

Case No. D079215

In the Court of Appeal, State of California

FOURTH APPELLATE DISTRICT, DIVISION ONE

UL CHULA TWO LLC,

Plaintiff and Appellant

vs.

CITY OF CHULA VISTA,

Respondent and Appellant.

Appeal From the Superior Court of the State of California
County of San Diego, Case No. 37-2020-00041554-CU-WM-CTL
Honorable Richard E. L. Strauss, Judge Presiding

NOTICE OF LODGMENT OF THE ADMINISTRATIVE RECORD

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Pursuant to California Rules of Court, rule 8.123(d)(1), Respondents, City of Chula Vista and Chula Vista City Manager (jointly, "City"), March and Ash Chula Vista, Inc., and TD Enterprise, LLC hereby give notice of lodgment of the complete Administrative Record with this Court.

The Administrative Record was lodged with this Court on March 24, 2022 via flash drive in electronic format and includes one (1) PDF formatted file indexed and bookmarked with tabs and one (1) video and was lodged with this Court via USB. The tabs are numbered one (1) through (16). It comprises 428 pages of documents, excluding the index. The Bates Numbers are AR00001 through AR00428. The index is two (2) pages long.

The Administrative Record was previously lodged with the trial court by the City and returned to Counsel for the City following the trial court's ruling in this action. A copy of the Administrative Record was served on Appellant, UL Chula Two LLC, during the trial court proceedings and was once again served electronically via a OneDrive link on Counsel for Appellant, UL Chula Two LLC, on March 24, 2022, the date of lodgment with this Court

Respectfully submitted,

DATED: March 24, 2022

**COLANTUONO, HIGHSMITH &
WHATLEY, PC**



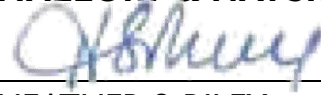
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Attorneys for City of Chula Vista and
the Chula Vista City Manager

DATED: March 24, 2022

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PROOF OF SERVICE

UL Chula Two LLC v. City of Chula Vista, et al.

San Diego Superior Court, Case No. 37-2020-00041554-CU-WM-CTL

Court of Appeal for the State of California,

Fourth Appellate District, Division One - Case No.: D079215

Our File No.: 33020-0009

I, Lourdes Hernandez, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 790 E. Colorado Boulevard, Suite 850, Pasadena, California 91101-2109. My email address is: LHernandez@chwlaw.us. On March 24, 2022, I served the document(s) described as **NOTICE OF LODGMENT OF THE ADMINISTRATIVE RECORD** on the interested parties in this action addressed as follows:

SEE ATTACHED SERVICE LIST

- ☒ **BY ELECTRONIC TRANSMISSION:** By causing a true copy of the document(s) to be sent to the persons at the e-mail addresses listed on the service list on March 24, 2022, from the court authorized e-filing service at TrueFiling. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.
- ☒ **BY MAIL:** The envelope was mailed with postage thereon fully prepaid. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Pasadena, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after service of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on March 24, 2022, at Pasadena, California.

/s/ Lourdes Hernandez

Lourdes Hernandez

SERVICE LIST

UL Chula Two LLC v. City of Chula Vista, et al.

San Diego Superior Court, Case No. 37-2020-00041554-CU-WM-CTL

Court of Appeal for the State of California,

Fourth Appellate District, Division One - Case No.: D079215

Our File No.: 33020-0009

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STATE OF CALIFORNIA
California Court of Appeal, Fourth
Appellate District Division 1

PROOF OF SERVICE

STATE OF CALIFORNIA
California Court of Appeal, Fourth
Appellate District Division 1

Case Name: **UL Chula Two LLC v. City of Chula Vista et al.**

Case Number: **D079215**

Lower Court Case Number: **37-2020-00041554-CU-WM-CTL**

1. At the time of service I was at least 18 years of age and not a party to this legal action.

2. My email address used to e-serve: **ashamos@chwlaw.us**

3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
BRIEF - RESPONDENTS BRIEF (FEE PREVIOUSLY PAID)	Joint Respondents Brief
MISCELLANEOUS - ADDITIONAL DOCUMENTS	Notice of Lodgment of AR

Service Recipients:

Person Served	Email Address	Type	Date / Time
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This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

3/24/2022

Date

/s/Lourdes Hernandez

Signature

Shamos, Alena (216548)

Last Name, First Name (PNum)

Colantuono, Highsmith & Whatley, PC

Law Firm