

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO**

MINUTE ORDER

DATE: 03/06/2024

TIME: 10:03:00 AM

DEPT:

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CITY OF LOS ANGELES
CITY ATTORNEY'S OFFICE

JUDICIAL OFFICER PRESIDING: Timothy Taylor

CLERK: Taylor Crandall

REPORTER/ERM: Not Reported

BAILIFF/COURT ATTENDANT: M. McClure

CASE NO: **37-2021-00023385-CU-TT-CTL** CASE INIT.DATE: 09/16/2020

CASE TITLE: **Natural Resources Defense Council Inc vs City of Los Angeles [E-FILE]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Toxic Tort/Environmental

APPEARANCES

Order Following Remand

Natural Resources Defense Council, Inc., et al. v. City of Los Angeles, et al.; SCAQMD v. City of Los Angeles, et al., Case No. 2021-23385

The court has reviewed the opinion of the Fourth District Court of Appeal, Div. 1, filed 12/29/23 in Case No. D080902 (and thereafter ordered published, 2024 DAR 621), remanding the case to this court to exercise its discretion to fashion an appropriate remedy in the first instance. The court hereby preliminarily spreads the mandate as follows:

The Respondent and the RPI are hereby ordered, pursuant to Pub. Res. Code section 21168.9, to show cause, if any there be, why shipping activities at the China Shipping Terminal should not be suspended pending the setting by the court of a strict timeline for the Port's adoption of a new SEIR and the enforcement of the Lease to ensure compliance with mitigation measures.

The Respondent and the RPI are also ordered to show cause, if any there be, why shipping activities at the China Shipping Terminal should not be suspended pending the filing of a return to the Writ of Mandate entered by this court on July 12, 2022 (ROA 160), establishing that it has set aside its certification of the SEIR, as well as all related project approvals, as ordered by this court.

The hearing on the OSC will occur at 9:00 a.m. on Friday, April 26, 2024. Written responses from respondent and RPI are due by noon on April 12, 2024. Petitioners may respond in writing to the submissions of respondent and RPI not later than noon on April 19, 2024.

The responses to the OSC filed by respondent and RPI must address, at a minimum, the following:

1. Whether a view by the trial court of current operations at the China Shipping Terminal under CCP section 651 would be appropriate under the present circumstances of this case (and if so, the proposed logistics for such a view).

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writ of mandate and judgment, consistent with the Court of Appeal's opinion.

IT IS SO ORDERED.



Judge Timothy Taylor