SUPREME COURT
FILED
MAR 19 2018
Jorge Navarrete Clerk
Deputy

SUPREME COURT CASE NO. S245395

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

ANGIE CHRISTENSEN,

PLAINTIFF AND RESPONDENT,

v.

WILL LIGHTBOURNE, DIRECTOR, CALIFORNIA DEPARTMENT OF SOCIAL SERVICES; CALIFORNIA DEPARTMENT OF SOCIAL SERVICES,

DEFENDANTS AND APPELLANTS.

After a Decision by the Court of Appeal for the First Appellate District, Division Two, No. A144254

Reversing a Judgment of the Superior Court of San Francisco County Case No. CPF-12-512070, Honorable Ernest H. Goldsmith, Judge

PETITIONER'S REQUEST FOR JUDICIAL NOTICE; MEMORANDUM OF POINTS AND AUTHORITIES; EXHIBITS; PROPOSED ORDER

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Attorneys for Plaintiff and Respondent
Angie Christensen

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Attorneys for Plaintiff and Respondent
Angie Christensen

INTRODUCTION

Petitioner Angie Christensen hereby requests judicial notice of two documents issued by the California Department of Social Services and the data contained in them, pursuant to Rules 8.252 and 8.809 of the California Rules of Court and Evidence Code §§452(c) and (h) and 459. This motion is based upon this request, the included memorandum of points and authorities, and the proposed order granting the motion.

MEMORANDUM OF POINTS AND AUTHORITIES

A. Why the matters to be noticed are relevant to the appeal.

Both documents are relevant to the appeal because they indicate the number of "safety net" CalWORKs cases, demonstrating the great public interest in resolving one of the questions raised: whether the Department's policy causes double-counting of income in violation of Welfare and Institutions Code §11005.5 when a parent in one CalWORKs family pays child support to children in a different safety net household.

The first document, "CalWORKs Program Caseload by Category, July 2009 – August 2014" ("2014 Summary"), was released by the Department on October 2, 2014. It indicates that there were 81,025 safety net cases as of August 2014. The second document, "CalWORKs – California Families on the Road to Self-Sufficiency, Annual Summary January 2017" ("2017

Summary"), provides updated data for the period after the trial court judgment, indicating a monthly average of 87,582 safety net cases for fiscal year 2015-2016.

These numbers demonstrate the large number of low-income families potentially affected by double-counting of child support paid to safety net households. They are thus relevant to Ms. Christensen's position that the double-counting question is properly raised in this case even though the record does not reflect whether Mr. Christensen's child support payments were made to safety net children.

True and correct copies of the 2014 Summary and pages from the 2017 Summary, printed from the Department's website, are attached as Exhibits A and B.

B. Presentation to the trial court.

Appellant presented the 2014 Summary to the trial court and requested judicial notice of the document and the facts stated in it. 2 CT 578-580. The trial court granted the request. 2 CT 619. The 2017 Summary was not presented to the trial court as it was published after the proceedings in the trial court.

C. The matters are subject to judicial notice under Evidence Code §§ 452(c) and (h).

The trial court properly took judicial notice of the 2014 Summary, and the 2017 Summary is subject to judicial notice for the same reasons as the earlier document. Records and reports of administrative agencies are "[o]fficial acts" which courts may take notice of under Evidence Code §452(c). *Rodas v. Spiegel*, 87 Cal. App. 4th 513, 518 (2001). Courts also take judicial notice of statistical data provided by government agencies under Evidence Code §452(h), which applies to facts "not reasonably subject to dispute and ... capable of immediate and accurate determination by resort to sources of reasonably indisputable accuracy." *See Tribune Newspapers W., Inc. v. Superior Court*, 172 Cal. App. 3d 443, 455 n.8 (1985) (taking judicial notice of statistics provided by County Department of Planning). The 2014 Summary and 2017 Summary are both official reports of the Department. The Department is an authoritative source for statistics on the number of CalWORKs households and the data in its reports is not reasonably subject to dispute. Pursuant to Evidence Code §459, this Court should take judicial notice of both documents and the truth of data regarding safety net families within them.

