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17 Attorneys for Plaintiffs  
18 COUNTY OF SANTA CRUZ, et al

19 SUPERIOR COURT OF THE STATE OF CALIFORNIA

20 COUNTY OF FRESNO

21 COUNTY OF SANTA CRUZ; CITY OF  
22 AGOURA HILLS; CITY OF ANGELS CAMP;  
23 CITY OF ARCADIA; CITY OF ATWATER;  
24 CITY OF BEVERLY HILLS; CITY OF CERES;  
25 CITY OF CLOVIS; CITY OF COVINA; CITY  
26 OF DIXON; CITY OF DOWNEY; CITY OF  
27 MCFARLAND; CITY OF NEWMAN; CITY OF  
28 OAKDALE; CITY OF PALMDALE; CITY OF  
PATTERSON; CITY OF RIVERBANK; CITY  
OF RIVERSIDE; CITY OF SAN PABLO; CITY  
OF SONORA; CITY OF TEHACHAPI; CITY  
OF TEMECULA; CITY OF TRACY; CITY OF  
TURLOCK; and CITY OF VACAVILLE,

Plaintiffs,

v.

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

Defendants.

Filing Fee Exempt  
(Gov. Code § 6103)

E-FILED  
5/4/2020 8:00 AM  
Superior Court of California  
County of Fresno  
By: C. York, Deputy

Case No.: 19CECG01224

**REQUEST FOR JUDICIAL NOTICE**

Complaint filed: April 4, 2019  
Trial Date: July 16, 2020

Assigned for all purposes to Judge Rosemary  
McGuire, Department 403.

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TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that pursuant to Evidence Code sections 450 et seq. and California Rules of Court, rule 3.1306, subdivision (c), Plaintiffs County of Santa Cruz, et al. (“Plaintiffs”), request that the Court take judicial notice of the following documents:

**DOCUMENTS TO BE JUDICIALLY NOTICED**

**A. Documents 1-35: Official Acts of Legislative Bodies**

1. Santa Cruz County Code, chapters 7.130 and 7.134. A true and correct copy is attached hereto as **Exhibit 1**.
2. Ordinance of the City of Agoura Hills, Ordinance Number 17-429, August 23, 2017. A true and correct copy is attached hereto as **Exhibit 2**.
3. Ordinance of the City of Angels Camp, Ordinance Number 483, June 19, 2018. A true and correct copy is attached hereto as **Exhibit 3**.
4. Ordinance of the City of Arcadia, Ordinance Number 2340, October 4, 2016. A true and correct copy is attached hereto as **Exhibit 4**.
5. Ordinance of the City of Atwater, Ordinance Number 996, May 14, 2018. A true and correct copy is attached hereto as **Exhibit 5**.
6. Ordinance of the City of Beverly Hills, Ordinance Number 17-O-2734, September 8, 2017. A true and correct copy is attached hereto as **Exhibit 6**.
7. Ordinance of the City of Clovis, Ordinance Number 04-56, December 6, 2004. A true and correct copy is attached hereto as **Exhibit 7**.
8. Ordinance of the City of Clovis, Ordinance Number 05-1, January 10, 2005. A true and correct copy is attached hereto as **Exhibit 8**.
9. Ordinance of the City of Clovis, Ordinance Number 12-08, October 8, 2012. A true and correct copy is attached hereto as **Exhibit 9**.
10. Ordinance of the City of Clovis, Ordinance Number 15-22, November 9, 2015. A true and correct copy is attached hereto as **Exhibit 10**.
11. Ordinance of the City of Clovis, Ordinance Number 16-23, October 3, 2016. A true and correct copy is attached hereto as **Exhibit 11**.

