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OF ORIGINAL FILED
Los Angeles Superior Court

MAR 25 2009

John A. Black, Executive Officer/Clerk
By Dorothy Swain Deputy
DOROTHY SWAIN

Please conform,
and return
Thank you

Attorneys for Petitioner
City of Walnut

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

CITY OF WALNUT

Petitioner,

v.

CITY OF INDUSTRY

Respondent.

CASE NO.: BS119780

PETITION FOR WRIT OF MANDATE

(California Environmental Quality Act; State
Planning Law; State Water Code; State Fish
and Game Code; Seismic Mapping Hazard
Act; State Redevelopment Law; Public
Records Act; City of Industry Municipal and
Zoning Codes)

MAJESTIC REALTY CO.; INDUSTRY
EAST LAND, LLC; INDUSTRY EAST
BUSINESS CENTER, LLC; INDUSTRY
URBAN-DEVELOPMENT AGENCY;
EDWARD ROSKI, JR., as President of
Majestic Realty Co.; JOHN SEMCKEN, as
Vice President of Majestic Realty Co.; and
DOES 1 to 10;
Real Parties in Interest.

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7 Attorneys for Petitioner
8 City of Walnut

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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

13 CITY OF WALNUT

14 Petitioner,

15 v.

16 CITY OF INDUSTRY

17 Respondent.

18 MAJESTIC REALTY CO.; INDUSTRY
19 EAST LAND, LLC; INDUSTRY EAST
20 BUSINESS CENTER, LLC; INDUSTRY
21 URBAN-DEVELOPMENT AGENCY;
22 EDWARD ROSKI, JR., as President of
23 Majestic Realty Co.; JOHN SEMCKEN, as
24 Vice President of Majestic Realty Co.; and
25 DOES I to 10;
26 Real Parties in Interest.

) CASE NO.:

BS119780

) ELECTION TO PREPARE
) ADMINISTRATIVE RECORD

) (California Environmental Quality Act; State
) Planning Law; State Water Code; State Fish
) and Game Code; Seismic Mapping Hazard
) Act; State Redevelopment Law; Public
) Records Act)

) Department:
) Presiding Judge:
) Hearing Date:

) Petition Filed: March 25, 2009

ELECTION TO PREPARE
ADMINISTRATIVE RECORD

03/25/2009 00:56 FAX 6807882

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
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ATTORNEY FOR (Name) City of Walnut

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OF ORIGINAL FILED**
Los Angeles Superior Court

MAR 25 2009

Please contact
and return
Thank you

John A. Clarke, Executive Officer/Clerk
By [Signature] Deputy
DOROTHY SWAIN

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles
STREET ADDRESS 111 North Hill Street
MAILING ADDRESS
CITY AND ZIP CODE Los Angeles, CA 90012
BRANCH NAME Stanley Mosk Courthouse

CASE NAME:
City of Walnut v. City of Industry

BS119780

CIVIL CASE COVER SHEET
 Unlimited Amount demanded (exceeds \$25,000) Limited Amount demanded is \$25,000 or less
Complex Case Designation
 Counter Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:
JUDGE:
DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

- | | | |
|---|--|---|
| <p>Auto Tort</p> <p><input type="checkbox"/> Auto (22)</p> <p><input type="checkbox"/> Uninsured motorist (46)</p> <p>Other P/PI/D/W/D (Personal Injury/Property Damage/Wrongful Death) Tort</p> <p><input type="checkbox"/> Asbestos (14)</p> <p><input type="checkbox"/> Product liability (24)</p> <p><input type="checkbox"/> Medical malpractice (45)</p> <p><input type="checkbox"/> Other P/PI/D/W/D (23)</p> <p>Non-P/PI/D/W/D (Other) Tort</p> <p><input type="checkbox"/> Business tort/unfair business practice (07)</p> <p><input type="checkbox"/> Civil rights (08)</p> <p><input type="checkbox"/> Defamation (13)</p> <p><input type="checkbox"/> Fraud (16)</p> <p><input type="checkbox"/> Intellectual property (19)</p> <p><input type="checkbox"/> Professional negligence (25)</p> <p><input type="checkbox"/> Other non-P/PI/D/W/D tort (35)</p> <p>Employment</p> <p><input type="checkbox"/> Wrongful termination (36)</p> <p><input type="checkbox"/> Other employment (15)</p> | <p>Contract</p> <p><input type="checkbox"/> Breach of contract/warranty (06)</p> <p><input type="checkbox"/> Rule 3.740 collections (09)</p> <p><input type="checkbox"/> Other collections (09)</p> <p><input type="checkbox"/> Insurance coverage (18)</p> <p><input type="checkbox"/> Other contract (37)</p> <p>Real Property</p> <p><input type="checkbox"/> Eminent domain/Inverse condemnation (14)</p> <p><input type="checkbox"/> Wrongful eviction (33)</p> <p><input type="checkbox"/> Other real property (26)</p> <p>Unlawful Detainer</p> <p><input type="checkbox"/> Commercial (31)</p> <p><input type="checkbox"/> Residential (32)</p> <p><input type="checkbox"/> Drugs (38)</p> <p>Judicial Review</p> <p><input type="checkbox"/> Asset forfeiture (05)</p> <p><input type="checkbox"/> Petition re: arbitration award (11)</p> <p><input checked="" type="checkbox"/> Writ of mandate (02)</p> <p><input type="checkbox"/> Other judicial review (39)</p> | <p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</p> <p><input type="checkbox"/> Antitrust/Trade regulation (03)</p> <p><input type="checkbox"/> Construction defect (10)</p> <p><input type="checkbox"/> Mass tort (40)</p> <p><input type="checkbox"/> Securities litigation (28)</p> <p><input type="checkbox"/> Environmental/Toxic tort (30)</p> <p><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)</p> <p>Enforcement of Judgment</p> <p><input type="checkbox"/> Enforcement of judgment (20)</p> <p>Miscellaneous Civil Complaint</p> <p><input type="checkbox"/> RICO (27)</p> <p><input type="checkbox"/> Other complaint (not specified above) (42)</p> <p>Miscellaneous Civil Petition</p> <p><input type="checkbox"/> Partnership and corporate governance (21)</p> <p><input type="checkbox"/> Other petition (not specified above) (43)</p> |
|---|--|---|

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive
4. Number of causes of action (specify):
5. This case is is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: March 24, 2009
Douglas P. Carstens

(TYPE OR PRINT NAME)

[Signature]
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.