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Attorneys for Plaintiff and Petitioner Citizens for a  
5 Friendly Airport  
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF SAN DIEGO – CENTRAL DIVISION  
10

11 CITIZENS FOR A FRIENDLY AIRPORT, )

12 Plaintiff and Petitioner, )

13 vs. )

14 COUNTY OF SAN DIEGO; and DOES 1 through )  
100, )

15 Defendants and Respondents; )

16 DOES 101 through 1,000, )

17 Defendants and Real Parties in )  
18 Interest. )

CASE NO. 37-2018-00057624-CU-TT-CTL

**[Second Amended Proposed]**  
**PEREMPTORY WRIT OF MANDATE**

Action Filed: November 6, 2018  
Department: C-71 (Pollack)

19 That certain Judgment on Complaint for Declaratory and Injunctive Relief and Petition for  
20 Peremptory Writ of Mandate ("Judgment") having been entered in this lawsuit in favor of Plaintiff and  
21 Petitioner CITIZENS FOR A FRIENDLY AIRPORT ("Petitioner") and against Defendant and  
22 Respondent COUNTY OF SAN DIEGO ("Respondent"), and based on the Judgment,

23 **IT IS NOW ORDERED** that upon service of this Peremptory Writ of Mandate ("Writ"):

24 I. Respondent shall, within 60 days of this Writ's issuance, set aside all approvals of  
25 Defendant and Respondent COUNTY OF SAN DIEGO for the project that is the subject of this lawsuit  
26 ("Approvals"), including each of the seven components of the "ACTION" taken by the Board of  
27 Supervisors on the project as set forth in Minute Order no. 1 dated October 10, 2018 (*see* Admin. R.  
28 41:7549-7550).

1           2.       This Court shall retain jurisdiction over Respondent by way of a return to this Writ until  
2 the Court determines that Respondent has adequately complied with the California Environmental  
3 Quality Act, and the Planning and Zoning Law, and any and all other applicable laws.

4           3.       Respondent shall file an initial return to this Writ demonstrating compliance with Section  
5 1-A above and serve it on all parties no later than 75 days after the date of the Writ’s issuance.

6           4.       Petitioner may object to any return to this Writ.

7           5.       In accordance with Code of Civil Procedure Section 1094.5(f) and Public Resources  
8 Code Section 21168.9(c), nothing in this Writ directs Respondent to exercise its discretion in any  
9 particular way.

10          6.       This Writ may be served upon Respondent pursuant to Code of Civil Procedure Section  
11 1011, 1012, or 1013, as Petitioner elects.

12           **THE FOREGOING WRIT SHALL BE ISSUED IMMEDIATELY.**

13          Date: \_\_\_\_\_, 2021.                      \_\_\_\_\_

14    Judge of the Superior Court

15          Witness my hand and the official seal of this Court.

16          Date: \_\_\_\_\_, 2021.                      \_\_\_\_\_

17    Clerk, Superior Court

18          APPROVED AS TO FORM:

19                                 Cory J. Briggs  
20    \_\_\_\_\_  
21                                 Cory J. Briggs

  Joshua M. Heinlein  
  \_\_\_\_\_  
  Joshua M. Heinlein

**PROOF OF SERVICE**

1. My name is Keri Taylor. I am over the age of eighteen. I am employed in the State of California, County of San Bernardino.

2. My  business residence address is Briggs Law Corporation, 99 East "C" Street, Suite 111 Upland, California 91786.

3. On February 24, 2021, I served an original copy  a true and correct copy of the following documents: [ Second Amended Proposed ] PEREMPTORY WRIT OF MANDATE

4. I served the documents on the person(s) identified on the attached mailing/service list as follows:  
by personal service. I personally delivered the documents to the person(s) at the address(es) indicated on the list.

by U.S. mail. I sealed the documents in an envelope or package addressed to the person(s) at the address(es) indicated on the list, with first-class postage fully prepaid, and then I  
deposited the envelope/package with the U.S. Postal Service

placed the envelope/package in a box for outgoing mail in accordance with my office's ordinary practices for collecting and processing outgoing mail, with which I am readily familiar. On the same day that mail is placed in the box for outgoing mail, it is deposited in the ordinary course of business with the U.S. Postal Service.

I am a resident of or employed in the county where the mailing occurred. The mailing occurred in the city of Upland, California.

by overnight delivery. I sealed the documents in an envelope/package provided by an overnight-delivery service and addressed to the person(s) at the address(es) indicated on the list, and then I placed the envelope/package for collection and overnight delivery in the service's box regularly utilized for receiving items for overnight delivery or at the service's office where such items are accepted for overnight delivery.

by facsimile transmission. Based on an agreement of the parties or a court order, I sent the documents to the person(s) at the fax number(s) shown on the list. Afterward, the fax machine from which the documents were sent reported that they were sent successfully.

by e-mail delivery. Based on the parties' agreement or a court order or rule, I sent the documents to the person(s) at the e-mail address(es) shown on the list. I did not receive, within a reasonable period of time afterward, any electronic message or other indication that the transmission was unsuccessful.

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

Date: February 24, 2021

Signature: 

## SERVICE LIST

*Citizens for a Friendly Airport v. County of San Diego, et al.*  
San Diego County Superior Court Case No. **37-2018-00057624-CU-TT-CTL**  
(Related Case: 37-2019-00028690-CU-TT-CTL)

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