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California Air Resources Board, et al.

OCT 31 2011
FILED
Superior Court of California
County of San Francisco

DEC 06 2011

CLERK OF THE COURT

BY:  Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

**ASSOCIATION OF IRRITATED
RESIDENTS, an Unincorporated
Association; CALIFORNIA
COMMUNITIES AGAINST TOXICS, an
Unincorporated Association;
COMMUNITIES FOR A BETTER
ENVIRONMENT, a Non-profit
Corporation; COALITION FOR A SAFE
ENVIRONMENT, a Non-profit
Corporation; SOCIETY FOR POSITIVE
ACTION, an Unincorporated Association;
WEST COUNTY TOXICS COALITION, a
Non-profit Corporation; ANGELA
JOHNSON MESZAROS; CAROLINE
FARRELL; HENRY CLARK; JESSE N.
MARQUEZ; MARTHA DINA
ARGUELLO; SHABAKA HERU; TOM
FRANTZ; in their Individual Capacities,**

Plaintiffs and Petitioners,

v.

**CALIFORNIA AIR RESOURCES BOARD,
MARY D. NICHOLS, in her official
capacity as Chairman of the Board; et al.,**

Defendants and
Respondents.

Case No. CPF-09-509562

**[PROPOSED] ORDER DISCHARGING
PEREMPTORY WRIT OF MANDATE**

Dept: 613
Judge: The Honorable Ernest H.
Goldsmith

Trial Date:
Action Filed: June 10, 2009


1 The Court having issued a Statement of Decision on March 17, 2011, denying the petition
2 for writ of mandate as to Petitioners' First, Second, Third, Fourth, Sixth and Seventh causes of
3 action, and granting the petition with regard to the Fifth and Eighth causes of action regarding the
4 sufficiency of the 2008 Functional Equivalent Document (FED) alternatives analysis under the
5 California Environmental Quality Act (CEQA) and the timing of its approval under CEQA;

6 The Court having issued its Peremptory Writ of Mandate on May 20, 2011, consistent
7 with the Court's Statement of Decision; and

8 Respondents having demonstrated satisfactory compliance with the Court's Peremptory
9 Writ of Mandate;

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that the Court's
11 Peremptory Writ of Mandate entered against Respondents is hereby DISCHARGED.

12
13 Dated: DEC 05 2011


Honorable Ernest H. Goldsmith
Judge of the Superior Court

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DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *AIR, et al. v. ARB, et al.*

No.: **CPF-09-509562**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On October 31, 2011, I served the attached **RESPONDENTS' RETURN TO PEREMPTORY WRIT OF MANDATE** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

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Attorney for Martha Dina Arguello

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on October 31, 2011, at San Francisco, California.

Elza Moreira
Declarant



Signature