

1 Thomas N. Lippe, SBN 104640
2 LAW OFFICES OF THOMAS N. LIPPE, APC
3 201 Mission Street, 12th Floor
4 San Francisco, California 94105
5 Tel: (415) 777-5604
6 Fax: (415) 777-5606
7 E-mail: Lippelaw@sonic.net

8 Attorney for Plaintiff: Save Berkeley's Neighborhoods

9
10 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **IN AND FOR THE COUNTY OF ALAMEDA**

12 SAVE BERKELEY'S NEIGHBORHOODS, a
13 California nonprofit public benefit corporation;

14 Plaintiff,

15 vs.

16 THE REGENTS OF THE UNIVERSITY OF
17 CALIFORNIA; JANET NAPOLITANO, in her
18 capacity as President of the University of
19 California; CAROL T. CHRIST, in her capacity as
20 Chancellor of the University of California,
21 Berkeley; and DOES 1 through 20,

22 Respondents.

Case No.

PETITION FOR WRIT OF MANDATE

**[CALIFORNIA ENVIRONMENTAL
QUALITY ACT]**

1 Plaintiff Save Berkeley's Neighborhoods alleges:

2 1. On or about May 16, 2019, Respondent Regents of the University of California approved the Upper
3 Hearst Development Plan for Goldman School of Public Policy (GSPP) and Minor Amendment to the 2020
4 Long Range Development Plan (2020 LRDP) (Project) and certified a Final Supplemental Environmental
5 Impact Report (FSEIR) for the Project.

6 2. This action challenges Respondents' approval of the Project on grounds the approval violates the
7 California Environmental Quality Act (CEQA).

8 3. Education Code section 67504 provides that "The Legislature further finds and declares that the
9 expansion of campus enrollment and facilities may negatively affect the surrounding environment.
10 Consistent with the requirements of the California Environmental Quality Act (CEQA), it is the intent of
11 the Legislature that the University of California sufficiently mitigate significant off-campus impacts related
12 to campus growth and development."

13 4. Public Resources Code section 21080.09, subdivision (b) requires that "Environmental effects
14 relating to changes in enrollment levels shall be considered for each campus or medical center of public
15 higher education in the environmental impact report prepared for the long range development plan for the
16 campus or medical center." Public Resources Code section 21080.09, subdivision (d) requires that
17 Respondents and the University of California, Berkeley "consider the environmental impact of academic
18 and enrollment plans" pursuant to CEQA and "that any such plans shall become effective for a campus ...
19 only after the environmental effects of those plans have been analyzed" as required by CEQA.

19 **Parties**

20 5. Plaintiff SAVE BERKELEY'S NEIGHBORHOODS (Plaintiff) is a California nonprofit public
21 benefit corporation formed to provide education and advocacy to improve quality of life, protect the
22 environment and implement best planning practices. Plaintiff's founders, members, and directors live in
23 the area affected by the Project's environmental effects, and will suffer injury from adverse environmental
24 impacts caused by this Project if the legal violations alleged herein are not remedied. Plaintiff was formed
25 and brings this action to represent and advocate the beneficial interests of its founders, members, and
26 directors in obtaining relief from these legal violations and to improve quality of life, protect the
27 environment and implement best planning practices in connection with UC Berkeley's increases in student
28 enrollment and expansion of infrastructure.

6. Respondent THE REGENTS OF THE UNIVERSITY OF CALIFORNIA (hereinafter "Regents")

1 is a public trust corporation and state agency established pursuant to the California Constitution vested with
2 administering the University of California including the management and disposition of property of the
3 University and the lead agency for the 2020 LRDP under CEQA, and is thus responsible for analyzing,
4 disclosing, and mitigating the environmental impacts of the 2020 LRDP and the excess increase in student
5 enrollment.

6 7. Respondent JANET NAPOLITANO is the President of the University of California and is named
7 herein solely in this capacity. Regents' Policy 8103 delegates to the President of the University the Regents'
8 authority for budget or design for capital projects consistent with approved Long Range Development Plans
9 and minor Long Range Development Plan amendments.

10 8. Respondent CAROL T. CHRIST is the Chancellor of the University of California, Berkeley, and
11 named herein solely in this capacity.