D. The matters to be noticed relate in part to proceedings occurring after the order or judgment that is the subject of the appeal.

The 2014 Summary was issued prior to the judgment below. The 2017 Summary was issued after the judgment and contains more current data on the same subject.

Dated: March 16, 2018

Respectfully submitted,

WESTERN CENTER ON LAW
AND POVERTY
LEGAL AID SOCIETY OF
SAN MATEO COUNTY

By: _____
Richard A. Rothschild
Attorneys for Petitioner

[PROPOSED] ORDER

Petitioner's request for judicial notice dated March 15, 2018 is granted.

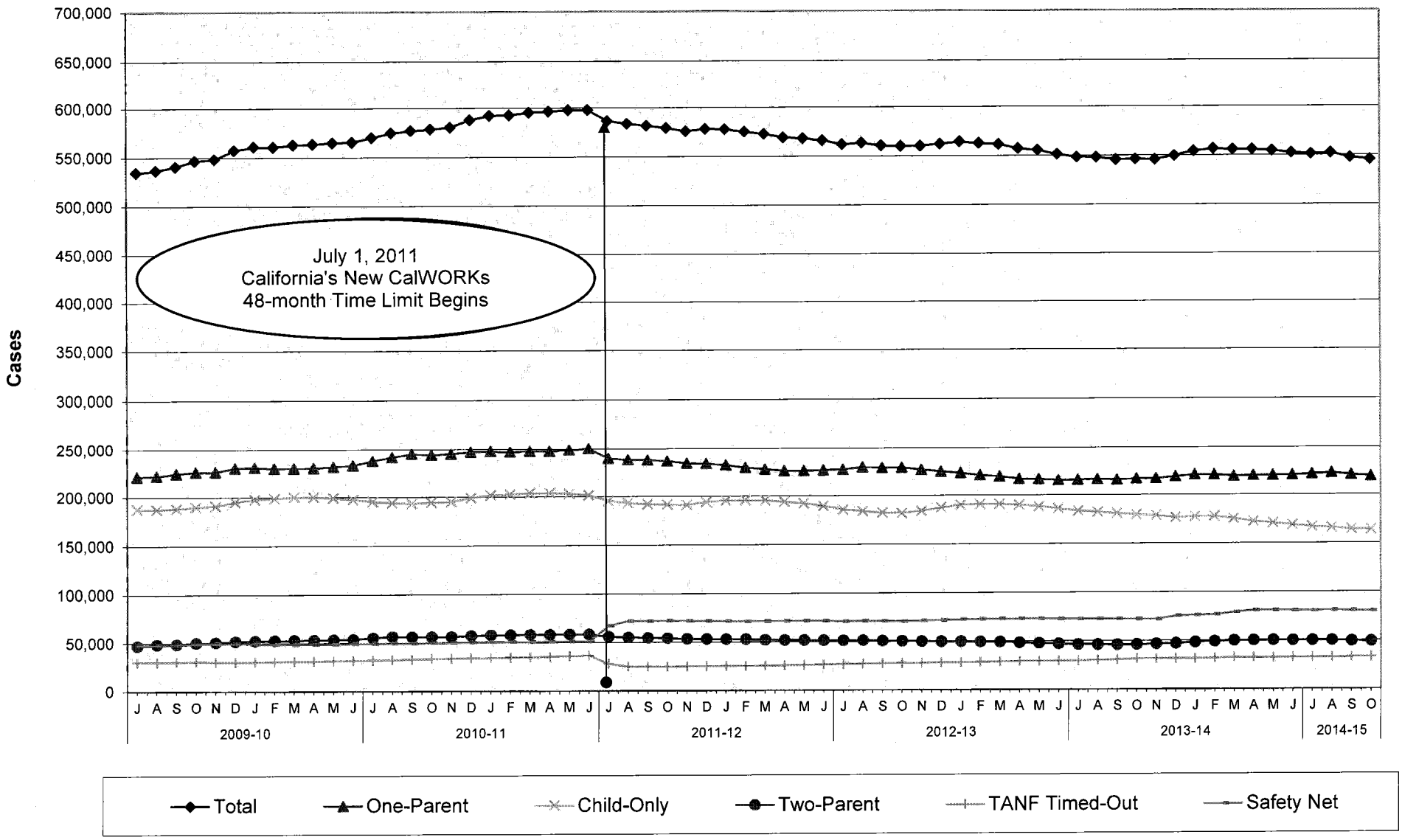
DATED: _____

_____
Chief Justice
Supreme Court of the State of California

EXHIBIT A

EXHIBIT A

CalWORKs Program
Caseload by Category
July 2009 - October 2014



Source: CA 237 CW, Item 8a

Released: December 2, 2014

CalWORKs Program
Caseload by Category
July 2009 - October 2014

MONTHLY PERCENT CHANGE

FY		Jul	% Chg	Aug	% Chg	Sep	% Chg	Oct	% Chg	Nov	% Chg	Dec	% Chg	Jan	% Chg	Feb	% Chg	Mar	% Chg	Apr	% Chg	May	% Chg	Jun	% Chg
09/10	Total	534,249		536,464	0.4%	540,475	0.7%	546,527	1.1%	548,111	0.3%	557,279	1.7%	560,630	0.6%	560,534	0.0%	562,565	0.4%	563,406	0.1%	564,728	0.2%	565,194	0.1%
	1P	221,330		222,061	0.3%	224,410	1.1%	226,242	0.8%	226,403	0.1%	230,423	1.8%	230,892	0.2%	229,780	-0.5%	230,167	0.2%	230,226	0.0%	231,591	0.6%	232,932	0.6%
	CO	187,618		187,417	-0.1%	188,269	0.5%	189,847	0.8%	190,871	0.5%	195,069	2.2%	197,525	1.3%	198,728	0.6%	199,992	0.6%	200,050	0.0%	199,084	-0.5%	197,453	-0.8%
