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Attorneys for Petitioner/Plaintiff, County of San Diego



5 [ADDITIONAL COUNSEL ON FOLLOWING PAGE]

6 *Exempt From Filing Fees (Gov't Code § 6103)*

7  
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF SAN DIEGO**

10  
11 COUNTY OF SAN DIEGO; COUNTY OF ) Case No. 37-2014-00005050-CU-WM-CTL  
12 LOS ANGELES; COUNTY OF ORANGE; ) Action filed: February 28, 2014  
13 COUNTY OF SACRAMENTO; and, )  
COUNTY OF SAN BERNARDINO, )

14 Petitioners/Plaintiffs, )

15 v. )

16 COMMISSION ON STATE MANDATES; ) Dept.: 75  
17 STATE OF CALIFORNIA; DEPARTMENT ) ICJ: Honorable Richard E. L. Strauss  
18 OF FINANCE FOR THE STATE OF )  
19 CALIFORNIA; JOHN CHANG, in his official )  
capacity as the California State Controller; and ) **[IMAGED FILE]**  
DOES 1 through 10, inclusive, )

20 Respondents/Defendants, )

21 DEPARTMENT OF FINANCE FOR THE )  
STATE OF CALIFORNIA; and DOES 11 )  
through 25, )

22 Real Parties in Interest. )  
23  
24  
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1 MARY C. WICKHAM, County Counsel  
County of Los Angeles  
2 LUCIA GONZALEZ, Senior Deputy County Counsel (SBN 204597)  
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Attorneys for Petitioner/Plaintiff, County of Los Angeles

5 LEON PAGE, County Counsel  
6 County of Orange  
SUZANNE E. SHOAI, Deputy (SBN 232866)  
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10 TRACI LEE, County Counsel  
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KRISTA C. WHITMAN, Assistant County Counsel (SBN 135881)  
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18 Attorneys for Petitioner/Plaintiff, County of San Bernardino

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on April 29, 2019 the Court entered judgment in this  
3 matter, a true and correct copy of which is attached hereto as Exhibit A.

4 DATED: June 5, 2019

Respectfully submitted,

5 THOMAS E. MONTGOMERY, County Counsel

6 By: s/Stephanie A. Karnavas  
7 STEPHANIE A. KARNAVAS, Senior Deputy  
8 Attorneys for Petitioner/Plaintiff, County of San Diego  
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# EXHIBIT A

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5 [ADDITIONAL COUNSEL ON FOLLOWING PAGE]

6 *Exempt From Filing Fees (Gov't Code § 6103)*

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **COUNTY OF SAN DIEGO**

10  
11 COUNTY OF SAN DIEGO; COUNTY OF  
LOS ANGELES; COUNTY OF ORANGE;  
12 COUNTY OF SACRAMENTO; and,  
COUNTY OF SAN BERNARDINO,

13 Petitioners/Plaintiffs,

14 v.

15 COMMISSION ON STATE MANDATES;  
16 STATE OF CALIFORNIA; DEPARTMENT  
OF FINANCE FOR THE STATE OF  
17 CALIFORNIA; JOHN CHIANG, in his official  
capacity as the California State Controller; and  
18 DOES 1 through 10, inclusive,

19 Respondents/Defendants,

20 DEPARTMENT OF FINANCE FOR THE  
STATE OF CALIFORNIA; and DOES 11  
21 through 25,

22 Real Parties in Interest.

) Case No. 37-2014-00005050-CU-WM-CTL  
Action filed: February 28, 2014

~~[PROPOSED]~~ JUDGMENT ON REMAND

Dept.: 75  
ICJ: Honorable Richard E. L. Strauss

[IMAGED FILE]

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19 Attorneys for Petitioner/Plaintiff, County of San Bernardino

1 On remand from the Supreme Court of the State of California and the Fourth District  
2 Court of Appeal, Division One, the Court hereby enters judgment as follows:

3 1. The judgment entered by this court on May 12, 2015, is hereby reversed;

4 2. The court hereby directs the clerk of the court to issue a writ of mandate:

5 a. Directing the Commission on State Mandates to set aside the Statement of  
6 Decision adopted on December 6, 2013, the Statement of Decision and Amended Parameters  
7 and Guidelines adopted on May 30, 2014 (corrected on February 27, 2015), and the Statewide  
8 Cost Estimate adopted March 12, 2015, in Mandate Redetermination Request 12-MR-01,  
9 *Sexually Violent Predators, (CSM-4509)* and to reconsider the State Department of Finance's  
10 Request for Redetermination in a manner consistent with the opinion of the Supreme Court of  
11 the State of California set forth at 6 Cal.5th 196;

12 b. Informing the Commission that upon the setting aside of the decisions of  
13 the Commission referenced in Paragraph 3.a. above, the original Statement of Decision adopted  
14 on June 25, 1998, the Parameters and Guidelines adopted on September 24, 1998 and amended  
15 on October 30, 2009, and the Statewide Cost Estimate adopted March 25, 1999 remain in place  
16 and have not been superseded in accordance with Government Code section 17570;