12 9. Respondents Regents, Janet Napolitano, and Carol T. Christ are hereinafter collectively referred to
13 as "Respondents."

14 10. Plaintiff does not know the true names and capacities of Respondents fictitiously named herein as
15 DOES 1 through 20, inclusive. Plaintiff is informed and believes, and thereon alleges, that such fictitiously
16 named Respondents are responsible in some manner for the acts or omissions complained of or pending
17 herein. Plaintiff will amend this Petition to allege the fictitiously named Respondents' true names and
18 capacities when ascertained.

19 **Statute of Limitations**

20 11. Respondents filed a Notice of Determination for the Project with the Governor's Office of Planning
21 and Research on May 17, 2019. Plaintiff filed this Petition within the thirty (30) day limitations period
22 provided in subdivision (c) of Public Resources Code section 21167(c).

23 **Notice Requirements**

24 12. In accordance with Public Resources Code section 21167.5, Plaintiff served Respondents with
25 written notice of commencement of this action on June 10, 2019. The Notice of Commencement of Action
26 and Proof of Service are attached hereto as Exhibit 1.

27 13. In accordance with Public Resources Code section 21167.7 and Code of Civil Procedure section 388,
28 Plaintiff has provided a copy of this pleading to the Attorney General's office. (See Exhibit 2 attached
hereto.)

1 **Jurisdiction and Venue**

2 14. Plaintiff brings this action in mandamus pursuant to Code of Civil Procedure sections 1085, 1088.5,
3 and 1094.5, and Public Resources Code sections 21168 and 21168.5; and as a complaint for declaratory
4 relief pursuant to Code of Civil Procedure section 1060. The Court has jurisdiction over these claims.

5 15. Venue is proper in Alameda County under Code of Civil Procedure section 394, subdivision (a),
6 because UC and Respondents are situated therein.

7 **Standing**

8 16. Plaintiff and, to the extent applicable, its members are beneficially interested in Respondents' full
9 compliance with CEQA. Respondents owed a mandatory duty to comply with CEQA with respect to the
10 2020 LRDP and the excess increase in student enrollment. Plaintiff has the right to enforce the mandatory
11 duties that CEQA imposes on Respondents.

12 **Exhaustion of Administrative Remedies**

13 17. Respondents' approval of the Project is final and not subject to further administrative appeal
14 procedures.

15 18. In accord with Public Resources Code section 21177, subdivision (b), Plaintiff objected to
16 Respondents' approval of the Project orally or in writing during the public comment period or prior to the
17 close of the public hearing on the Project before the filing of any Project related Notice of Determination.

18 19. In accordance with Public Resources Code section 21177, subdivision (a), all alleged grounds for
19 non-compliance with CEQA that are alleged herein were presented to Respondents during the public
20 comment period for, or prior to the close of the public hearing on, the Project.

21 20. In the alternative, pursuant to Public Resources Code section 21177, subdivision (e), there was no
22 opportunity for members of the public to raise the grounds of noncompliance alleged in this Petition prior
23 to Respondents' approval of the Project.

24 **Private Attorney General Doctrine**

25 21. Plaintiff brings this action as a private attorney general pursuant to Code of Civil Procedure section
26 1021.5, and any other applicable legal theory, to enforce important rights affecting the public interest.

27 22. Issuance of the relief requested herein will confer a significant benefit on a large class of persons by
28 ensuring that Respondents complete adequate environmental review of the Project's environmental effects.

29 23. Issuance of the relief requested herein will result in the enforcement of important rights affecting the
public interest. By compelling Respondents to complete adequate environmental review of the Project's

1 environmental effects, Plaintiff will vindicate the public's important CEQA rights to public disclosure
2 regarding and public participation in government decisions that affect the environment.

3 24. The necessity and financial burden of enforcement are such as to make an award of attorney's fees
4 appropriate in this proceeding because the transgressor is the agency whose duty it is to enforce the laws at
5 issue in this proceeding.

6 **First Cause of Action**
7 **(Violation of CEQA: Pub. Resources Code, § 21000 et seq.)**

8 25. Plaintiff hereby realleges and incorporates the preceding paragraphs this First Amended Petition and
9 Complaint as though set forth herein in full.