	2P	47,094		48,521	3.0%	48,874	0.7%	50,208	2.7%	50,619	0.8%	51,620	2.0%	52,324	1.4%	52,535	0.4%	52,784	0.5%	53,148	0.7%	53,427	0.5%	53,659	0.4%
	TO	30,226		30,457	0.8%	30,580	0.4%	30,938	1.2%	30,581	-1.2%	30,360	-0.7%	30,586	0.7%	30,769	0.6%	31,115	1.1%	31,311	0.6%	31,706	1.3%	32,003	0.9%
	SN	47,981		48,008	0.1%	48,342	0.7%	49,292	2.0%	49,637	0.7%	49,807	0.3%	49,303	-1.0%	48,722	-1.2%	48,507	-0.4%	48,671	0.3%	48,920	0.5%	49,147	0.5%
10/11	Total	569,869	0.8%	574,416	0.8%	576,845	0.4%	578,364	0.3%	580,457	0.4%	587,964	1.3%	592,202	0.7%	592,741	0.1%	595,329	0.4%	596,315	0.2%	597,688	0.2%	597,723	0.0%
	1P	237,685	2.0%	241,503	1.6%	245,050	1.5%	244,106	-0.4%	245,202	0.4%	247,102	0.8%	247,690	0.2%	247,013	-0.3%	247,757	0.3%	247,736	0.0%	248,955	0.5%	250,364	0.6%
	CO	195,124	-1.2%	193,971	-0.6%	193,054	-0.5%	194,215	0.6%	194,906	0.4%	198,921	2.1%	201,406	1.2%	202,424	0.5%	203,348	0.5%	203,687	0.2%	202,811	-0.4%	201,172	-0.8%
	2P	55,420	3.3%	56,453	1.9%	56,210	-0.4%	56,237	0.0%	56,294	0.1%	57,231	1.7%	57,941	1.2%	57,914	0.0%	58,325	0.7%	58,337	0.0%	58,575	0.4%	58,424	-0.3%
	TO	32,284	0.9%	32,759	1.5%	33,059	0.9%	33,663	1.8%	33,916	0.8%	34,237	0.9%	34,438	0.6%	34,684	0.7%	35,059	1.1%	35,550	1.4%	36,150	1.7%	36,719	1.6%
	SN	49,356	0.4%	49,730	0.8%	49,472	-0.5%	50,143	1.4%	50,139	0.0%	50,473	0.7%	50,727	0.5%	50,706	0.0%	50,840	0.3%	51,005	0.3%	51,197	0.4%	51,044	-0.3%
11/12	Total	586,491	-1.9%	583,539	-0.5%	581,447	-0.4%	579,108	-0.4%	575,597	-0.6%	577,936	0.4%	577,483	-0.1%	574,978	-0.4%	572,498	-0.4%	568,998	-0.6%	567,951	-0.2%	565,831	-0.4%