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1 c. Directing the Commission to file a return on the writ with this court within  
2 120 days of service of the writ indicating what they have done to comply with the writ; and

3  
4 Date: 4-29-19

  
\_\_\_\_\_  
Honorable Richard E.L. Strauss  
Judge of the Superior Court

5  
6 Approved as to form and content:

Judge Richard E. L. Strauss


7  
8 DATED: April 19, 2019

THOMAS E. MONTGOMERY, County Counsel

9  
10 By:   
STEPHANIE KARNAVAS, Senior Deputy  
Attorneys for Petitioner/Plaintiff, County of San Diego

11  
12 DATED: April 19, 2019

MARY C. WICKHAM, County Counsel

13  
14 By:   
LUCIA GONZALEZ  
Senior Deputy County Counsel  
Attorneys for Petitioner/Plaintiff County of  
Los Angeles

15  
16  
17 DATED: April \_\_, 2019

LEON J. PAGE, County Counsel

18  
19 By:  
SUZANNE SHOAI, Deputy County Counsel  
Attorneys for Petitioner/Plaintiff County of Orange

20  
21 DATED: April \_\_, 2019

TRACI LEE, County Counsel

22  
23 By:  
KRISTA C. WHITMAN  
Assistant County Counsel  
Attorneys for Petitioner/Plaintiff County of  
Sacramento



1 c. Directing the Commission to file a return on the writ with this court within  
2 120 days of service of the writ indicating what they have done to comply with the writ; and  
3

4 Date: \_\_\_\_\_

\_\_\_\_\_  
Honorable Richard E.L. Strauss  
Judge of the Superior Court

6 Approved as to form and content:  
7

8 DATED: April 19, 2019

THOMAS E. MONTGOMERY, County Counsel

9  
10 By:   
STEPHANIE KARNAVAS, Senior Deputy  
Attorneys for Petitioner/Plaintiff, County of San Diego

12 DATED: April \_\_\_, 2019

MARY C. WICKHAM, County Counsel

13  
14 By:  
LUCIA GONZALEZ  
Senior Deputy County Counsel  
Attorneys for Petitioner/Plaintiff County of  
Los Angeles

17 DATED: April 22, 2019

LEON J. PAGE, County Counsel

18  
19 By:   
SUZANNE SHOAI, Deputy County Counsel  
Attorneys for Petitioner/Plaintiff County of Orange

21 DATED: April \_\_\_, 2019

TRACI LEE, County Counsel

22  
23 By:  
KRISTA C. WHITMAN  
Assistant County Counsel  
Attorneys for Petitioner/Plaintiff County of  
Sacramento

1 c. Directing the Commission to file a return on the writ with this court within  
2 120 days of service of the writ indicating what they have done to comply with the writ; and  
3

4 Date: \_\_\_\_\_

\_\_\_\_\_   
Honorable Richard E.L. Strauss  
Judge of the Superior Court

6 Approved as to form and content:  
7

8 DATED: April 19, 2019

THOMAS E. MONTGOMERY, County Counsel

9  
10 By:   
STEPHANIE KARNAVAS, Senior Deputy  
Attorneys for Petitioner/Plaintiff, County of San Diego

12 DATED: April \_\_\_, 2019

MARY C. WICKHAM, County Counsel

13  
14 By:  
LUCIA GONZALEZ  
Senior Deputy County Counsel  
Attorneys for Petitioner/Plaintiff County of  
Los Angeles


17 DATED: April \_\_\_, 2019

LEON J. PAGE, County Counsel

18  
19 By:  
SUZANNE SHOAI, Deputy County Counsel  
Attorneys for Petitioner/Plaintiff County of Orange

21 DATED: April 19, 2019

TRACI LEE, County Counsel

22  
23 By:   
KRISTA C. WHITMAN  
Assistant County Counsel  
Attorneys for Petitioner/Plaintiff County of  
Sacramento

1 DATED: April 23, 2019

MICHELLE BLAKEMORE, County Counsel

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4 Attorneys for Petitioner/Plaintiff  
County of San Bernardino

5  
6 DATED: April \_\_\_\_, 2019

XAVIER BECERRA, Attorney General  
MARK R. BECKINGTON  
Supervising Deputy Attorney General  
TODD GRABARSKY, Deputy Attorney General

7  
8  
9  
10 Attorneys for Respondents/Defendants  
State of California, California Department  
of Finance and California State Controller

11  
12 DATED: April \_\_\_\_, 2019

COMISSION ON STATE MANDATES

13  
14  
15 CAMILLE SHELTON, Chief Legal Counsel  
MATTHEW B. JONES, Staff Counsel  
16 Attorneys for Respondent and Defendant  
Commission on State Mandates

1 DATED: April \_\_, 2019

MICHELLE BLAKEMORE, County Counsel

2  
3 Attorneys for Petitioner/Plaintiff  
4 County of San Bernardino

5  
6 DATED: April 19, 2019

XAVIER BECERRA, Attorney General  
MARK R. BECKINGTON  
Supervising Deputy Attorney General  
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10 Attorneys for Respondents/Defendants  
11 State of California, California Department  
of Finance and California State Controller

