE

1. AT THE TIME OF SERVICE I WAS AT LEAST 18 YEARS OF AGE AND NOT A PARTY TO THIS ACTION, AND I SERVED COPIES OF THE:

PLAINTIFFS AND PETITIONERS' EX PARTE APPLICATION FOR
 ALTERNATIVE WRIT OF MANDATE AND ORDER TO SHOW CAUSE WHY
 PEREMPTORY WRIT SHOULD NOT ISSUE
 MEMORANDUM IN SUPPORT OF PLAINTIFF AND PETITIONERS' EX PARTE
 APPLICATION FOR ALTERNATIVE WRIT OF MANDATE AND ORDER TO
 SHOW CAUSE WHY PEREMPTORY WRIT SHOULD NOT ISSUE
 CIVIL CASE COVER SHEET
 CIVIL CASE COVER SHEET ADDENDUM
 AND STATEMENT OF LOCATION
 VERIFIED PETITION FOR ALTERNATIVE WRIT OF MANDATE
 [PROPOSED]ORDER DIRECTING ISSUANCE OF ALTERNATIVE WRIT

2. a. PARTY SERVED: KAMALA HARRIS, INDIVIDUALLY AND IN HER OFFICIAL
 CAPACITY AS ATTORNEY GENERAL
- b. PERSON SERVED: QUINLIN DOE (REFUSED LAST NAME)
 AGE: 30 HEIGHT 5'4 WEIGHT: 115 HAIR: BLACK SEX: F RACE: ASIAN

 RELATIONSHIP: RECEPTIONIST
- c. ADDRESS: 300 S. SPRING STREET
 LOS ANGELES CA 90013
3. I SERVED THE PARTY NAMED IN ITEM 2
- a. BY PERSONALLY DELIVERING THE COPIES ON 11/08/13 AT 03:00 PM

SIGNAL ATTORNEY SERVICE, INC.
 P.O. Box 91985
 Long Beach CA 90809
 (562)595-1337 FAX(562)595-6294

I declare under penalty of perjury, under the laws of the State of California, and of the United States of America that the foregoing is true and correct.

DATE: 11/11/13

SIGNATURE



Attorney or Party Without Attorney (Name and Address) SEAN A. BRADY, ESQ. MICHEL & ASSOCIATES, P.C. 180 E OCEAN BLVD STE 200 LONG BEACH CA 90802 562-216-4444 Attorney For (Name): PLAINTIFF		Telephone No. 562-216-4444 Ref. No. or File No. 092651/RANDO	FOR COURT USE ONLY	
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5. WITNESS FEES WERE OFFERED OR DEMANDED & PAID: .00
 IF THE ABOVE NOT FILLED IN, FEES WERE NOT DEMANDED OR PAID
6. PERSON SERVING: R.M. HOOD, III FEE FOR SERVICE: \$ 70.00
 CONFORMS TO JUDICIAL COUNSEL FROM #982 (a) (23)

SIGNAL ATTORNEY SERVICE, INC.
 P.O. Box 91985
 Long Beach CA 90809
 (562)595-1337 FAX(562)595-6294

- d. Registered California process server
 (1) ☒ Employee or ☐ Independent Contractor
 (2) Registration No. 5834
 (3) County: LOS ANGELES
 (4) Expiration: 07/17/14

I declare under penalty of perjury, under the laws of the State of California, and of the United States of America that the foregoing is true and correct.
 DATE: 11/11/13

SIGNATURE

Attorney or Party Without Attorney (Name and Address) SEAN A. BRADY, ESQ. MICHEL & ASSOCIATES, P.C. 180 E OCEAN BLVD STE 200 LONG BEACH CA 90802 562-216-4444 Attorney For (Name): PLAINTIFF		Telephone No. 562-216-4444 Ref. No. or File No. 092653/RANDO	FOR COURT USE ONLY	
Insert name of court and name of judicial district and branch court, if any. LOS ANGELES SUPERIOR CRT CENTRAL DISTRICT-STANLEY MOSK 111 N. HILL STREET LOS ANGELES, CA. 90012				
Short Title of Case: RANDO VS HARRIS				
Invoice No.:	Date:	Time:	Dep./Div.:	Case Number:
564276	11/13/13	8:30 AM	82,85,86	

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 AND STATEMENT OF LOCATION
 VERIFIED PETITION FOR ALTERNATIVE WRIT OF MANDATE
 [PROPOSED] ORDER DIRECTING ISSUANCE OF ALTERNATIVE WRIT