	1P	239,753	-4.2%	238,301	-0.6%	237,907	-0.2%	236,665	-0.5%	234,353	-1.0%	233,858	-0.2%	232,163	-0.7%	229,553	-1.1%	227,699	-0.8%	226,056	-0.7%	226,193	0.1%	226,662	0.2%
	CO	195,520	-2.8%	193,003	-1.3%	191,954	-0.5%	191,191	-0.4%	190,911	-0.1%	193,887	1.6%	195,387	0.8%	195,665	0.1%	195,277	-0.2%	193,730	-0.8%	192,147	-0.8%	189,448	-1.4%
	2P	55,972	-4.2%	55,125	-1.5%	54,640	-0.9%	54,111	-1.0%	53,305	-1.5%	53,073	-0.4%	52,993	-0.2%	52,833	-0.3%	52,207	-1.2%	51,759	-0.9%	51,585	-0.3%	51,428	-0.3%
	TO	27,933	-23.9%	24,840	-11.1%	24,914	0.3%	24,719	-0.8%	24,847	0.5%	25,172	1.3%	25,248	0.3%	25,388	0.6%	25,526	0.5%	25,756	0.9%	26,173	1.6%	26,559	1.5%
	SN	67,313	31.9%	72,270	7.4%	72,032	-0.3%	72,422	0.5%	72,181	-0.3%	71,946	-0.3%	71,692	-0.4%	71,539	-0.2%	71,789	0.3%	71,697	-0.1%	71,853	0.2%	71,734	-0.2%
12/13	Total	561,862	-0.7%	563,347	0.3%	560,416	-0.5%	560,021	-0.1%	560,022	0.0%	562,053	0.4%	564,040	0.4%	562,570	-0.3%	561,498	-0.2%	557,073	-0.8%	555,315	-0.3%	550,952	-0.8%
	1P	227,265	0.3%	229,565	1.0%	228,885	-0.3%	229,044	0.1%	226,790	-1.0%	224,789	-0.9%	223,277	-0.7%	220,764	-1.1%	219,469	-0.6%	216,888	-1.2%	216,458	-0.2%	215,491	-0.4%
	CO	185,568	-2.0%	183,792	-1.0%	182,065	-0.9%	181,687	-0.2%	183,926	1.2%	187,139	1.7%	189,925	1.5%	190,718	0.4%	190,643	0.0%	189,676	-0.5%	188,270	-0.7%	185,894	-1.3%
	2P	51,133	-0.6%	51,294	0.3%	50,665	-1.2%	50,422	-0.5%	49,993	-0.9%	49,781	-0.4%	49,735	-0.1%	49,512	-0.4%	49,292	-0.4%	48,185	-2.2%	47,756	-0.9%	46,964	-1.7%
	TO	26,778	0.8%	27,220	1.7%	27,598	1.4%	27,958	1.3%	27,803	-0.6%	28,257	1.6%	28,430	0.6%	28,611	0.6%	28,943	1.2%	29,176	0.8%	29,501	1.1%	29,732	0.8%
