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12 Attorneys for Respondents  
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  
13 and UNIVERSITY OF CALIFORNIA, SAN DIEGO

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16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
17 **COUNTY OF SAN DIEGO**

18 BLACKHORSE HOMEOWNERS  
ASSOCIATION, a non-profit corporation;  
19 LA JOLLA SHORES ASSOCIATION,  
a non-profit corporation;

20 Petitioners,

21 v.

22 THE REGENTS OF THE UNIVERSITY  
23 OF CALIFORNIA; UNIVERSITY OF  
CALIFORNIA, SAN DIEGO; and  
24 DOES 1 through 10, inclusive;

25 Respondents.

Case No. 37-2020-00037564-CU-TT-CTL

**STIPULATION AND [PROPOSED]  
ORDER REGARDING CASE  
MANAGEMENT AND SCHEDULING**

Assigned for All Purposes to:  
Hon. Timothy Taylor, Dept. C-72

Action Filed: October 16, 2020  
Trial Date: None Set

1                   **STIPULATION REGARDING CASE MANAGEMENT AND SCHEDULING**

2                   All parties to this action submit the following stipulations through their respective counsel:

3   **RECITALS**

4                   WHEREAS, Petitioners Blackhorse Homeowners Association and La Jolla Shores  
5 Association filed a Petition for Writ of Mandate (“Petition”) on October 16, 2020, alleging, inter  
6 alia, that The Regents of the University of California and the University of California, San Diego  
7 (collectively, the “University”) did not comply with the California Environmental Quality Act,  
8 Public Resources Code sections 21000, *et seq.* (“CEQA”), in its approval of the Theatre District  
9 Living and Learning Neighborhood Project (“Project”), including approval of an Addendum to the  
10 University’s Long Range Development Plan Environmental Impact Report for the Project.

11                   WHEREAS, the Petition’s Seven Causes of Action challenge the University’s approval of  
12 the Project and the Addendum and seek a writ of mandate pursuant to CEQA.

13                   WHEREAS, pursuant to Public Resources Code section 21167.6, Petitioners filed a Notice  
14 of Election to Prepare Administrative Record on October 16, 2020.

15                   WHEREAS, the parties have met and conferred in an effort to agree to a comprehensive case  
16 management schedule for the writ claims, including preparation of the administrative record,  
17 briefing the merits, and proposing a hearing date to the Court consistent with CEQA’s scheduling  
18 requirements.

19                   WHEREAS, the parties appeared before the Court on June 4, 2021, for a Case Management  
20 Conference, at which the Court set the final merits hearing on November 19, 2021 at 1:30 p.m.

21                   WHEREAS, Petitioners provided the draft administrative record index to the University for  
22 certification on May 26, 2021.

23                   WHEREAS, the University anticipates that it will certify the administrative record on or  
24 before June 25, 2021.

25                   WHEREAS, the parties propose to prepare and lodge the administrative record for the  
26 Project in electronic format to reduce the time and costs for preparation.

27                   WHEREAS, Public Resources Code section 21167.8(f) requires each party to file a  
28 statement of issues to identify the legal and factual contentions at trial.

1 WHEREAS, the parties believe that preparation of statement of issues is unnecessary here,  
2 given the claims asserted in the Petition and the potentially overlapping briefing schedule.

3 **NOW, THEREFORE, THE PARTIES STIPULATE AND AGREE AS FOLLOWS:**

4 1. STATEMENT OF ISSUES. Absent a contrary order from the Court, the requirement  
5 to file statements of issues pursuant to Public Resources Code section 21167.8(f) shall be waived.

6 2. ADMINISTRATIVE RECORD. The parties stipulate to the following schedule for  
7 preparation and certification of the administrative record:

8 a. The University shall certify and serve the administrative record on all parties  
9 on or before June 25, 2021.

10 b. The administrative record shall be produced in electronic format consistent  
11 with California Rules of Court Rule 3.1367.

12 c. Petitioners shall lodge the administrative record with the Court, in electronic  
13 format, on or before August 20, 2021.

14 3. RESPONSIVE PLEADING. The University shall file and serve its responsive  
15 pleading(s) on or before July 23, 2021.

16 4. OPENING BRIEF. Petitioners shall file and serve the Opening Brief on its CEQA  
17 and writ claims or before August 20, 2021. The Opening Brief shall not exceed 25 pages.

