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ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
07/17/2017 at 09:50:33 AM
Clerk of the Superior Court
By Laura Melles, Deputy Clerk

5 Attorneys for Plaintiff and Petitioner Del Mar
6 Alliance for the Preservation of Beach Access
7 and Village

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN DIEGO – HALL OF JUSTICE

11 DEL MAR ALLIANCE FOR THE)
12 PRESERVATION OF BEACH ACCESS AND)
13 VILLAGE,)
14 Plaintiff and Petitioner,)
15 vs.)
16 CITY OF DEL MAR; and DOES 1 through 100,)
17 Defendants and Respondents.)

CASE NO. 37-2017-00026134-CU-MC-CTL

**VERIFIED COMPLAINT FOR
DECLARATORY AND INJUNCTIVE
RELIEF AND PETITION FOR WRIT OF
MANDATE UNDER THE CALIFORNIA
PUBLIC RECORDS ACT AND OTHER
LAWS**

19 Plaintiff and Petitioner DEL MAR ALLIANCE FOR THE PRESERVATION OF BEACH
20 ACCESS AND VILLAGE ("Petitioner") alleges as follows:

21 **Introductory Statement**

22 1. Petitioner brings this lawsuit under the California Public Records Act ("CPRA"), as well
23 as the California Constitution, the common law, and other applicable legal authorities. Petitioner made
24 a lawful request for public records to Defendants/Respondents, but they have illegally failed to fulfill
25 the request and produce responsive public records.

26 **Parties**

27 2. Petitioner is a non-profit organization formed and operating under the laws of the State
28 of California. At least one of Petitioner's members resides in, or near, the City of Del Mar, California,

1 and has an interest in, among other things, ensuring open, accountable, and responsive government and
2 in protecting the City's quality of life.

3 3. Defendant and Respondent CITY OF DEL MAR ("CITY") is a "local agency" within
4 the meaning of Government Code Section 6252.

5 4. The true names and capacities of the Defendants/Respondents identified as DOES 1
6 through 100 are unknown to Petitioner, who will seek the Court's permission to amend this pleading
7 in order to allege the true names and capacities as soon as they are ascertained. Petitioner is informed
8 and believes and on that basis alleges that each of the fictitiously named Defendants/Respondents 1
9 through 100 has jurisdiction by law over one or more aspects of the public records that are the subject
10 of this lawsuit or has some other cognizable interest in the public records.

11 5. Petitioner is informed and believes and on that basis alleges that, at all times stated in
12 this pleading, each Defendant/Respondent was the agent, servant, or employee of every other
13 Defendant/Respondent and was, in doing the things alleged in this pleading, acting within the scope of
14 said agency, servitude, or employment and with the full knowledge or subsequent ratification of his
15 principals, masters, and employers. Alternatively, in doing the things alleged in this pleading, each
16 Defendant/Respondent was acting alone and solely to further his own interests.

17 **Jurisdiction and Venue**

18 6. The Court has jurisdiction over this lawsuit pursuant to Government Code Sections 6258
19 and 6259; Code of Civil Procedure Sections 526a, 1060 *et seq.*, and 1084 *et seq.*; the California
20 Constitution, and the common law, among other provisions of law.

21 7. Venue in this Court is proper because the obligations, liabilities, and violations of law
22 alleged in this pleading occurred in the County of San Diego in the State of California.

23 **FIRST CAUSE OF ACTION:**
24 **Violation of Open-Government Laws**
(Against All Defendants/Respondents)

25 8. The preceding allegations in this pleading are fully incorporated into this paragraph.

26 9. On or about May 4, 2017, Petitioner caused to be submitted to CITY a request for certain
27 public records pertaining to short-term rentals ("Petitioner's Request"). A true and correct copy of
28 Petitioner's Request is attached to this pleading as Exhibit "A."

1 10. On or about May 15, 2017, CITY responded to Petitioner's Request by stating that CITY
2 would need at least 45 days to provide the responsive documents. A true and correct copy of the
3 response is attached to this pleading as Exhibit "B."

4 11. On or about May 15, 2017, shortly after receiving the response described in the
5 preceding paragraph, Petitioner caused to be submitted to CITY a follow-up communication explaining
6 that the CPRA contemplates no more than 24 days for the production of responsive public records and
7 asking CITY, in order to reduce the prejudice of delay on Petitioner, to produce responsive records as
8 they become available. A true and correct copy of the follow-up communication is attached to this
9 pleading as Exhibit "C."