	SN	71,118	-0.9%	71,476	0.5%	71,203	-0.4%	70,910	-0.4%	71,510	0.8%	72,087	0.8%	72,673	0.8%	72,965	0.4%	73,151	0.3%	73,148	0.0%	73,330	0.2%	72,871	-0.6%
13/14	Total	548,163	-0.5%	547,804	-0.1%	545,516	-0.4%	545,989	0.1%	545,560	-0.1%	549,464	0.7%	554,292	0.9%	556,305	0.4%	555,681	-0.1%	555,596	0.0%	554,553	-0.2%	552,214	-0.4%
	1P	215,691	0.1%	216,321	0.3%	215,649	-0.3%	216,723	0.5%	216,895	0.1%	218,868	0.9%	220,823	0.9%	220,858	0.0%	219,274	-0.7%	219,807	0.2%	220,139	0.2%	220,313	0.1%
	CO	183,386	-1.3%	182,210	-0.6%	180,582	-0.9%	179,311	-0.7%	178,490	-0.5%	176,151	-1.3%	177,296	0.7%	177,497	0.1%	174,943	-1.4%	172,113	-1.6%	170,382	-1.0%	168,388	-1.2%
	2P	46,455	-1.1%	46,204	-0.5%	45,857	-0.8%	46,087	0.5%	46,512	0.9%	47,098	1.3%	48,210	2.4%	49,117	1.9%	49,690	1.2%	49,929	0.5%	50,172	0.5%	49,995	-0.4%
	TO	29,893	0.5%	30,296	1.3%	30,771	1.6%	31,580	2.6%	31,635	0.2%	31,749	0.4%	31,650	-0.3%	31,986	1.1%	32,722	2.3%	32,697	-0.1%	32,600	-0.3%	32,689	0.3%
	SN	72,738	-0.2%	72,773	0.0%	72,657	-0.2%	72,288	-0.5%	72,028	-0.4%	75,598	5.0%	76,313	0.9%	76,847	0.7%	79,052	2.9%	81,050	2.5%	81,260	0.3%	80,829	-0.5%
14/15	Total	551,066	-0.2%	551,950	0.2%	547,475	-0.8%	545,361	-0.4%																
	1P	221,283	0.4%	222,499	0.5%	220,558	-0.9%	219,053	-0.7%																
	CO	166,440	-1.2%	165,664	-0.5%	163,988	-1.0%	163,680	-0.2%																
	2P	50,039	0.1%	49,873	-0.3%	49,272	-1.2%	48,958	-0.6%																
	TO	32,770	0.2%	32,912	0.4%	33,041	0.4%	33,200	0.5%																
	SN	80,534	-0.4%	81,002	0.6%	80,616	-0.5%	80,470	-0.2%																