2. a. PARTY SERVED: CITY OF GLENDALE

- b. PERSON SERVED: MARY VELAZQUEZ

RELATIONSHIP: CLERK/TYPIST (AUTHORIZED TO ACCEPT)

- c. ADDRESS: 613 EAST BROADWAY
 GLENDALE CA 91206

3. I SERVED THE PARTY NAMED IN ITEM 2

- a. BY PERSONALLY DELIVERING THE COPIES ON 11/08/13 AT 01:30 PM

SIGNAL ATTORNEY SERVICE, INC.
 P.O. Box 91985
 Long Beach CA 90809
 (562)595-1337 FAX(562)595-6294

I declare under penalty of perjury, under the laws of the State of California, and of the United States of America that the foregoing is true and correct.

DATE: 11/12/13

SIGNATURE

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Short Title of Case: RANDO VS HARRIS				
Invoice No.: 564276	Date: 11/13/13	Time: 8:30 AM	Dep./Div.: 82.85.86	Case Number:

6. PERSON SERVING: DANIEL F. MARION FEE FOR SERVICE: \$ 110.00
 CONFORMS TO JUDICIAL COUNSEL FORM #982 (a) (23)

SIGNAL ATTORNEY SERVICE, INC.
 P.O. Box 91985
 Long Beach CA 90809
 (562)595-1337 FAX(562)595-6294

d. Registered California process server
 (1) ☒ Employee or ☐ Independent Contractor
 (2) Registration No. 7128
 (3) County: LOS ANGELES
 (4) Expiration: 11/13/13

I declare under penalty of perjury, under the laws of the State of California, and of the United States of America that the foregoing is true and correct.

DATE: 11/12/13

SIGNATURE

Attorney or Party Without Attorney (Name and Address) SEAN A. BRADY, ESQ. MICHEL & ASSOCIATES, P.C. 180 E OCEAN BLVD STE 200 LONG BEACH CA 90802 562-216-4444 Attorney For (Name): PLAINTIFF		Telephone No. 562-216-4444 Ref. No. or File No. 092654/RANDO	FOR COURT USE ONLY	
Insert name of court and name of judicial district and branch court, if any. LOS ANGELES SUPERIOR CRT CENTRAL DISTRICT-STANLEY MOSK 111 N. HILL STREET LOS ANGELES. CA. 90012				
Short Title of Case: RANDO VS HARRIS				
Invoice No.: 564272	Date: 11/13/13	Time: 8:30 AM	Dep./Div.: 82.85,86	Case Number:

PROOF OF SERVICE

1. AT THE TIME OF SERVICE I WAS AT LEAST 18 YEARS OF AGE AND NOT A PARTY TO THIS ACTION, AND I SERVED COPIES OF THE:

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 [PROPOSED]ORDER DIRECTING ISSUANCE OF ALTERNATIVE WRIT

2. a. PARTY SERVED: FRANK QUINTERO, INDIVIDUALLY AND IN HIS OFFICIAL
 CAPACITY AS GLENDALE CITY COUNCILMEMBER
- b. PERSON SERVED: MARY VELAZQUEZ
- RELATIONSHIP: CLERK/TYPIST (AUTHORIZED TO ACCEPT)
- c. ADDRESS: 613 EAST BROADWAY
 SUITE 220
 GLENDALE CA 91206
3. I SERVED THE PARTY NAMED IN ITEM 2
- a. BY PERSONALLY DELIVERING THE COPIES ON 11/08/13 AT 01:30 PM

SIGNAL ATTORNEY SERVICE, INC.
 P.O. Box 91985
 Long Beach CA 90809
 (562)595-1337 FAX(562)595-6294

I declare under penalty of perjury, under the laws of the State of California, and of the United States of America that the foregoing is true and correct.

DATE: 11/12/13

SIGNATURE

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Invoice No.: 564272	Date: 11/13/13	Time: 8:30 AM	Dep./Div.: 82,85.86	Case Number:

6. PERSON SERVING: DANIEL F. MARION FEE FOR SERVICE: \$ 55.00
 CONFORMS TO JUDICIAL COUNSEL FROM #982 (a) (23)

SIGNAL ATTORNEY SERVICE, INC.
 P.O. Box 91985
 Long Beach CA 90809
 (562)595-1337 FAX(562)595-6294

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 (1) ☒ Employee or ☐ Independant Contractor
 (2) Registration No. 7128
 (3) County: LOS ANGELES
 (4) Expiration: 11/13/13

I declare under penalty of perjury, under the laws of the State of California, and of the United States of America that the foregoing is true and correct.

DATE: 11/12/13

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