10 12. At the time of the filing of this lawsuit, Petitioner has received no response to its follow-
11 up communication and no responsive public records.

12 13. CITY has violated the controlling legal authorities in multiple ways. By way of example
13 and not limitation (including alternative theories of liability):

14 A. Petitioner is informed and believes and on that basis alleges that at least one
15 public record responsive to Petitioner's Request exists, has at all times been readily available, and has
16 not been turned over by CITY.

17 B. Other than acknowledge receipt of Petitioner's Request, CITY has not responded
18 to it despite the passage of more than 10 days and all other extension periods to which CITY would
19 have been entitled by law.

20 14. Petitioner and other members of the public have been harmed as a result of
21 Defendants'/Respondents' failure to produce the public records responsive to Petitioner's Request. By
22 way of example and not limitation, the legal rights of Petitioner and its members to access information
23 concerning the conduct of the people's business is being violated and continues to be violated.

24 **SECOND CAUSE OF ACTION:**
25 **Declaratory Relief under Code of Civil Procedure Section 1060 et seq.**
(Against All Defendants/Respondents)

26 15. The preceding allegations in this pleading are fully incorporated into this paragraph.

27 16. Petitioner is informed and believes and on that basis alleges that an actual controversy
28 exists between Petitioner, on the one hand, and Defendants/Respondents, on the other hand, concerning

1 their respective rights and duties under the CPRA, the California Constitution, the common law, and
2 other applicable legal authorities. As alleged in this pleading, Petitioner contends that public records
3 responsive to Petitioner's Request exist and that Defendants/Respondents are required by law to
4 produce them; whereas Defendants/Respondents dispute Petitioner's contention.

5 17. Petitioner desires a judicial determination and declaration as to whether disclosable
6 public records were unlawfully withheld by Defendants/Respondents and whether they were required
7 by law to produce such records in a timely manner.

8 **Prayer**

9 FOR ALL THESE REASONS, Petitioner respectfully prays for the following relief against all
10 Defendants/Respondents (and any and all other parties who may oppose Petitioner in this lawsuit)
11 jointly and severally:

12 A. *On the First Cause of Action:*

13 1. A judgment determining or declaring that Defendants/Respondents have not
14 promptly and fully complied with the CPRA, the California Constitution, the common law, and/or other
15 applicable laws with regard to Petitioner's Request;

16 2. A writ of mandate ordering Defendants/Respondents to promptly and fully
17 comply with the CPRA, the California Constitution, the common law, and all other applicable laws with
18 regard to Petitioner's Request; and

19 3. Preliminary and permanent injunctive relief directing Defendants/Respondents
20 to fully respond to Petitioner's Request and to permit Petitioner to inspect and obtain copies of all
21 responsive public records.

22 B. *On the Second Cause of Action:*

23 1. An order determining and declaring that the failure of Defendants/Respondents
24 to disclose all public records responsive to Petitioner's Request and to permit Petitioner to inspect and
25 obtain copies of the responsive public records does not comply with the CPRA, the California
26 Constitution, the common law, and/or other applicable laws; and
27
28

1 2. Preliminary and permanent injunctive relief directing Defendants/Respondents
2 to respond to and disclose all public records responsive to Petitioner's Request and to permit Petitioner
3 to inspect and obtain copies of the responsive public records.

4 C. *On All Causes of Action:*

5 1. An order providing for the Court's continuing jurisdiction over this lawsuit in
6 order to ensure that Defendants/Respondents fully comply with the CPRA, the California Constitution,
7 the common law, and/or other applicable laws;

8 2. All attorney fees and other legal expenses incurred by Petitioner in connection
9 with this lawsuit; and

10 3. Any further relief that this Court may deem appropriate.

11 Date: July 17, 2017.

Respectfully submitted,

BRIGGS LAW CORPORATION

12
13
14 By:


Cory J. Briggs

Attorneys for Plaintiff and Petitioner Del Mar Alliance
for the Preservation of Beach Access and Village

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF San Bernardino

I have read the foregoing COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION FOR WRIT OF MANDATE etc. 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.