18 5. OPPOSITION BRIEF. The University shall file and serve its Opposition Brief on  
19 or before October 11, 2021. The Opposition Brief shall not exceed a total of 35 pages.

20 6. REPLY BRIEF. Petitioners shall file and serve the Reply Brief on or before  
21 November 1, 2021. The Reply Brief shall not exceed 15 pages in length.

22 7. SERVICE OF PAPERS. All briefs, other pleadings, and supporting papers shall be  
23 served by e-mail or other electronic means consistent with the Code of Civil Procedure and Rules  
24 of Court on the date due for service.

25 8. TRIAL NOTEBOOK. On or before November 3, 2021, the University shall lodge  
26 in Department C-72 a Trial Notebook, including copies of all pleadings and trial briefs.

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1           9.     JOINT APPENDIX. On or before November 3, 2021, the University shall lodge in  
2 Department C-72 a Joint Appendix, consisting of hard copies of all pages of the administrative  
3 record cited in any of the trial briefs submitted by the Parties.

4           10.    MERITS HEARING. The final hearing on the Petition is scheduled for November  
5 19, 2021 at 1:30 p.m.

6  
7 DATED: July 6, 2021

DELANO & DELANO

8  
9 By:   
10       Everett L. DeLano, III  
11       Attorneys for Petitioners  
12       BLACKHORSE HOMEOWNERS ASSOCIATION  
13       and LA JOLLA SHORES ASSOCIATION

14 DATED: July \_\_, 2021

MEYERS NAVE

15  
16 By: \_\_\_\_\_  
17       Shiraz D. Tangri  
18       Attorneys for Respondents  
19       THE REGENTS OF THE UNIVERSITY OF  
20       CALIFORNIA and THE UNIVERSITY OF  
21       CALIFORNIA, SAN DIEGO

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3 record cited in any of the trial briefs submitted by the Parties.

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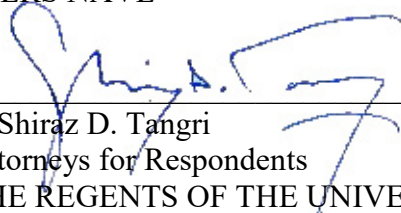
6  
7 DATED: July \_\_\_, 2021

DELANO & DELANO

8  
9 By: \_\_\_\_\_  
10       Everett L. DeLano, III  
11       Attorneys for Petitioners  
12       BLACKHORSE HOMEOWNERS ASSOCIATION  
13       and LA JOLLA SHORES ASSOCIATION

14 DATED: July 6, 2021

MEYERS NAVE

15 By:  \_\_\_\_\_  
16       Shiraz D. Tangri  
17       Attorneys for Respondents  
18       THE REGENTS OF THE UNIVERSITY OF  
19       CALIFORNIA and THE UNIVERSITY OF  
20       CALIFORNIA, SAN DIEGO

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**[PROPOSED] ORDER**

The Court has reviewed and considered the foregoing Stipulation Regarding Case Management and Scheduling, submitted by all parties to this action. For good cause appearing, the Court hereby rules:

1. The Stipulation Regarding Case Management and Scheduling is SO ORDERED.
2. The final hearing on the merits of the Petitioners' claims remains on calendar for November 19, 2021 at 1:30 p.m.

DATED: \_\_\_\_\_

JUDGE OF THE SUPERIOR COURT

By: \_\_\_\_\_  
Hon. Timothy Taylor

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**PROOF OF SERVICE**

*Blackhorse Homeowners Association, et al. v. The Regents of the University of California*  
Case No. 37-2020-0037564-CU-TT-CTL

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 707 Wilshire Blvd., 24th Floor, Los Angeles, CA 90017.

On July 6, 2021, I served true copies of the following document(s) described as **STIPULATION AND [PROPOSED] ORDER REGARDING CASE MANAGEMENT AND SCHEDULING** on the interested parties in this action as follows:

Everett L. DeLano, III  
DeLano and DeLano  
104 W. Grand Avenue, Suite A  
Escondido, California 92025  
Tel: (760) 741-1200  
Fax: (760) 741-1212  
Email: everett@delanoanddelano.com;

*Attorneys for Petitioners*  
**Blackhorse Homeowners Association and  
La Jolla Shores Association**

**BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to be sent from e-mail address tstephens@meyersnave.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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

Executed on July 6, 2021, at Los Angeles, California.



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Teresa Stephens