10 26. The paragraphs below refer to and rely on information in documents relating to this action, all of
11 which will be filed with this Court as part of the record of proceedings and which are incorporated by
12 reference.

13 27. Respondents prejudicially abused their discretion in violation of CEQA pursuant to Public Resources
14 Code sections 21168 and 21168.5 and Code of Civil Procedure sections 1085 and 1094.5.

15 28. Respondents violated CEQA because, without limitation, Respondents:

16 a. Certified a FSEIR that,

- 17 (1) Fails to present stable, accurate, and certain project description;
- 18 (2) Fails to accurately and sufficiently describe the affected environmental setting of the
19 project;
- 20 (3) Fails to include information necessary for informed decision making and informed
21 public participation, including information necessary to reach informed conclusions
22 regarding the significance of the Project's environmental impacts, the effectiveness of
23 mitigation measures to avoid the Project's significant environmental impacts, or the
24 feasibility of mitigation measures to reduce the Project's significant environmental impacts;
- 25 (4) Fails to analyze a range of reasonable alternatives;
- 26 (5) Fails to lawfully assess the Project's cumulative effects;
- 27 (6) Fails to present the best available information;
- 28 (7) Fails to provide good faith responses to comments on the DSEIR;

b. Failed and refused to recirculate a revised draft supplemental EIR including said necessary
information;

1 c. Failed and refused to prepare, circulate for public comment, and certify a subsequent, rather
2 than supplemental EIR;

3 d. With respect to the findings required by CEQA at Public Resource Code section 21081,
4 Respondents failed to make required findings, failed to make required findings in accordance with law,
5 failed to support the findings made with substantial evidence, and failed to disclose the analytic route
6 showing how the evidence supports said findings.

7 29. These violations of CEQA include, without limitation, the legal errors described in comment letters
8 submitted during the administrative process which are incorporated herein by reference, including, without
9 limitation, the following:

10 a. March 7, 2019, comment letter on the DSEIR from the City of Berkeley Landmarks
11 Preservation Commission (Steve Finacom) to Respondents;

12 b. March 11, 2019, comment letter on the DSEIR from the Berkeley Architectural Heritage
13 Association to Respondents;

14 c. April 12, 2019, comment letter on the DSEIR from the Southside Neighborhood Consortium
15 to Respondents;

16 d. April 11, 2019, comment letter on the DSEIR from Daniella Thompson;

17 e. April 12, 2019, comment letter on the DSEIR from the City of Berkeley (Timothy Burroughs)
18 to Respondents;

19 f. May 13, 2019, comment letter on the FSEIR from the City of Berkeley (Timothy Burroughs)
20 to Respondents.

21 30. The SEIR fails to lawfully assess the Project's environmental effects caused by increases in student
22 enrollment at the UC Berkeley campus since 2005.

23 a. As explained in the Southside Neighborhood Consortium's April 12, 2019, comment letter,
24 p. 1:

25 "The Project description is uncertain because while the NOP [Notice of Preparation] directly
26 asserts the increase in student enrollment above the 1,650 increase projected in 2005 is part
27 of the "project," the Draft SEIR equivocates on this commitment. Instead, the Draft SEIR has
28 artfully included the increase in student enrollment above the 1,650 increase projected in
2005 in the "baseline" or "environmental setting" rather than in the "project description." As
a result, the reader is left guessing as to whether the Draft SEIR actually evaluates the
environmental impacts of increases in student enrollment above the 1,650 increase projected
in 2005."

1 b. As explained in the City of Berkeley’s May 13, 2019, comment letter, p. 1:
2 “one of the ‘thematic responses’ provided in the FSEIR asserts that the document’s analysis
3 of increased enrollment is not part of the ‘project’ being analyzed, but rather just an ‘updated
4 baseline.’ As discussed below, this discussion is not responsive to the concerns raised in the
5 City’s comments on the draft SEIR, as it fails to point to any specific instance in which the
6 SEIR uses this ‘updated baseline’ in analyzing the impacts of the GSPP Project, and it
7 continues to refer to the SEIR’s analysis of impacts caused by this increased enrollment.
8 Under CEQA, a lead agency only analyzes project impacts. A baseline by definition has no
9 impacts.”