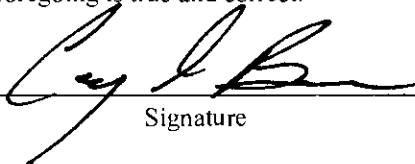
I am an Officer a partner _____ a _____ of _____

_____ 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 Del Mar Alliance for the Preservation of Beach Access and Village 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 17, 20 17, at Upland, California. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Cory J. Briggs
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 _____

_____ on _____ in this action 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. I (Federal) 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)

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION
FOR WRIT OF MANDATE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND
OTHER LAWS**

Exhibit "A"

Cory Briggs

From: Cory Briggs
Sent: Thursday, May 04, 2017 2:04 PM
To: cityclerk@delmar.ca.us
Cc: 'tsinnott@delmar.ca.us'; 'dworden@delmar.ca.us'; 'ddruker@delmar.ca.us'; 'ehaviland@delmar.ca.us'; 'sparks@delmar.ca.us'
Subject: Request for Public Records; Request for Notices of Final Local Action
Attachments: 2017-05-04_CPRA_Request.pdf

Please see the attached request for public records. In addition, please add my office to your distribution list for notices of final local action under Section 13331 of Title 14 of the California Code of Regulations.

Thank you.

Cory J. Briggs
Briggs Law Corporation
San Diego County: 4891 Pacific Highway, Suite 104, San Diego, CA 92110
Inland Empire: 99 East "C" Street, Suite 111, Upland, CA 91786
Telephone: 619-497-0021 (San Diego), 909-949-7115 (Inland Empire)
Facsimile: 909-949-7121 (San Diego & Inland Empire)
E-mail: [REDACTED]

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BRIGGS LAW CORPORATION

*San Diego Office:
4891 Pacific Highway, Suite 104
San Diego, CA 92110*

*Telephone: 619 497 0021
Facsimile: 909 949 7121*

Please respond to: Inland Empire Office

*Inland Empire Office:
99 East "C" Street, Suite 111
Upland, CA 91786*

*Telephone: 909 949 7115
Facsimile: 909 949 7121*

BLC File(s): 1893.00

4 May 2017

City Clerk
City of Del Mar
1050 Camino Del Mar
Del Mar, CA 92014

Via E-mail Only to CieryClerk@DelMar.CA.US

Re: Request to Inspect and Obtain Copies of Public Records, Public Information, and Other Matters

Dear City Clerk:

On behalf of the Del Mar Alliance for the Preservation of Beach Access and Village and pursuant to the California Constitution (Article 1, Section 3), the California Public Records Act (GOV'T CODE § 6250 *et seq.*), the common law, and your agency's own local rules and regulations, I am writing to request an opportunity to first inspect and then obtain copies of the "public records" (as that term, including public information and other matters, is defined under the foregoing authorities) listed on *Attachment 1: Categories of Requested Public Records* to this request. Please note that the following definitions apply to the capitalized terms in *Attachment 1*: "PROJECT" refers to the proposal (including all related actions and entitlements being considered for approval) that was the subject of item 13 on the City Council's agenda for May 1, 2017 (short-term rental prohibition); "YOUR PUBLIC AGENCY" refers to the City of Del Mar and all its commissions, agencies, departments, offices, and other decision-making bodies and instrumentalities; and "CEQA" refers to the California Environmental Quality Act (PUB. RES. CODE § 21000 *et seq.*).

I ask that you make a determination on this request within 10 days of your receiving it, or even sooner if you can do so without having to review the responsive records. If you believe that any of these records is exempt from disclosure, I urge you to note in your reply whether the exemption is discretionary and, if so, whether you are required to exercise your discretion to withhold the record in this particular case. If you determine that any portion of the responsive records is exempt from disclosure and that you intend to withhold that portion, I ask that you redact that portion for the time being and make the other portion available as requested. In any event, please respond with a signed notification citing the legal authorities on which you rely if you determine that any portion of the responsive records, if not all of them, is exempt and will not be disclosed.

If public records responsive to this request are available in one or more non-paper formats (including but not limited to electronic, magnetic, or digital formats), make sure that your response to this request includes production of all responsive records in non-paper

formats even if the records are also available in paper format. If there are no records responsive to a particular category listed on *Attachment 1*, please confirm in writing that such records do not exist; and if responsive records used to exist but have been lost, stolen, or destroyed, please (i) identify the date of loss, theft, or destruction and (ii) provide a copy of all available evidence of the loss, theft, or destruction.