TRENDS

The caseload number decreased 0.4% between September 2014 and October 2014

- The caseload number decreased 0.7% in One-Parent cases
- The caseload number decreased 0.2% in Child-Only cases
- The caseload number decreased 0.6% in Two-Parent cases
- The caseload number increased 0.5% in TANF Timed Out cases
- The caseload number decreased 0.2% in Safety Net cases

Source: CA 237 CW, Item 8a

Released: December 2, 2014

TRENDS

The number of cases decreased 0.1% between October 2013 and October 2014

- The caseload number increased 1.1% in One-Parent cases
- The caseload number decreased 8.7% in Child-Only cases
- The caseload number increased 7.9% in Two-Parent cases
- The caseload number increased 8.6% in TANF Timed Out cases
- The caseload number increased 11.3% in Safety Net cases

The overall caseload decreased 41.5% since March 1995, the highest point in California's caseload.

California's caseload decreased 35.5% since December 1, 1996, when California's Federal Temporary Assistance for Needy Families Program began.

California's caseload decreased 25.1% since January 1, 1998, when California's CalWORKs Program began.

California's caseload decreased 7.2% since October 1, 1999, when California's Separate State Program began.

- Effective January 1, 2003, Safety Net cases are those in which the adults are discontinued and removed from the assistance unit due to the CalWORKs 60-month time limit. Only children are aided in these cases and are converted from the case categories Two-Parent, One-Parent or TANF Timed-Out.
- Effective July 1, 2011, Senate Bill 72 changed California's CalWORKs Program time limit from 60-months to 48-months.

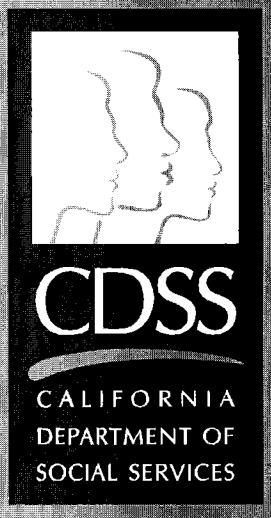
EXHIBIT B

EXHIBIT B

CalWORKs-

California Families on the Road to Self-Sufficiency

ANNUAL SUMMARY
JANUARY 2017



CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

WELFARE TO WORK DIVISION

Chapter 1 – Caseload Dynamics

This chapter provides a comprehensive overview of the CalWORKs caseload, including the number of cases receiving CalWORKs assistance delineated by case type: the percentage of cases with individuals who are exempt from welfare-to-work participation requirements; cases in sanction, child-only, and safety-net status; a longitudinal analysis of CalWORKs cases over time; tables illustrating the number of applications for aid and the number of those approved and denied; and the benefits provided to CalWORKs recipients.

CalWORKs cases with an unaided but federally work-eligible adult (specifically, safety-net cases and cases in which the parent is a fleeing felon) are funded from state general fund (GF) that does not count toward the TANF Maintenance-of-Effort (MOE) starting from Federal Fiscal Year (FFY) 2014; as a result, these cases are no longer included in the federally defined TANF program for federal reporting purposes. Or rather, safety-net and fleeing felon cases have been "moved out" of the TANF program.

In 2015, the Work Incentive Nutritional Supplement (WINS) program became fully operational. WINS cases are provided with a ten dollar monthly cash nutritional benefit funded from state General Fund that counts toward the MOE requirement and, therefore, are counted in the federal TANF caseload –that is, WINS cases have been "moved in" to the TANF caseload. The WINS caseload is not reflected in the CalWORKS caseload tables provided in this chapter, but WINS issuances are displayed in Table 6C.

Key Terms in This Chapter

The CalWORKs caseload is characterized using the following key terms.

- **Assistance Unit (AU)** –An AU is a group of related persons living in the same home who have been determined to be eligible for CalWORKs and for whom cash aid has been authorized. An AU is sometimes referred to as a CalWORKs case. An AU or case differs from a "household" in that a household includes all persons in the same dwelling regardless of their relationship to members of the AU, or their eligibility for CalWORKs aid.
- Definitions of Assistance Units (AU) Types:
    - **Single-Parent or 1-Parent** – Includes one or more children, and one aided adult who is a natural or adoptive parent, a stepparent, or another caretaker relative.
    - **Two-Parent or 2-Parent** – Includes at least one child and two natural or adoptive aided adult parents.
    - **WTW Participants** – Includes Single-Parent and Two-Parent households with an aided adult who is NOT exempt from work activities and NOT sanctioned.
    - **WTW Exempts** – Includes Single-Parent and Two-Parent households where the aided adult(s) are exempt from work activities.

