

SUPERIOR COURT OF CALIFORNIA - COUNTY OF FRESNO Civil Department - Non-Limited		Entered by:
TITLE OF CASE: South Central Neighbors United vs. Richard Caglia/CEQA		
LAW AND MOTION MINUTE ORDER		Case Number: 18CECG00690

Hearing Date: **July 12, 2018** Hearing Type: **Petition for**
 Department: **501** Judge/Temp. Judge: **McGuire, Rosemary**
 Court Clerk: **Whipple, Layla/Reeves, Kelli** Reporter/Tape: **N/R**

Appearing Parties:	
Plaintiff:	Defendant:
Counsel:	Counsel:

Off Calendar

Continued to Set for ___ at ___ Dept. ___ for ___

Submitted on points and authorities with/without argument. Matter is argued and submitted.

Upon filing of points and authorities.

Motion is granted in part and denied in part. Motion is denied with/without prejudice.

Taken under advisement

Demurrer overruled sustained with ___ days to answer amend

Tentative ruling becomes the order of the court. No further order is necessary.

Pursuant to CRC 3.1312(a) and CCP section 1019.5(a), no further order is necessary. The minute order adopting the tentative ruling serves as the order of the court.

Service by the clerk will constitute notice of the order.

See attached copy of the Tentative Ruling.

Judgment debtor ___ sworn and examined.

Judgment debtor ___ failed to appear.
Bench warrant issued in the amount of \$ ___

JUDGMENT:

Money damages Default Other ___ entered in the amount of:
Principal \$___ Interest \$___ Costs \$___ Attorney fees \$___ Total \$___
 Claim of exemption granted denied. Court orders withholdings modified to \$___ per ___

FURTHER, COURT ORDERS:

Monies held by levying officer to be released to judgment creditor. returned to judgment debtor.
 \$___ to be released to judgment creditor and balance returned to judgment debtor.
 Levying Officer, County of ___, notified. Writ to issue
 Notice to be filed within 15 days. Restitution of Premises
 Other: ___

(17)

Tentative Ruling

Re: **South Central Neighbors United v. City of Fresno, et al.**
Court Case No. 18 CECG 00690

Hearing Date: July 12, 2018 (Dept. 501)

Motion: State of California's Motion to Intervene

Tentative Ruling:

To grant. The State of California shall file and serve its Petition in Intervention within 10 days of the clerk's service of this minute order.

Explanation:

Intervention takes place when the court grants leave to a nonparty to join the plaintiff in claiming what is sought by the complaint; or to unite with the defendant in resisting the plaintiff's claims; or to demand anything adverse to both parties. (Code Civ. Proc., § 387, subd. (a).) "If any provision of law confers an unconditional right to intervene ... the court shall, upon timely application, permit that person to intervene." (Code Civ. Proc., § 387, subd. (b).)

The People, through the Attorney General, have an unconditional right to intervene in the current action pursuant to Government Code section 12606, which provides that: "The Attorney General shall be permitted to intervene in any judicial or administrative proceeding in which facts are alleged concerning pollution or adverse environmental effects which could affect the public generally." It is well established that "the Attorney General can intervene in an action to enforce compliance with CEQA." (*Schwartz v. City of Rosemead* (1984) 155 Cal.App.3d 547, 556, fn. 7.)

Section 387 does not place a statutory time limit on motions to intervene. (*Noya v. A. W. Coulter Trucking* (2006) 143 Cal.App.4th 838, 842.) However, "it is the general rule that a right to intervene should be asserted within a reasonable time and that the intervener must not be guilty of an unreasonable delay after knowledge of the suit." (*Allen v. California Water & Tel. Co.* (1947) 31 Cal.2d 104, 108.) This motion is timely and no party will be prejudiced by it.

Pursuant to California Rules of Court, rule 3.1312(a) and Code of Civil Procedure section 1019.5, subdivision (a), no further written order is necessary. The minute order adopting this tentative ruling will serve as the order of the court and service by the clerk will constitute notice of the order.

Tentative Ruling

Issued By: RTM on 7/11/18
(Judge's initials) (Date)

<p align="center">SUPERIOR COURT OF CALIFORNIA - COUNTY OF FRESNO Civil Department, Central Division 1130 "O" Street Fresno, California 93724-0002 (559) 457-2000</p>	<p align="center"><i>FOR COURT USE ONLY</i></p>
<p>TITLE OF CASE: South Central Neighbors United vs. Richard Caglia/CEQA</p>	
<p align="center">CLERK'S CERTIFICATE OF MAILING</p>	<p>CASE NUMBER: 18CECG00690</p>

I certify that I am not a party to this cause and that a true copy of the:

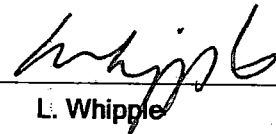
[Minute Order/ Tentative Ruling]

was placed in a sealed envelope and placed for collection and mailing on the date and at the place shown below following our ordinary business practice. I am readily familiar with this court's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service with postage fully prepaid.

Place of mailing: Fresno, California 93724-0002

On Date: 07/13/2018

Clerk, by _____



, Deputy

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Clerk's Certificate of Mailing Additional Address Page Attached