All responsive records must be produced for inspection before my client will pay for copies, unless I agree otherwise in writing after receiving your estimate of copying costs. Furthermore, my client reserves the right to make its own reproduction of the responsive records, at its own expense.

One final, important request: Please remind all agents of your agency that Government Code Section 6200 provides, *inter alia* and with my emphasis, that every public officer having custody of any record "filed or deposited in any public office, or *placed in his or her hands for any purpose*, is punishable by imprisonment [for up to four years] . . . if, *as to the whole or any part of the record* . . . the officer willfully does or permits any other person to do any of the following: (a) Steal, remove, or secrete. (b) Destroy, mutilate, or deface. (c) Alter or falsify." This punishment applies even when the officer maintains custody of such records outside your agency's office or on the officer's private property.

Thank you for your time and attention to this matter. If I can provide any clarification that will help you to expedite this request, please do not hesitate to contact me in writing. Because the law requires you to assist members of the public in making a focused and effective request that reasonably describes identifiable records, I will assume that you fully understand what public records are being sought unless I receive written correspondence from you to the contrary.

Sincerely,

BRIGGS LAW CORPORATION

Original Signed

Cory J. Briggs

Attachment 1: Categories of Requested Public Records

Page 1 of 3 (following request letter)

- 1a. For each and every elected official in the City of Del Mar since January 1, 2010, any and all e-mail communications to the official (regardless of the existence of other recipients and regardless of whether communicated via public or private e-mail accounts and/or communications equipment) concerning **SHORT-TERM RENTALS**. (As used in this category, "**SHORT-TERM RENTALS**" has the same meaning that it has in the title of the draft resolution included in the City Council's agenda materials for May 1, 2017, on agenda item 13 relating to Interpretation Application No. 117-001.)
- 1b. For each and every elected official in the City of Del Mar since January 1, 2010, any and all e-mail communications from the official (regardless of the recipient(s) and regardless of whether communicated via public or private e-mail accounts and/or communications equipment) concerning **SHORT-TERM RENTALS**. (As used in this category, "**SHORT-TERM RENTALS**" has the same meaning that it has in the title of the draft resolution included in the City Council's agenda materials for May 1, 2017, on agenda item 13 relating to Interpretation Application No. 117-001.)

Please note: Each responsive e-mail communication from an elected official should be produced showing the name and/or e-mail address of each direct recipient, each copied or "cc" recipient, and each blind-copied or "bcc" recipient; and, if the communication was sent by one elected official to another elected official, should be produced from the sending official and from the receiving official.

- 2a. Each and every **INTERPRETATION APPLICATION** filed with or otherwise submitted to the City of Del Mar. (As used in this category, "**INTERPRETATION APPLICATION** has the same meaning that it has in the "SUBJECT" line of that certain May 1, 2017, staff report from Kathleen A. Garcia via Scott W. Huth to the "Honorable Mayor and City Council Members" concerning short-term rentals, without the specific reference to "No. 117-001.")
- 2b. For each and every **INTERPRETATION APPLICATION** filed with or otherwise submitted to the City of Del Mar, the City's final determination or other ruling on the **INTERPRETATION APPLICATION**. (As used in this category, "**INTERPRETATION APPLICATION** has the same meaning that it has in the "SUBJECT" line of that certain May 1, 2017, staff report from Kathleen A. Garcia via Scott W. Huth to the "Honorable Mayor and City Council Members" concerning short-term rentals, without the specific reference to "No. 117-001.")
- 3a. Each and every notice of final local action given to the California Coastal Commission pursuant to Section 13331 of Title 14 of the California Code of Regulations in connection with the subject matter of item 13 on the City Council's agenda for May 1, 2017.
- 3b. Each and every California Environmental Quality Act notice of exemption filed with the San Diego County Clerk in connection with the subject matter of item 13 on the City Council's agenda for May 1, 2017.