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- 12. Ordinance of the City of Clovis, Ordinance Number 17-25, November 13, 2017. A true and correct copy is attached hereto as **Exhibit 12**.
- 13. Ordinance of the City of Ceres, Ordinance Number 2018-1045, May 29, 2018. A true and correct copy is attached hereto as **Exhibit 13**.
- 14. Ordinance of the City of Covina, Ordinance, Ordinance Number 17-09, September 5, 2017. A true and correct copy is attached hereto as **Exhibit 14**.
- 15. Ordinance of the City of Dixon, Ordinance Number 17-008, November 28, 2017. A true and correct copy is attached hereto as **Exhibit 15**.
- 16. Ordinance of the City of Downey, Ordinance Number 17-1384, October 24, 2017. A true and correct copy is attached hereto as **Exhibit 16**.
- 17. Ordinance of the City of McFarland, Ordinance Number 075-2017, November 9, 2017. A true and correct copy is attached hereto as **Exhibit 17**.
- 18. Ordinance of the City of McFarland, Ordinance Number 078-2017, November 9, 2017. A true and correct copy is attached hereto as **Exhibit 18**.
- 19. Ordinance of the City of Newman, Ordinance Number 2016-01, January 26, 2016. A true and correct copy is attached hereto as **Exhibit 19**.
- 20. Ordinance of the City of Newman, Ordinance Number 2017-01, July 11, 2017. A true and correct copy is attached hereto as **Exhibit 20**.
- 21. Ordinance of the City of Oakdale, Ordinance Number 1251, November 20, 2017. A true and correct copy is attached hereto as **Exhibit 21**.
- 22. Ordinance of the City of Oakdale, Ordinance Number 1255, February 20, 2018. A true and correct copy is attached hereto as **Exhibit 22**.
- 23. Ordinance of the City of Palmdale, Ordinance Number 1504, November 3, 2017. A true and correct copy is attached hereto as **Exhibit 23**.
- 24. Ordinance of the City of Patterson, Ordinance Number 806, November 7, 2017. A true and correct copy is attached hereto as **Exhibit 24**.
- 25. Ordinance of the City of Riverbank, Ordinance Number 2017-007, August 22, 2017. A true and correct copy is attached hereto as **Exhibit 25**.

- 1 26. Ordinance of the City of Riverside, Ordinance Number 7431, July 24, 2018. A true  
2 and correct copy is attached hereto as **Exhibit 26**.
- 3 27. Ordinance of the City of San Pablo, Ordinance Number 2017-005, September 18,  
4 2017. A true and correct copy is attached hereto as **Exhibit 27**.
- 5 28. Ordinance of the City of Sonora, Ordinance Number 2017-848, January 16, 2018.  
6 A true and correct copy is attached hereto as **Exhibit 28**.
- 7 29. Ordinance of the City of Tehachapi, Ordinance Number 17-06-744, October 16,  
8 2017. A true and correct copy is attached hereto as **Exhibit 29**.
- 9 30. Ordinance of the City of Tehachapi, Ordinance Number 17-08-746, December 18,  
10 2017. A true and correct copy is attached hereto as **Exhibit 30**.
- 11 31. Ordinance of the City of Temecula, Ordinance Number 17-02, June 13, 2017. A  
12 true and correct copy is attached hereto as **Exhibit 31**.
- 13 32. Ordinance of the City of Tracy, Ordinance Number 1277, December 3, 2019. A  
14 true and correct copy is attached hereto as **Exhibit 32**.
- 15 33. Ordinance of the City of Tracy, Ordinance Number 1278, December 3, 2019. . A  
16 true and correct copy is attached hereto as **Exhibit 33**.
- 17 34. Ordinance of the City of Turlock, Ordinance Number 1255-CS, June 11, 2019. A  
18 true and correct copy is attached hereto as **Exhibit 34**.
- 19 35. Ordinance of the City of Vacaville, Ordinance Number 1944, June 25, 2019. A  
20 true and correct copy is attached hereto as **Exhibit 35**.

21 **B. Documents 36-44: Court Records**

- 22 36. Petition for Writ of Mandate and Verified Complaint for Declaratory and  
23 Injunctive Relief in *East of Eden, et al. v. Santa Cruz County, et al.*, Santa Cruz  
24 County Superior Court Case No. 19CV02072 (Filed July 12, 2019). A true and  
25 correct copy is attached hereto as **Exhibit 36**.
- 26 37. Defendants and Respondents' Opposition to Plaintiff's Motion for Preliminary  
27 Injunction in *East of Eden, et al. v. Santa Cruz County, et al.*, Santa Cruz County  
28 Superior Court Case No. 19CV02072 (Filed September 5, 2019). A true and

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correct copy is attached hereto as **Exhibit 37**.

38. Order Denying Plaintiff and Petitioner’s Motion for Preliminary Injunction in *East of Eden, et al. v. Santa Cruz County, et al.*, Santa Cruz County Superior Court Case No. 19CV02072 (Filed September 18, 2019). A true and correct copy is attached hereto as **Exhibit 38**.

39. Bureau of Cannabis Control Notice of Motion and Motion for Leave to Intervene in *East of Eden, et al. v. Santa Cruz County, et al.*, Santa Cruz County Superior Court Case No. 19CV02072 (Filed November 18, 2019). A true and correct copy is attached hereto as **Exhibit 39**.

