

1 XAVIER BECERRA  
Attorney General of California  
2 HARINDER K. KAPUR  
Senior Assistant Attorney General  
3 State Bar Number: 198769  
STACEY L. ROBERTS  
4 Supervising Deputy Attorney General  
State Bar Number: 237998  
5 600 West Broadway, Suite 1800  
San Diego, CA 92101  
6 P.O. Box 85266  
San Diego, CA 92186-5266  
7 Telephone: (619) 738-9407  
Fax: (619) 645-2061  
8 E-mail: Harinder.Kapur@doj.ca.gov  
*Attorneys for Bureau of Cannabis Control  
9 and Lori Ajax, Chief of the Bureau of Cannabis  
Control*

**FILED**  
JAN 13 2020  
FRESNO COUNTY SUPERIOR COURT  
By \_\_\_\_\_ DEPT. 403

RECEIVED  
12/19/2019 11:19 AM  
FRESNO COUNTY SUPERIOR COURT  
By: A. Ramos, Deputy

*Exempt from filing fees  
pursuant to Gov. Code §6103*

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF FRESNO  
12  
13  
14

15 **COUNTY OF SANTA CRUZ, ET AL.,**

16 Plaintiffs,

17 v.

18 **BUREAU OF CANNABIS CONTROL;**  
19 **LORI AJAX, in her official capacity as**  
20 **Chief of the Bureau of Cannabis Control;**  
21 **and DOES 1 through 10, inclusive,**

22 Defendants.

Case No. 19CECG01224

**JOINT PETITION AND [PROPOSED]  
ORDER RE: EXEMPTION FROM  
ALTERNATIVE DISPUTE  
RESOLUTION, MANDATORY  
SETTLEMENT CONFERENCE, AND  
TRIAL READINESS CONFERENCE**

Dept: 502  
Judge: The Honorable Alan M. Simpson  
Trial Date: April 20, 2020  
Action Filed: April 4, 2019

23 Plaintiffs County of Santa Cruz, et al. (Plaintiffs) filed a complaint for declaratory relief  
24 against Defendants Bureau of Cannabis Control and Lori Ajax, in her official capacity as the  
25 Chief of the Bureau of Cannabis Control, (Defendants) alleging that the California Code of  
26 Regulations, title 16, section 5416, subdivision (d) (Cannabis Delivery Regulation) is invalid  
27 because it is inconsistent with Proposition 64 and the Medicinal and Adult-Use Cannabis  
28 Regulation and Safety Act (California Business and Professions Code section 26000, et seq.).

1 Because this case involves purely a question of law (i.e., the validity of the Cannabis Delivery  
2 Regulation), Plaintiffs and Defendants seek an order from the Court exempting the parties from  
3 the following Court requirements and dates:

4 1. Alternative Dispute Resolution requirement pursuant to Local Rule, Rule 2.4.1 and  
5 Civil Standing Order No. 07-0628;

6 2. Hearing on Order to Show Cause re: Alternative Dispute Resolution Stipulation on  
7 January 21, 2020 at 3:30 p.m.;

8 3. Mandatory Settlement Conference on April 2, 2020 at 10:00 a.m.; and,

9 4. Trial Readiness Conference on April 17, 2020 at 9:30 a.m.

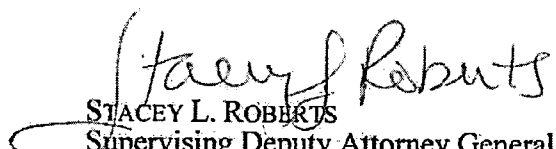
10 The parties are seeking exemption from these requirements and Court dates pursuant to  
11 Local Rule 2.5.1 and 2.6.2 on the grounds that this case involves strictly a legal question  
12 regarding whether the Cannabis Delivery Regulation is consistent with Proposition 64 and the  
13 Medicinal and Adult-Use Cannabis Regulation and Safety Act, the parties concurrently filed a  
14 proposed trial briefing schedule, and it would be extremely unlikely that alternative dispute  
15 resolution and a settlement conference will resolve this dispute over the interpretation of  
16 Cannabis Delivery Regulation.

17 **IT IS SO STIPULATED.**

18 Dated: December 17, 2019

Respectfully Submitted,

19 XAVIER BECERRA  
20 Attorney General of California  
21 HARINDER K. KAPUR  
22 Senior Assistant Attorney General

23   
24 STACEY L. ROBERTS  
25 Supervising Deputy Attorney General  
26 *Attorneys for Defendants, Bureau of*  
27 *Cannabis Control and Lori Ajax, Chief of*  
28 *the Bureau of Cannabis Control*

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: December 17, 2019

Respectfully Submitted,  
CHURCHWELL WHITE LLP

  
STEVEN G. CHURCHWELL  
*Attorneys for Plaintiffs*

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

**ORDER**

Good cause appearing therefor, the Court hereby orders that:

1. The parties are exempt from the Alternative Dispute Resolution requirement set forth under Local Rule, Rule 2.4.1 and Civil Standing Order No. 07-0628;
2. The Hearing on Order to Show Cause re: Alternative Dispute Resolution Stipulation on January 21, 2020 at 3:30 p.m. is vacated;
3. The parties are exempt from the Mandatory Settlement Conference under Local Rule, Rule 2.5.1;
4. The Mandatory Settlement Conference on April 2, 2020 at 10:00 a.m. is vacated;
4. The parties are exempt from the Trial Readiness Conference under 2.6.2; and
6. The Trial Readiness Conference on April 17, 2020 at 9:30 a.m. is vacated

**IT IS SO ORDERED.**

DATED: 1/13/20

Rosemary Mc Guire  
JUDGE OF THE SUPERIOR COURT