10 c. The SEIR fails to acknowledge that the Project would substantially increase the local
11 population and exacerbate inadequate housing conditions for university students and for City of Berkeley
12 residents or to lawfully assess the environmental effects of these changes. (See e.g., April 12, 2019,
13 Southside Neighborhood Consortium comment letter pp. 9-10; April 12, 2019, City of Berkeley comment
14 letter, p. 9; May 13, 2019, City of Berkeley comment letter, pp. 6-10.)

15 d. The SEIR fails to lawfully assess the effects of Project’s increases in student enrollment on
16 community aesthetics, including increases in street trash and littering. (See e.g., April 12, 2019, Southside
17 Neighborhood Consortium comment letter, pp. 7-8; April 12, 2019, City of Berkeley comment letter, p. 9;
18 May 13, 2019, City of Berkeley comment letter, pp. 6-10.)

19 e. The SEIR fails to acknowledge that the Project’s increased enrollment will result in a
20 substantial increase in service population that will significantly impact public services and infrastructure or
21 to lawfully assess the environmental effects of these changes. (See e.g., April 12, 2019, City of Berkeley
22 comment letter, p. 11; May 13, 2019, City of Berkeley comment letter, pp. 10-15.)

23 31. The SEIR fails to lawfully assess the Project’s effects on historic and cultural resources. The SEIR
24 fails to adequately describe existing conditions at the project site, including the historically significant
25 character of the area surrounding the Project site; the SEIR provides an incomplete analysis of impacts to
26 identified historic resources; the SEIR defers mitigation of significant impacts to identified historic
27 resources; the SEIR fails to adequately analyze or mitigate impacts relating to archaeological resources; and
28 the SEIR fails to analyze alternative building designs that avoid significant impacts on historic and cultural
resources. (See e.g., April 12, 2019, City of Berkeley comment letter , pp. 30-34; May 13, 2019, comment
letter from the City of Berkeley, pp. 21-25; March 7, 2019, City of Berkeley Landmarks Preservation
Commission (Steve Finacom) comment letter; March 11, 2019, Berkeley Architectural Heritage Association
comment letter; April 11. 2019 Daniella Thompson comment letter.)

- 1 32. The SEIR fails to adequately describe the Project. (See e.g., April 12, 2019, City of Berkeley
2 comment letter, p. 6; May 13, 2019, City of Berkeley comment letter, pp. 3-5.)
- 3 33. The SEIR unlawfully tiers to the 2020 LRDP EIR. (See e.g., April 12, 2019, City of Berkeley
4 comment letter, p. 7; May 13, 2019, City of Berkeley comment letter, p. 5.)
- 5 34. The SEIR fails to lawfully assess the Project's effects on traffic and transportation. (See e.g., April
6 12, 2019, City of Berkeley comment letter, p. 17; May 13, 2019, City of Berkeley comment letter, pp. 15-
7 18.)
- 8 35. The SEIR fails to lawfully assess the Project's effects on air quality. (See e.g., April 12, 2019, City
9 of Berkeley comment letter, p. 19-23; May 13, 2019, City of Berkeley comment letter, pp. 18-19.)
- 10 36. The SEIR fails to lawfully assess or mitigate the Project's effects on greenhouse gas emissions and
11 climate change. (See e.g., April 12, 2019, City of Berkeley comment letter, pp. 23-26; May 13, 2019, City
12 of Berkeley comment letter, pp. 18-19.)
- 13 37. The SEIR fails to lawfully assess or mitigate the Project's effects on noise pollution. (See e.g., April
14 12, 2019, Southside Neighborhood Consortium comment letter, pp. 8-9; April 12, 2019, City of Berkeley
15 comment letter, p. 26; May 13, 2019, City of Berkeley comment letter, pp. 19-20.)
- 16 38. The SEIR fails to lawfully assess or mitigate the Project's land use effects and inconsistencies with
17 the City's General Plan and zoning laws. (See e.g., April 12, 2019, City of Berkeley comment letter, pp. 27-
18 29; May 13, 2019, City of Berkeley comment letter, pp. 26-27).
- 19 39. The SEIR fails to lawfully assess or mitigate the Project's effects on water quality and hydrology.
20 (See e.g., April 12, 2019, City of Berkeley comment letter, p. 34.)
- 21 40. The SEIR fails to lawfully assess or mitigate the Project's growth inducing effects. (See e.g., April
22 12, 2019, City of Berkeley comment letter, pp. 37-38; May 13, 2019, City of Berkeley comment letter, p.
23 27.)
- 24 41. The SEIR fails to lawfully assess or mitigate the Project's cumulative effects. (See e.g., April 12,
25 2019, City of Berkeley comment letter, pp. 38-39.)
- 26 42. The SEIR's analysis of Project alternatives omits essential information, including an analysis of a
27 range of reasonable alternatives. (See e.g., April 12, 2019, Southside Neighborhood Consortium comment
28 letter, pp. 10-11; April 12, 2019, City of Berkeley comment letter, pp. 30-34, 39-41; May 13, 2019, City of
Berkeley comment letter, p. 28).
43. Plaintiff has no other plain, speedy, and adequate remedy in the ordinary course of law and will suffer