40. Complaint for Injunctive and Declaratory Relief in Intervention of Real Party in Interest/Intervenor/Plaintiff the California Bureau of Cannabis Control in *East of Eden, et al. v. Santa Cruz County, et al.*, Santa Cruz County Superior Court Case No. 19CV02072 (Filed January 10, 2020). A true and correct copy is attached hereto as **Exhibit 40**.

41. East of Eden Cannabis Co. Request for Dismissal in *East of Eden, et al. v. Santa Cruz County, et al.*, Santa Cruz County Superior Court Case No. 19CV02072 (Filed February 4, 2020). A true and correct copy is attached hereto as **Exhibit 41**.

42. East of Eden Cannabis Co. Notice of Entry of Dismissal in *East of Eden, et al. v. Santa Cruz County, et al.*, Santa Cruz County Superior Court Case No. 19CV02072 (Filed February 6, 2020). A true and correct copy is attached hereto as **Exhibit 42**.

43. Bureau of Cannabis Control Request for Dismissal in *East of Eden, et al. v. Santa Cruz County, et al.*, Santa Cruz County Superior Court Case No. 19CV02072 (Filed February 10, 2020). A true and correct copy is attached hereto as **Exhibit 43**.

44. Bureau of Cannabis Control Notice of Entry of Dismissal in *East of Eden, et al. v. Santa Cruz County, et al.*, Santa Cruz County Superior Court Case No. 19CV02072 (Filed February 13, 2020). A true and correct copy is attached hereto

1 as **Exhibit 44.**

2 **C. Documents 45-55: Legislative History and Ballot Information**

- 3 45. Proposition 64, as approved by voters, General Election (November 8, 2016). A  
4 true and correct copy is attached hereto as **Exhibit 45.**
- 5 46. Official Voter Information Guide for the California General Election on November  
6 8, 2016 (“Official Voter Information Guide”), showing the text of Proposition 64  
7 starting at page 178 and the title summary and analysis starting at page 90. A true  
8 and correct copy is attached hereto as **Exhibit 46.**
- 9 47. California Regulatory Notice Register 2017, No. 51-Z. A true and correct copy is  
10 attached hereto as **Exhibit 47.**
- 11 48. Legislative History of Senate Bill 1302 (2017-2018 Reg. Sess.), obtained from the  
12 Official California Legislative Information, showing that the bill was ordered to  
13 inactive file on request of Senator Lara on May 31, 2018, and died on the inactive  
14 file on November 30, 2018. A true and correct copy is attached hereto as **Exhibit**  
15 **48.**
- 16 49. Analysis of Senate Bill 1302 by the Senate Committee on Governance and Finance  
17 (2017-2018 Reg. Sess.), as amended April 26, 2018, obtained from the Official  
18 California Legislative Information. A true and correct copy is attached hereto as  
19 **Exhibit 49.**
- 20 50. Legislative Counsel Digest’s of Assembly Bill No. 2020 (2017-2018 Reg. Sess.),  
21 obtained from the Official California Legislative Information. A true and correct  
22 copy is attached hereto as **Exhibit 50.**
- 23 51. California Regulatory Notice Register 2018, No. 28-Z. A true and correct copy is  
24 attached hereto as **Exhibit 51.**
- 25 52. The relevant portion of the Bureau of Cannabis Control California Code of  
26 Regulations Title 16, Division 42 Medicinal and Adult-Use Cannabis Regulation  
27 Initial Statement of Reasons. A true and correct copy of the relevant portions is  
28 attached hereto as **Exhibit 52.**

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- 53. Cannabis Advisory Committee Meeting Minutes (August 20, 2018), as obtained from <[https://bcc.ca.gov/about\\_us/meetings/materials/20181108\\_cac\\_2.pdf](https://bcc.ca.gov/about_us/meetings/materials/20181108_cac_2.pdf)> (as of April 13, 2020). A true and correct copy is attached hereto as **Exhibit 53**.
- 54. Legislative Counsel Digest's of Assembly Bill No. 97 (2019-2020 Reg. Sess.), obtained from the Official California Legislative Information. A true and correct copy is attached hereto as **Exhibit 54**.
- 55. Cal. Reg. Notice Register 2018, No. 24-Z. A true and correct copy is attached hereto as **Exhibit 55**.

DATED: April 24, 2020

CHURCHWELL WHITE LLP

By:           /s/ Steven G. Churchwell            
STEVEN G. CHURCHWELL  
*Attorneys for Plaintiffs County of Santa Cruz, et al.*