- **WTW Sanction** – Adults were removed from aid due to non-compliance with program requirements without good cause or compliance efforts have failed. Aid continues for the eligible children in the AU.
- **Child-Only or Zero-Parent** – Cases in which only the children in the case are aided because the parents are ineligible due to immigration status or being an SSI recipient or a non-parental, non-needy caretaker is caring for the children.
- **Safety-Net** – Cases in which only the children in an AU are aided because the parent(s) are discontinued for cash aid due to their reaching the 48-month lifetime assistance limit. *Safety-net cases are funded with non-MOE state-only funds and not subject to federal TANF reporting rules.*
- **TANF-Timed Out** – Cases in which the head of household or spouse of the head of household (parent, stepparent, or caretaker relative) has reached federal TANF assistance time limit of 60 months, but still has time left on CalWORKs assistance.
- **Fleeing Felon** – Cases in which only children in an AU are aided because parent(s) are fleeing to avoid prosecution.

- **Long-Term Sanction** – Cases with a parent or caretaker who has been sanctioned due to failing or refusing to comply with welfare-to-work program requirements, without good cause, for 12 consecutive months or longer.

- **Non-MOE Moved Out** – All cases that are funded with non-MOE General Fund dollars (Safety Net, Fleeing Felon, and Long-Term Sanctioned) and, as such, are "moved out" of the Work Participation Rate calculation.

- **Time on Aid** – Time on aid for WTW Cases is calculated by the aided adult on aid longest (as an adult) since the beginning of the look-back period. Time on aid for CalWORKs Non-MOE cases (Safety Net, Fleeing Felon and Long-Term Sanction) as well as the Child-Only cases is determined by the child member on aid longest since the beginning of the look-back period.

Table 1D.
CalWORKs Quarterly Caseload Analysis:
FY 2007-08 through FY 2015-16

Fiscal Year		Types of Cases					
		Total CalWORKs Cases	Single-Parent	Two-Parent	TANF Timed-Out Cases	Zero-Parent Families	Safety Net
FY 07-08	Quarter 1	456,561	187,057	32,701	28,144	163,378	45,282
	Quarter 2	461,639	189,974	33,422	28,359	164,342	45,541
	Quarter 3	469,307	190,434	34,929	28,150	169,467	46,327
	Quarter 4	476,296	193,897	36,278	27,837	171,072	47,212
	Monthly Avg.	465,951	190,341	34,332	28,123	167,065	46,091
FY 08-09	Quarter 1	481,078	199,691	37,348	27,803	169,096	47,139
	Quarter 2	494,146	205,708	39,464	28,097	173,033	47,844
	Quarter 3	514,523	211,433	42,974	27,821	183,457	48,838
	Quarter 4	530,230	217,276	45,735	27,936	189,105	50,178
	Monthly Avg.	504,994	208,527	41,380	27,914	178,673	48,500
FY 09-10	Quarter 1	537,063	222,600	48,163	30,421	187,768	48,110
	Quarter 2	550,639	227,689	50,816	30,626	191,929	49,579
	Quarter 3	561,243	230,280	52,548	30,823	198,748	48,844
	Quarter 4	564,443	231,583	53,411	31,673	198,862	48,913
	Monthly Avg.	553,347	228,038	51,234	30,886	194,327	48,861
FY 10-11	Quarter 1	573,710	241,413	56,028	32,701	194,050	49,519
	Quarter 2	582,262	245,470	56,587	33,939	196,014	50,252
	Quarter 3	593,424	247,487	58,060	34,727	202,393	50,758
	Quarter 4	597,226	249,014	58,443	36,138	202,551	51,079
	Monthly Avg.	586,856	245,846	57,280	34,376	198,752	50,402
FY 11-12	Quarter 1	583,769	238,622	55,226	25,879	193,472	70,570
	Quarter 2	577,446	234,889	53,473	24,893	191,973	72,218
	Quarter 3	574,910	229,740	52,677	25,367	195,419	71,707
	Quarter 4	567,516	226,252	51,597	26,143	191,747	71,777
	Monthly Avg.	575,910	232,376	53,243	25,570	193,153	71,568
FY 12-13	Quarter 1	561,772	228,533	51,033	27,186	183,741	71,279
	Quarter 2	560,642	226,824	50,083	27,986	184,229	71,519
	Quarter 3	562,656	221,132	49,531	28,642	190,407	72,944
	Quarter 4	554,414	216,238	47,673	29,451	187,924	73,128
	Monthly Avg.	559,871	223,182	49,580	28,316	186,575	72,218