1 irreparable injury unless this Court issues the relief requested herein.

2 **Prayer for Relief**

3 WHEREFORE, Petitioners pray for the following relief:

4 44. For a peremptory writ of mandate pursuant to Public Resources Code section 21168.9 and Code of
5 Civil Procedure sections 1085 or 1094.5:

6 a. Ordering Respondents to void their approval of the Project;

7 b. Ordering Respondents to take any other actions the Court finds necessary to bring its
8 determinations, findings, or decisions on the Project into compliance with CEQA and applicable planning
9 laws;

10 c. Retaining the Court’s jurisdiction over this matter until Respondents comply with the
11 peremptory writ of mandate.

12 45. For an order compelling Respondents to pay Petitioners’ costs of suit.

13 46. For an order compelling Respondents to pay Petitioners’ reasonable attorneys fees pursuant to Code
14 of Civil Procedure section 1021.5.

15 47. For such other relief as the Court may deem proper.

16 DATED: June 13, 2019

LAW OFFICES OF THOMAS N. LIPPE, APC

17 

18 _____
19 Thomas N. Lippe
20 Attorney for Plaintiff Save Berkeley’s Neighborhoods
21
22
23
24
25
26
27
28

1 VERIFICATION

2 *Save Berkeley's Neighborhoods v. The Regents of the University of California*, Alameda County Superior
3 Court, Case No. _____.

4 I, Thomas N. Lippe, declare that:

5 1. I am an attorney at law duly admitted and licensed to practice before all courts of this State. I am
6 the attorney of record for the Plaintiff in this action.

7 2. Plaintiff has their place of business in Alameda County, California, and therefore are absent from
8 the county in which I have my office. For that reason, I make this verification on its behalf.

9 3. I have read the foregoing Petition for Writ of Mandate and know the contents thereof; the factual
10 allegations therein are true of my own knowledge, except as to those matters which are therein stated upon
11 my information or belief, and as to those matters I believe them to be true.

12 I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true
13 and correct. Executed on June 13, 2019, at San Francisco, California.

14 

15 _____
16 Thomas N. Lippe

17 Attorney for Plaintiff Save Berkeley's Neighborhoods

18 P001e Petition.wpd

EXHIBIT 1

Law Offices of
THOMAS N. LIPPE, APC

201 Mission Street
12th Floor
San Francisco, California 94105

Telephone: 415-777-5604
Facsimile: 415-777-5606
Email: Lippelaw@sonic.net

June 10, 2019

By email: chancellor@berkeley.edu
Chancellor Carol T. Christ
University of California, Berkeley
c/o Jenny Hanson
Executive Assistant to the Chancellor
Office of the Chancellor
200 California Hall, #1500
Berkeley, CA 94720-1500

By email: regentsoffice@ucop.edu
Regents of the University of California
c/o Anne Shaw
Office of the Secretary and Chief of Staff to the Regents
1111 Franklin St., 12th floor
Oakland, CA 94607

Re: Notice of Intent to Sue Regarding Upper Hearst Development Plan for Goldman School of Public Policy (GSPP) and Minor Amendment to the 2020 Long Range Development Plan (2020 LRDP) and Final Supplemental Environmental Impact Report.