12 DATED: April \_\_, 2019

COMISSION ON STATE MANDATES

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14 CAMILLE SHELTON, Chief Legal Counsel  
15 MATTHEW B. JONES, Staff Counsel  
16 Attorneys for Respondent and Defendant  
Commission on State Mandates

1 DATED: April \_\_, 2019

MICHELLE BLAKEMORE, County Counsel

2  
3 \_\_\_\_\_  
4 Attorneys for Petitioner/Plaintiff  
5 County of San Bernardino

6 DATED: April \_\_, 2019

XAVIER BECERRA, Attorney General  
7 MARK R. BECKINGTON  
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11 Attorneys for Respondents/Defendants  
12 State of California, California Department  
13 of Finance and California State Controller

14 DATED: April 22, 2019

COMISSION ON STATE MANDATES

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16 CAMILLE SHELTON, Chief Legal Counsel  
17 MATTHEW B. JONES, Staff Counsel  
18 Attorneys for Respondent and Defendant  
19 Commission on State Mandates  
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**PROOF OF SERVICE**

I, ODETTE ORTEGA, declare:

I am over the age of eighteen years and not a party to the case; I am employed in the County of San Diego, California. My business address is 1600 Pacific Highway, Room 355, San Diego, California, 92101.

On June 5, 2019, I caused to be transmitted the following documents:

**1. NOTICE OF ENTRY OF JUDGMENT.**

(BY E-mail) I caused to be transmitted a copy of the foregoing document(s) this date via OneLegal System, which electronically notifies all counsel as follows:

Mary C. Wickman, County Counsel Lucia Gonzalez Senior Deputy County Counsel Sangkee Peter Lee, Deputy County Counsel <a href="mailto:lgonzalez@counsel.lacounty.gov">lgonzalez@counsel.lacounty.gov</a> <a href="mailto:plee@counsel.lacounty.gov">plee@counsel.lacounty.gov</a> <a href="mailto:BKishimoto@counsel.lacounty.gov">BKishimoto@counsel.lacounty.gov</a> (Attorneys for County of Los Angeles)	Leon J. Page, County Counsel Suzanne E. Shoai, Deputy County Counsel <a href="mailto:Suzy.shoai@coco.ocgov.com">Suzy.shoai@coco.ocgov.com</a> <a href="mailto:Marzette.Lair@coco.ocgov.com">Marzette.Lair@coco.ocgov.com</a> (Attorneys for County of Orange)
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Camille Shelton, Chief Legal Counsel Matthew B. Jones, Staff Counsel <a href="mailto:matt.jones@csm.ca.gov">matt.jones@csm.ca.gov</a> <a href="mailto:Camille.Shelton@csm.ca.gov">Camille.Shelton@csm.ca.gov</a> (Attorneys for Defendants/Respondent Commission on State Mandates)	Craig Osaki County Public Defender's Office <a href="mailto:cosaki@pubdef.lacounty.gov">cosaki@pubdef.lacounty.gov</a>
Clerk of the Court San Diego County Superior Court 220 West Broadway San Diego, CA 92101-3409 (Courtesy Copy by mail)	Kim L. Nguyen Office of the Attorney General <a href="mailto:kim.nguyen@doj.ca.gov">kim.nguyen@doj.ca.gov</a> Xavier Becerra, Attorney General Mark Beckington Supervising Deputy Attorney General Todd Grabarsky, Deputy Attorney General <a href="mailto:Mark.Beckington@doj.ca.gov">Mark.Beckington@doj.ca.gov</a> ; <a href="mailto:todd.grabarsky@doj.ca.gov">todd.grabarsky@doj.ca.gov</a> (Attorneys for Defendants/Respondents State of California, California Dept. of Finance and California State Controller)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on June 5, 2019, at San Diego, California.

By:   
ODETTE ORTEGA

**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

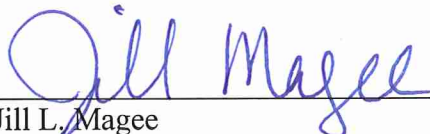
On June 11, 2019, I served the:

- **Notice of Entry of Judgement served to the Commission June 5, 2019**
- **Writ of Administrative Mandamus filed in the San Diego Superior Court April 29, 2019 and served to the Commission June 5, 2019**

**Reconsideration of the Request for Mandate Redetermination on Remand**  
*Sexually Violent Predators (CSM-4509)*, 12-MR-01-R  
Welfare and Institutions Code Sections 6601 through 6608  
Statutes 1995, Chapter 762; Statutes 1995, Chapter 763; Statutes 1996, Chapter 4  
Department of Finance, Requester

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on June 11, 2019 at Sacramento, California.



Jill L. Magee  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814  
(916) 323-3562

# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 6/11/19

**Claim Number:** CSM-4509 (12-MR-01-R)

**Matter:** Sexually Violent Predators

**Requester:** Department of Finance

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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**Edith Driscoll**, Auditor-Controller/Treasurer-Tax Collector, *County of Santa Cruz*  
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