Table 1D.
CalWORKs Quarterly Caseload Analysis:
FY 2007-08 through FY 2015-16
(continued)

Fiscal Year		Total CalWORKs Cases	Types of Cases: Single-Parent	Two-Parent	TANF Timed-Out Cases	Zero-Parent Families	Safety Net
FY 13-14	Quarter 1	547,125	215,844	46,208	30,301	182,037	72,735
	Quarter 2	546,948	217,414	46,605	31,636	177,983	73,311
	Quarter 3	555,316	220,224	49,037	32,101	176,544	77,410
	Quarter 4	554,076	220,055	50,041	32,658	170,279	81,045
	Monthly Avg.	550,867	218,384	47,973	31,674	176,711	76,125
FY 14-15	Quarter 1	550,169	221,446	49,725	32,909	165,367	80,723
	Quarter 2	541,354	216,023	48,254	33,212	163,674	80,192
	Quarter 3	531,157	205,319	46,370	32,926	163,693	82,850
	Quarter 4	517,600	194,887	45,121	31,629	159,736	86,227
	Monthly Avg.	535,070	209,419	47,367	32,669	163,117	82,498
FY 15-16[1]	Quarter 1	510,388	194,509	43,761	30,727	154,780	86,611
	Quarter 2	500,303	187,756	41,855	29,992	152,609	88,091
	Quarter 3	490,275	179,684	40,106	29,417	153,651	87,418
	Quarter 4	474,140	169,825	38,157	29,134	148,816	88,207
	Monthly Avg.	493,777	182,943	40,970	29,818	152,464	87,582

Data Sources: CA 237 CW, EBT issuance system

Note:
[1]EBT issuance system data is the source for Los Angeles County caseload from October 2015 to June 2016.

PROOF OF SERVICE

Christensen v. Lightbourne et al,
Appeal No. A144254
Superior Court No. CPF-12-512070

I, the undersigned, say: I am over the age of 18 years and not a party to the within action or proceeding. My business address is 3701 Wilshire Blvd., Suite 208, Los Angeles, CA 90010.

On March 16, 2018, I served the following document described as: **OPENING BRIEF ON MERITS AND REQUEST FOR JUDICIAL NOTICE** on all interested parties in this action by electronic transmission and by placing copies thereof enclosed in a sealed envelope addressed as follows:

Via TrueFiling and USPS
JENNIFER A. BUNSHOFT
Deputy Attorney General
Health, Education and Welfare
California Department of Justice
Office of the Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102
Phone: (415) 703-5085
Email: Jennifer.Bunshoft@doj.ca.gov

Attorneys for Respondents and Appellants,
Will Lightbourne, et al.

Via TrueFiling and USPS
California Court of Appeal
First Appellate District, Division Two
350 McAllister Street
San Francisco CA 94102

Via USPS
Hon. Ernest J. Goldsmith
Judge of the Superior Court, Dept. 302
San Francisco Superior Court
400 McAllister Street
San Francisco CA 94102

[X] ImageSoft TrueFiling (TrueFiling) – I caused service through the Court's electronic filing system by filing the document(s) via TrueFiling (Pursuant to California Rules of Court, rules 8.44, 8.70, and First District Court of Appeal Local Rule 16).

[X] By United States Postal Service - I placed a true copy thereof enclosed in a sealed envelope and deposited such envelope in the mail at Los Angeles, California, with first class postage thereon fully prepaid. I am readily familiar with the business practice for collection and processing of correspondence for mailing. Under that practice, it is deposited with the United States Postal Service on that same day, at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postage cancellation date or postage meter date is more than one (1) day after the date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 16, 2018 at Los Angeles, California.

Marilyn Harris