Dear Chancellor Christ and Regents of the University of California:

This letter provides notice pursuant to Public Resources Code section 21167.5 that on or before June 13, 2019, Save Berkeley's Neighborhoods (Petitioner) intends to file a lawsuit challenging the University's adoption of the Upper Hearst Development Plan for Goldman School of Public Policy (GSPP) and Minor Amendment to the 2020 Long Range Development Plan (2020 LRDP) (Project) and certification of a Final Supplemental Environmental Impact Report (FSEIR) for the Project. The action will challenge The Regents' approval of the Project on grounds the approval violates the California Environmental Quality Act (CEQA).

Petitioner is interested in discussing settlement of this dispute without the need for litigation. Toward that end, Petitioner proposes that the University meet with Petitioner as soon as possible to discuss their concerns regarding the Upper Hearst project and to explore possible resolutions that might obviate the need for Petitioner to proceed with filing the above-described action. Petitioner also proposes that the University agree to toll CEQA's limitations period to provide an opportunity for pre-litigation settlement discussions.

I have calendared June 17, 2019, as the last day to file the action consistent with CEQA's

Chancellor Carol T. Christ, University of California, Berkeley
Regents of the University of California
Notice of Intent to Sue Regarding Upper Hearst Development Plan for Goldman School of
Public Policy (GSPP) and Minor Amendment to the 2020 Long Range Development Plan (2020
LRDP) and Final Supplemental Environmental Impact Report.
June 10, 2019
Page 2

statute of limitations. However, I will be unavailable June 14 through 18. Therefore, unless the
Regents agree to toll the limitations period to discuss settlement, Petitioner intends to file the
action on June 13, 2019.

Thank you for your attention to this matter.

Very Truly Yours,



Thomas N. Lippe

cc:

Charles F. Robinson, General Counsel and Vice President – Legal Affairs, University of
California, Office of the President

By email: charles.robinson@ucop.edu

David M. Robinson, Chief Campus Counsel, UC Berkeley

By email: dmrobinson@berkeley.edu

Timothy Cremin, Meyers/Nave

By email: tcremin@meyersnave.com

T:\TL\Goldman EIR\Trial\Pleadings\P002c Notice of Commence.wpd

1 Thomas N. Lippe, SBN 104640
2 LAW OFFICES OF THOMAS N. LIPPE, APC
3 201 Mission Street, 12th Floor
4 San Francisco, California 94105
5 Tel: (415) 777-5604
6 Fax: (415) 777-5606
7 E-mail: Lippelaw@sonic.net

8 Attorney for Plaintiff: Save Berkeley's Neighborhoods

9
10 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **IN AND FOR THE COUNTY OF ALAMEDA**

12 SAVE BERKELEY'S NEIGHBORHOODS, a
13 California nonprofit public benefit corporation;

14 Plaintiff,

15 vs.

16 THE REGENTS OF THE UNIVERSITY OF
17 CALIFORNIA; JANET NAPOLITANO, in her
18 capacity as President of the University of
19 California; CAROL T. CHRIST, in her capacity as
20 Chancellor of the University of California,
21 Berkeley; and DOES 1 through 20,

22 Respondents.

Case No.

PROOF OF SERVICE

**[CALIFORNIA ENVIRONMENTAL
QUALITY ACT]**

1 **PROOF OF SERVICE**

2 I am a citizen of the United States, employed in the City and County of San Francisco, California.
3 My business address is 201 Mission Street, 12th Floor, San Francisco, CA 94105. I am over the age of 18
4 years and not a party to the above entitled action. On June 10, 2019, I served the following document on
5 the parties below, as designated:

- 6 ● **Re: Notice of Intent to Sue Regarding Upper Hearst Development Plan**
7 **for Goldman School of Public Policy (GSPP) and Minor Amendment to**
8 **the 2020 Long Range Development Plan (2020 LRDP) and Final**
9 **Supplemental Environmental Impact Report**

10 **MANNER OF SERVICE**
11 **(check all that apply)**

12 By Mail: In the ordinary course of business, I caused each such envelope to be
13 placed in the custody of the United States Postal Service, with
14 postage thereon fully prepaid in a sealed envelope.