Attachment 1: Categories of Requested Public Records

Page 2 of 3 (following request letter)

- 4a. Each and every notice of public hearing given for item 13 on the City Council's agenda for May 1, 2017.
- 4b. For each and every notice of public hearing given for item 13 on the City Council's agenda for May 1, 2017, the certification or other proof of the notice's publication in a newspaper of general circulation.
- 4c. For each and every notice of public hearing given for item 13 on the City Council's agenda for May 1, 2017, the certification or other proof of the notice's posting in a location accessible to the public.
5. Any and all applications and related materials for the PROJECT.
6. Any and all staff reports and related documents prepared by YOUR PUBLIC AGENCY with respect to its (i) compliance with the substantive and procedural requirements of CEQA and (ii) action on the PROJECT.
- 7a. Related to the Project, any and all staff reports and related documents prepared by YOUR PUBLIC AGENCY and written testimony or documents submitted by any person relevant to any findings adopted by YOUR PUBLIC AGENCY pursuant to CEQA.
- 7b. Related to the Project, any and all staff reports and related documents prepared by YOUR PUBLIC AGENCY and written testimony or documents submitted by any person relevant to any statement of overriding considerations adopted by YOUR PUBLIC AGENCY pursuant to CEQA.
- 8a. Any and all transcripts or minutes of the proceedings at which any decision-making body of YOUR PUBLIC AGENCY heard testimony on, or considered any environmental document on, the PROJECT.
- 8b. Any and all transcripts or minutes of the proceedings before any advisory body to YOUR PUBLIC AGENCY that were presented to any decision-making body (whether or not of YOUR PUBLIC AGENCY) prior to action on the environmental documents or on the PROJECT.
9. Any and all notices issued by YOUR PUBLIC AGENCY to comply with CEQA or with any other law governing the processing and approval of the PROJECT.
10. Any and all written comments received in response to, or in connection with, environmental documents prepared for the PROJECT, including but not limited to responses to the notice of preparation for the PROJECT given under CEQA.
11. Any and all written evidence or correspondence submitted to, or transferred from, YOUR PUBLIC AGENCY with respect to compliance with CEQA or with respect to the PROJECT.

Attachment 1: Categories of Requested Public Records

Page 3 of 3 (following request letter)

12. Any and all proposed decisions submitted to any decision-making body of the YOUR PUBLIC AGENCY by its staff or by the PROJECT proponent, PROJECT opponents, or any other persons.
13. Any and all proposed findings submitted to any decision-making body of YOUR PUBLIC AGENCY by its staff or by the PROJECT proponent, PROJECT opponents, or any other persons.
- 14a. The documentation of YOUR PUBLIC AGENCY's final decision on the PROJECT, including but not limited to the final environmental impact report, mitigated negative declaration, or negative declaration, and any and all documents, in addition to those referenced in paragraphs 3a and 3b (above), cited or relied on in any findings adopted pursuant to CEQA.
- 14b. The documentation of YOUR PUBLIC AGENCY's final decision on the PROJECT, including but not limited to the final environmental impact report, mitigated negative declaration, or negative declaration, and any and all documents, in addition to those referenced in paragraphs 3a and 3b (above), cited or relied on in any statement of overriding considerations adopted pursuant to CEQA.
- 15a. Any and all other written materials related to YOUR PUBLIC AGENCY's compliance with CEQA or to YOUR PUBLIC AGENCY's decision on the merits of the PROJECT, including but not limited to the initial study, any drafts of any environmental document, or portions thereof, that have been released for public review, and copies of studies or other documents relied upon in any environmental document prepared for the PROJECT and either made available to the public during the public-review period or included in YOUR PUBLIC AGENCY's files on the PROJECT.
- 15b. Any and all internal communications of YOUR PUBLIC AGENCY related to the PROJECT, including but not limited to staff notes and memoranda, or to YOUR PUBLIC AGENCY'S compliance with CEQA in connection with the PROJECT.
- 15c. The full written record related to the PROJECT before each and every inferior administrative decision-making body whose decision was appealed to any superior administrative decision-making body prior to the date of this request for public records.

Please note: For categories 3b-15c, any and all words that are not specifically defined elsewhere in this request for public records are to be construed in accordance with the California Environmental Quality Act (PUB. RES. CODE § 21000 *et seq.*).

[Attachment 1 ends here.]

