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CLERK-SUPERIOR COURT
SAN DIEGO COUNTY, CA

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF SAN DIEGO--HALL OF JUSTICE

10 CITY OF SAN DIEGO, a California
Municipality,

11 Plaintiff,

12 vs.

13 ALL INTERESTED PERSONS IN THE
14 MATTER of the validity of the proceedings
forming Convention Center Facilities District
15 No. 2012-1, City of San Diego, County of San
Diego, State of California; the validity of the
16 special tax authorized by the Convention Center
Facilities District; the validity of the
17 authorization to issue bonds to be secured and
repaid by the special tax; the establishment of
18 the appropriations limit for the Convention
Center Facilities District; including the validity
19 of the landowner election,

20 Defendants.

CASE NO. 37-2012-00097148-CU-MC-CTL

VERIFIED ANSWER TO COMPLAINT
FOR VALIDATION OF CONVENTION
CENTER FACILITIES DISTRICT
SPECIAL TAX AND OTHER
AUTHORIZATIONS

Action Filed: May 10, 2012
Department: C-72 (Taylor)

IMAGED FILE

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22 Defendant SAN DIEGANS FOR OPEN GOVERNMENT answers Plaintiff's complaint as
23 follows:

24

Answer to Complaint's Allegations

25

1. With respect to Paragraph 1, Defendant denies that the City has the right and power to
26 make and enforce all laws and regulations with respect to the undefined phrase "certain other matters";
27 and denies all other allegations in the paragraph on the basis that Defendant lacks sufficient information
28 regarding the truth of the allegations.

1 2. With respect to Paragraph 2, Defendant admits that it is an interested party based on the
2 allegations in the complaint; and denies any and all other factual allegations in the paragraph on the
3 basis that Defendant lacks sufficient information to ascertain the truth of the allegations. No admission
4 or denial is required or made to the extent the paragraph contains non-factual allegations.

5 3. With respect to Paragraph 3, Defendant admits the allegations.

6 4. With respect to Paragraph 4, there appears to be no factual allegation to admit or deny.
7 No admission or denial is required or made to the extent the paragraph contains non-factual allegations.

8 5. With respect to Paragraph 5, there appears to be no factual allegation to admit or deny.
9 No admission or denial is required or made to the extent the paragraph contains non-factual allegations.

10 6. With respect to Paragraph 6, Defendant denies any and all factual allegations in the
11 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
12 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
13 allegations.

14 7. With respect to Paragraph 7, Defendant denies any and all factual allegations in the
15 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
16 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
17 allegations.

18 8. With respect to Paragraph 8, Defendant denies any and all factual allegations in the
19 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
20 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
21 allegations.

22 9. With respect to Paragraph 9, Defendant denies any and all factual allegations in the
23 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
24 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
25 allegations.

26 10. With respect to Paragraph 10, Defendant admits that a public hearing was held on
27 January 24, 2012 (by the San Diego City Council); and denies any and all other factual allegations in
28 the paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the

1 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
2 allegations.

3 11. With respect to Paragraph 11, Defendant admits that the San Diego City Council passed
4 a resolution the exact substance of which was not specified during the hearing; and denies any and all
5 other factual allegations in the paragraph on the basis that Defendant lacks sufficient information to
6 ascertain the truth of the allegations. No admission or denial is required or made to the extent the
7 paragraph contains non-factual allegations.

8 12. With respect to Paragraph 12, Defendant admits that the San Diego City Council passed
9 a resolution the exact substance of which was not specified during the hearing; and denies any and all
10 other factual allegations in the paragraph on the basis that Defendant lacks sufficient information to
11 ascertain the truth of the allegations. No admission or denial is required or made to the extent the
12 paragraph contains non-factual allegations.

13 13. With respect to Paragraph 13, Defendant denies any and all factual allegations in the
14 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
15 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
16 allegations.

17 14. With respect to Paragraph 14, Defendant denies any and all factual allegations in the
18 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
19 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
20 allegations.

21 15. With respect to Paragraph 15, Defendant denies any and all factual allegations in the
22 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
23 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
24 allegations.

25 16. With respect to Paragraph 16, Defendant denies any and all factual allegations in the
26 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
27 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
28 allegations.

1 17. With respect to Paragraph 17, Defendant denies any and all factual allegations in the
2 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
3 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
4 allegations.

5 18. With respect to Paragraph 18, Defendant denies any and all factual allegations in the
6 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
7 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
8 allegations.

9 19. With respect to Paragraph 19, Defendant denies any and all factual allegations in the
10 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
11 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
12 allegations.

13 20. With respect to Paragraph 20, Defendant denies any and all factual allegations in the
14 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
15 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
16 allegations.

17 21. With respect to Paragraph 21, Defendant denies any and all factual allegations in the
18 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
19 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
20 allegations.

21 22. With respect to Paragraph 22, Defendant denies any and all factual allegations in the
22 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
23 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
24 allegations.

25 23. With respect to Paragraph 23, Defendant denies any and all factual allegations in the
26 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
27 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
28 allegations.

1 24. With respect to Paragraph 24, Defendant denies any and all factual allegations in the
2 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
3 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
4 allegations.

5 25. With respect to Paragraph 25, Defendant denies any and all factual allegations in the
6 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
7 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
8 allegations.

9 26. With respect to Paragraph 26, Defendant denies any and all factual allegations in the
10 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
11 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
12 allegations.

13 27. With respect to Paragraph 27, Defendant denies any and all factual allegations in the
14 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
15 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
16 allegations.

17 28. With respect to Paragraph 28, Defendant denies any and all factual allegations in the
18 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
19 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
20 allegations.

21 29. With respect to Paragraph 29, Defendant denies any and all factual allegations in the
22 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
23 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
24 allegations.

25 30. With respect to Paragraph 30, Defendant denies any and all factual allegations in the
26 paragraph on the basis that Defendant lacks sufficient information to ascertain the truth of the
27 allegations. No admission or denial is required or made to the extent the paragraph contains non-factual
28 allegations.

 31. With respect to Paragraph 31, Defendant admits the allegations.

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

I have read the foregoing ANSWER TO COMPLAINT FOR VALIDATION OF CONVENTION CENTER FACILITIES DISTRICT SPECIAL TAX AND OTHER AUTHORIZATIONS and know its contents.

CHECK APPLICABLE PARAGRAPH

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am an Officer a partner a of San Diegans for Open Government

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am one of the attorneys for a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on July 6, 20 2012, at San Diego, California. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Ian Trowbridge Type or Print Name

Signature

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of State of California. I am over the age of 18 and not a party to the within action; my business address is,

On, 20, I served the foregoing document described as

by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list; by placing the original a true copy thereof enclosed in sealed envelopes addressed as follows:

BY MAIL I deposited such envelope in the mail at California. The envelope was mailed with postage thereon fully prepaid.

As follows I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on, 20, at, California. (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on, 20, at, California. (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

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

Type or Print Name

Signature

(By MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG) (FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)

PROOF OF SERVICE

1. My name is Brandon Ivey. 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, CA 91786.

3. On July 9, 2012, I served _____ an original copy a true and correct copy of the following documents: VERIFIED ANSWER TO COMPLAINT FOR VALIDATION OF CONVENTION CENTER FACILITIES DISTRICT SPECIAL TAX AND OTHER AUTHORIZATIONS

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 San Diego, 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 an agreement of the parties or a court order, 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: July 9, 2012

Signature: Original Signed

SERVICE LIST

City of San Diego v. All Interested Persons etc.
San Diego County Superior Court case no. 37-2012-00097148-CU-MC-CTL

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