15 By E-mail: I caused such document to be served via electronic mail equipment
16 transmission (E-mail) on the parties as designated on the attached
17 service list by transmitting a true copy to the following E-mail
18 addresses listed under each addressee below.

19 I declare under penalty of perjury under the laws of the State of California that the foregoing is true
20 and correct. Executed on June 10, 2019, in the City and County of San Francisco, California

21 *Kelly Marie Perry*
22 Kelly Marie Perry

23 //
24 //
25 //
26 //
27 //
28 //

1 **SERVICE LIST**

2

3

4

5

6

7

8

9

10

11

12

13

14

15

Chancellor Carol T. Christ University of California, Berkeley c/o Jenny Hanson Executive Assistant to the Chancellor Office of the Chancellor 200 California Hall, #1500 Berkeley, CA 94720-1500 <i>email: chancellor@berkeley.edu</i>	Regents of the University of California c/o Anne Shaw Office of the Secretary and Chief of Staff to the Regents 1111 Franklin St., 12th floor Oakland, CA 94607 <i>email: regentsoffice@ucop.edu</i>
David M. Robinson Chief Campus Counsel Office of the Chancellor University of California, Berkeley 200 California Hall # 1500 Berkeley, CA 94720-1500 <i>email: dmrobinson@berkeley.edu</i>	Charles F. Robinson Office of the General Counsel University of California Office of the President 1111 Franklin St., 8th Floor Oakland, CA 94607
Timothy Cremin Meyers Nave 555 12th Street, Suite 1500 Oakland, California 94607 <i>email: tcremin@meyersnave.com</i>	

16

17 P003 POS Notice Commence 061019.wpd

18

19

20

21

22

23

24

25

26

27

28

EXHIBIT 2

1 Thomas N. Lippe, SBN 104640
2 LAW OFFICES OF THOMAS N. LIPPE, APC
3 201 Mission Street, 12th Floor
4 San Francisco, California 94105
5 Tel: (415) 777-5604
6 Fax: (415) 777-5606
7 E-mail: Lippelaw@sonic.net

8 Attorney for Plaintiff: Save Berkeley's Neighborhoods

9
10 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **IN AND FOR THE COUNTY OF ALAMEDA**

12 SAVE BERKELEY'S NEIGHBORHOODS, a
13 California nonprofit public benefit corporation;
14 Plaintiff,

15 vs.

16 THE REGENTS OF THE UNIVERSITY OF
17 CALIFORNIA; JANET NAPOLITANO, in her
18 capacity as President of the University of
19 California; CAROL T. CHRIST, in her capacity as
20 Chancellor of the University of California,
21 Berkeley; and DOES 1 through 20,
22 Respondents.

Case No.

PROOF OF SERVICE

[CEQA]

1 **PROOF OF SERVICE**

2 I am a citizen of the United States, employed in the City and County of San Francisco, California.
3 My business address is 201 Mission Street, 12th Floor, San Francisco, CA 94105. I am over the age of 18
4 years and not a party to the above entitled action. On June 13, 2019, I served the following document on
5 the parties below, as designated:

- 6 • **PETITION FOR WRIT OF MANDATE**

7 **MANNER OF SERVICE**
8 **(check all that apply)**

9 By Mail: In the ordinary course of business, I caused each such envelope to be
10 placed in the custody of the United States Postal Service, with
11 postage thereon fully prepaid in a sealed envelope.
12

13 I declare under penalty of perjury under the laws of the State of California that the foregoing is true
14 and correct. Executed on June 13, 2019, in the City and County of San Francisco, California
15

16 *Kelly Marie*
17 _____
18 Kelly Marie Perry

19 **SERVICE LIST**

20
21 Hon. Xavier Becerra
22 Attorney General
23 State of California
24 Office of the Attorney General
25 1300 I Street
26 Sacramento, CA 95814

27 T:\TL\Goldman EIR\Trial\Pleadings\P008 POS Ag Petition.wpd
28
29
30