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION
FOR WRIT OF MANDATE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND
OTHER LAWS**

Exhibit "B"

Cory Briggs

From: Sarah Krietor <Skrietor@delmar.ca.us>
Sent: Monday, May 15, 2017 2:39 PM
To: Cory Briggs
Subject: RE: Request for Public Records; Request for Notices of Final Local Action

Hello Mr. Briggs,

The City of Del Mar has received your Public Records Act request. Due to the magnitude of your request, the City will need at least 45 days to provide the responsive documents. I will keep you updated on the status of your request and will provide documents as promptly as possible.

Thank you,
Sarah

Sarah Krietor | Management Analyst
City of Del Mar | Administrative Services
1050 Camino del Mar
Del Mar, CA 92014
☎ 858.375.9517 | 📠 858.755.2794 | ✉ skrietor@delmar.ca.us



Please consider the environment before printing this e-mail.

From: Cory Briggs [REDACTED]
Sent: Thursday, May 4, 2017 2:04 PM
To: City Clerk Mail Box <CityClerk@delmar.ca.us>
Cc: Terry Sinnott <tsinnott@delmar.ca.us>; Dwight Worden <dworden@delmar.ca.us>; David Druker <ddruker@delmar.ca.us>; Ellie Haviland <ehaviland@delmar.ca.us>; Sherryl L. Parks <sparks@delmar.ca.us>
Subject: Request for Public Records; Request for Notices of Final Local Action

Please see the attached request for public records. In addition, please add my office to your distribution list for notices of final local action under Section 13331 of Title 14 of the California Code of Regulations.

Thank you.

Cory J. Briggs
Briggs Law Corporation
San Diego County: 4891 Pacific Highway, Suite 104, San Diego, CA 92110
Inland Empire: 99 East "C" Street, Suite 111, Upland, CA 91786
Telephone: 619-497-0021 (San Diego), 909-949-7115 (Inland Empire)
Facsimile: 909-949-7121 (San Diego & Inland Empire)
E-mail: [REDACTED]

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**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION
FOR WRIT OF MANDATE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND
OTHER LAWS**

Exhibit "C"

Cory Briggs

From: Cory Briggs
Sent: Monday, May 15, 2017 2:51 PM
To: Sarah Krietor
Subject: RE: Request for Public Records; Request for Notices of Final Local Action

Sarah:

The California Public Records Act contemplates no more than 24 days for response and production. Due to the time-sensitive nature of the request, in order to minimize prejudice to my client, I ask that you produce responsive records as they come available instead of making my client wait 45 days before getting anything. Several if not most of the items in the request should be readily available (if they exist at all).

Thanks in advance.

Cory J. Briggs
Briggs Law Corporation
San Diego County: 4891 Pacific Highway, Suite 104, San Diego, CA 92110
Inland Empire: 99 East "C" Street, Suite 111, Upland, CA 917B6
Telephone: 619-497-0021 (San Diego), 909-949-7115 (Inland Empire)
Facsimile: 909-949-7121 (San Diego & Inland Empire)
E-mail: [REDACTED]

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From: Sarah Krietor [mailto:Skrietor@delmar.ca.us]
Sent: Monday, May 15, 2017 2:39 PM
To: Cory Briggs [REDACTED]
Subject: RE: Request for Public Records; Request for Notices of Final Local Action

Hello Mr. Briggs,

The City of Del Mar has received your Public Records Act request. Due to the magnitude of your request, the City will need at least 45 days to provide the responsive documents. I will keep you updated on the status of your request and will provide documents as promptly as possible.

Thank you,
Sarah

Sarah Krietor | Management Analyst
City of Del Mar | Administrative Services
1050 Camino del Mar
Del Mar, CA 92014



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From: Cory Briggs [<mailto:cory@briggslawcorp.com>]
Sent: Thursday, May 4, 2017 2:04 PM
To: City Clerk Mail Box <CityClerk@delmar.ca.us>
Cc: Terry Sinnott <tsinnott@delmar.ca.us>; Dwight Worden <dworden@delmar.ca.us>; David Druker <ddruker@delmar.ca.us>; Ellie Haviland <ehaviland@delmar.ca.us>; Sherryl L. Parks <sparks@delmar.ca.us>
Subject: Request for Public Records; Request for Notices of Final Local Action

Please see the attached request for public records. In addition, please add my office to your distribution list for notices of final local action under Section 13331 of Title 14 of the California Code of Regulations.

Thank you.

Cory J. Briggs
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