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18 Attorneys for Plaintiffs

19 **UNITED STATES DISTRICT COURT**
FOR THE CENTRAL DISTRICT OF CALIFORNIA

20 ADAM BRANDY, an individual; et al.,

21 Plaintiffs,

22 vs.

23 ALEX VILLANUEVA, in his official
24 capacity as Sheriff of Los Angeles
25 County, California, and in his capacity as
26 the Director of Emergency Operations, et
27 al.,

28 Defendants.

Case No. 2:20-cv-02874-AB-SK

**SUPPLEMENTAL DECLARATION OF
COUNSEL RE STATUS OF SERVICE AND
NOTICE TO DEFENDANTS OF
PLAINTIFFS' APPLICATION FOR
TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE WHY A
PRELIMINARY INJUNCTION SHOULD
NOT ISSUE**

[FRCP 65; C.D. L.R. 65-1]

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Date: TBD
Time: TBD
Courtroom 7B
Judge: Hon. André Birotte Jr.

SUPPLEMENTAL DECLARATION OF COUNSEL RE: SERVICE OF TRO APPLICATION ON DEFENDANTS

I, George M. Lee, declare as follows:

1. I am an attorney at law, in good standing, duly licensed to practice law in this State and appear before its courts. I am admitted to the Central District of California in good standing. I am counsel of record for plaintiffs Adam Brandy, et al. I have personal knowledge of the facts stated herein, and if called as a witness, could competently testify thereto.

2. This supplemental declaration is made to update my declaration and certification filed on March 30 2020 [ECF No. 15], and to inform the Court regarding the status of service and notice to Defendants regarding Plaintiffs’ Application for Temporary Restraining Order and OSC re Preliminary Injunction [TRO Application], pursuant to Central District Local Rule 7-19, and the posted procedures of the Hon. André Birotte Jr.

County Defendants

3. After filing the First Amended Complaint [ECF No. 9] and the TRO Application [ECF No. 14], the undersigned was contacted by counsel representing defendants Sheriff Alex Villanueva, Los Angeles County Director of Public Health Barbara Ferrer and the County of Los Angeles (collectively, “County Defendants”):

1 Paul B. Beach, Esq.
2 LAWRENCE BEACH ALLEN & CHOI PC
3 100 West Broadway, Suite 1200
4 Glendale CA 91210
5 Tel. (818) 545-1925
6 Email: pbeach@lbaclaw.com

7 4. We have been in discussions with Mr Beach regarding any potential
8 opposition by the County to the TRO Application, and have asked whether he is
9 authorized to accept service on behalf of County Defendants. As of this
10 declaration, we have not heard whether he is authorized to accept electronic service
11 on behalf of County Defendants.

12 ***State Defendants***

13 5. The undersigned was contacted by counsel representing defendants
14 Gov. Gavin Newsom, and Dr Sonia Y. Angell (collectively, “State Defendants”),
15 as follows:

16 Peter H. Chang, Deputy Attorney General
17 Patti Li, Deputy Attorney General
18 Department of Justice
19 OFFICE OF THE ATTORNEY GENERAL
20 455 Golden Gate Ave., Suite 11000
21 San Francisco, CA 94102-7004
22 Tel. (415) 510-3776
23 Email: peter.chang@doj.ca.gov

24 6. Deputy Attorney General Chang has agreed to accept electronic
25 service on behalf of State Defendants, and has indicated as of this afternoon that
26 the State Defendants will oppose Plaintiffs’ TRO Application.

27 ***City of L.A. Defendants***

28 7. On March 29, 2020, the undersigned contacted Los Angeles City
Attorney Michael Feuer regarding service of the summons, First Amended
Complaint and TRO Application. On March 31, 2020, I was contacted by Deputy

1 City Attorney Jonathan Eisenman, who indicated that: “We will not accept service
2 of the summons and complaint by email. When we have been served properly, we
3 will oppose your application for a temporary restraining order.” On April 1, 2020,
4 Deputy City Attorney Benjamin Chapman further indicated that he was not
5 authorized to accept service on behalf of the City of Los Angeles or Mayor
6 Garcetti (“City of L.A. Defendants”) Notwithstanding the current conditions
7 calling for minimizing all social interaction and mandating “social distancing
8 measures,” counsel for the City Defendants thus insisted that the clerk for the City
9 of Los Angeles and Mayor Garcetti be subject to physical service of the
10 documents, by a process server. Accordingly, Plaintiffs undertook efforts to serve
11 both the City and Mayor Garcetti today, April 1, 2020. The City of Los Angeles
12 was served today. Mayor Garcetti’s assistant refused to accept physical service
13 and insisted that Mayor Garcetti was not available to accept service.

14 8. The above-referenced Deputy City Attorneys who refused to accept
15 electronic service on behalf of the City of L.A. Defendants are:

16 Dep. City Attorney Jonathan Eisenman
17 Dep. City Attorney Benjamin Chapman
18 LOS ANGELES CITY ATTORNEY’S OFFICE
19 James K. Hahn City Hall East, Suite 800
20 Los Angeles, CA 90012
21 Email: jonathan.eisenman@lacity.org
22 Email: benjamin.chapman@lacity.org

23 ***City of Burbank Defendants***

24 9. On April 1, 2020, this Court issued its In Chambers Order [ECF No.
25 16] (“Order”). The Court’s Order stated:

26 (IN CHAMBERS) ORDER by Judge Andre Birotte Jr. Defendants
27 Alex Villanueva, Gavin Newsom, Sonia Y. Angell, Barbara Ferrer,
28 County of Los Angeles, Eric Garcetti, City of Los Angeles, Justin
Hess, and City of Burbank ("Defendants") are ORDERED to file a
response to Plaintiffs' ex parte application for a Temporary

