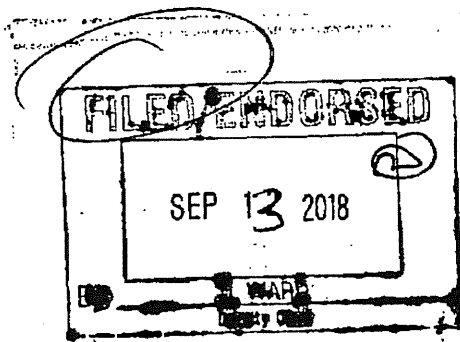


1 XAVIER BECERRA  
Attorney General of California  
2 DEBORAH M. SMITH  
Supervising Deputy Attorney General  
3 JEREMY BROWN  
Deputy Attorney General  
4 State Bar No. 269159  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-7829  
Fax: (916) 327-2319  
7 E-mail: Jeremy.Brown@doj.ca.gov



8 *Attorneys for Central Valley Flood Protection Board*

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SACRAMENTO

11 **GRASS VALLEY NEIGHBORS, a**  
12 **nonprofit unincorporated association,**

13 Petitioner/Plaintiff,

14 v.

15 **CALIFORNIA STATE WATER**  
16 **RESOURCES CONTROL BOARD, BY AND**  
17 **THROUGH THE CENTRAL VALLEY**  
18 **REGIONAL WATER QUALITY CONTROL**  
19 **BOARD; YUBA COUNTY, BY AND**  
20 **THROUGH ITS BOARD OF**  
21 **SUPERVISORS; CALIFORNIA**  
22 **DEPARTMENT OF FISH AND WILDLIFE;**  
23 **CENTRAL VALLEY FLOOD**  
24 **PROTECTION BOARD, and DOES 1-20,**  
25 **inclusive,**

26 Respondents/Defendants.

27 **YUBA COUNTY MOTORPLEX, LLC, a**  
28 **Delaware limited liability company; YUBA**  
**COUNTY ENTERTAINMENT, LLC, a**  
**Delaware limited liability company; and**  
**DOES 21-40, inclusive,**

Real Parties in Interest.

Case No. 34-2018-80002957

**STIPULATION AND APPLICATION**  
**FOR [PROPOSED] ORDER**  
**REGARDING PRELIMINARY**  
**MATTERS**

Dept: 27  
Judge: Hon. Steven M. Gevercer  
Trial Date: Not Set  
Action Filed: August 15, 2018

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**APPLICATION**

Petitioner Grass Valley Neighbors (“Petitioner”) and respondents California State Water Resources Control Board, by and through the Central Valley Regional Water Quality Control Board, California Department of Fish and Wildlife, Central Valley Flood Protection Board, and Yuba County, by and through its board of supervisors (collectively, “Respondents”), by and through their respective counsel, hereby enter into this Stipulation and request that the Court issue it as an order.

**STIPULATION**

WHEREAS, on August 15, 2018, Petitioner filed a Verified Petition for Writ of Mandate and Complaint for Preliminary and Permanent Injunctive Relief, and for Declaratory Relief (“Petition”);

WHEREAS, on August 15, 2018, Petitioner filed a Notice and Request to Prepare the Record of Proceedings (“Request for Record”);

WHEREAS, the Request for Record requests that respondent Yuba County “prepare the record of proceedings, if any, before the Yuba County Board of Supervisors concerning actions taken to develop/grade/construction in the Raceway Property (Measure R Property) at any time from January 2017 to the present;”

WHEREAS, Petitioner personally served the Petition and Request for Record on Respondents on or about August 17, 2018;

WHEREAS, Code of Civil Procedure section 1089.5 provides that when a petitioner files a petition for writ of mandate and requests a record of the proceedings, the respondent must respond within 30 days following the receipt of a copy of the record; and

WHEREAS, Petitioner and Respondents agree that Respondents’ responsive pleadings to all causes of action will be due 30 days after the filing of the notice of certification of the administrative record.

THE PARTIES STIPULATE to the following:


The Respondents’ responsive pleadings to all causes of action will be due 30 days after the filing of the notice of certification of the administrative record by the County of Yuba.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: September 11, 2018

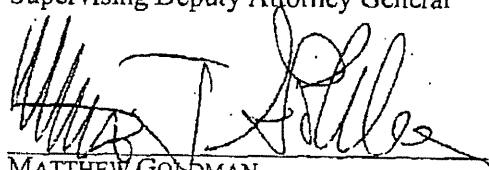
Respectfully Submitted,

XAVIER BECERRA  
Attorney General of California  
DEBORAH M. SMITH  
Supervising Deputy Attorney General

  
JEREMY BROWN  
Deputy Attorney General  
*Attorneys for Central Valley Flood  
Protection Board*

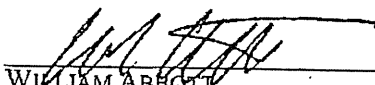
Dated: 9/11/18

XAVIER BECERRA  
Attorney General of California  
DEBORAH M. SMITH  
Supervising Deputy Attorney General

  
MATTHEW GOLDMAN  
Deputy Attorney General  
*Attorneys for California State Water  
Resources Control Board; and California  
Department of Fish and Wildlife*

Dated: 9/11/18

ABBOTT KINDERMAN

  
WILLIAM ABBOTT  
*Attorneys for Yuba County, by and through  
its Board of Supervisors*

Dated: \_\_\_\_\_

BRIGIT S. BARNES & ASSOCIATES,  
INC.

BRIGIT S. BARNES  
*Attorneys for Grass Valley Neighbors*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: September \_\_\_\_, 2018

Respectfully Submitted,

XAVIER BECERRA  
Attorney General of California  
DEBORAH M. SMITH  
Supervising Deputy Attorney General

\_\_\_\_\_  
JEREMY BROWN  
Deputy Attorney General  
*Attorneys for Central Valley Flood  
Protection Board*

Dated: \_\_\_\_\_

XAVIER BECERRA  
Attorney General of California  
DEBORAH M. SMITH  
Supervising Deputy Attorney General

\_\_\_\_\_  
MATTHEW GOLDMAN  
Deputy Attorney General  
*Attorneys for California State Water  
Resources Control Board; and California  
Department of Fish and Wildlife*

Dated: 9/11/18

ABBOTT KINDERMAN

\_\_\_\_\_  
WILLIAM ABBOTT  
*Attorneys for Yuba County, by and through  
its Board of Supervisors*

Dated: 9/12/18

BRIGIT S. BARNES & ASSOCIATES,  
INC.

\_\_\_\_\_  
BRIGIT S. BARNES  
*Attorneys for Grass Valley Neighbors*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

[PROPOSED] ORDER

IT IS SO ORDERED.

Dated: 9/13/2018



*[Handwritten Signature]*  
STEVEN M. GEVERCER

SA2018302439  
33553942.docx