

1 JAN I. GOLDSMITH, City Attorney  
DANIEL F. BAMBERG, Assistant City Attorney  
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California State Bar No. 137757  
5 Office of the City Attorney  
1200 Third Avenue, Suite 1100  
6 San Diego, California 92101-4100  
Telephone: (619) 533-5800  
7 Facsimile: (619) 533-5856

Exempt from fees per Gov't Code § 6103  
To the benefit of the City of San Diego

8 Attorneys for Defendant and Respondent  
CITY OF SAN DIEGO

10 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

11 CENTRAL DIVISION

12 SAN DIEGANS FOR OPEN GOVERNMENT, ) Case No. 37-2013-00056051-CU-MC-CTL  
13 Plaintiff and Petitioner, )  
14 v. ) **NOTICE OF PRODUCTION TO**  
15 CITY OF SAN DIEGO, and DOES 1 through ) **PLAINTIFF OF TRANSCRIPTS**  
100, ) **[IMAGED FILE]**  
16 Defendants and Respondents. )  
17 Judge: Hon. Richard E.L. Strauss  
18 Dept.: 75  
19 Action Date: July 3, 2013  
20 Trial Date: None Set

21 TO THE COURT AND PLAINTIFF AND ITS ATTORNEY OF RECORD:

22 Defendant and Respondent City of San Diego gives notice that it is producing two  
23 redacted partial transcripts of closed sessions of the City Council, dated February 26, 2013, and  
24 March 12, 2013.

25 After a search by the court reporter from June, 2013, back through December, 2012, for  
26 transcripts of all closed sessions where former Mayor Filner and Andrew Jones were present,  
27 these were the transcripts which were responsive to the July 3, 2013, Public Records Act request  
28 for transcripts which contain any statements by former Mayor Filner directed at Andrew Jones

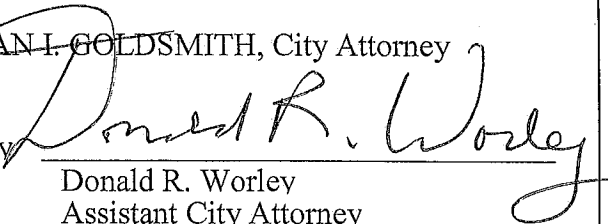
1 “related in any way to where Mr. Jones was or was not, or should or should not have been  
2 positioned in the room.”

3 Plaintiff tendered to City a check in the amount of \$2,750 to cover the costs of the  
4 production of these transcripts and any redaction by the City Attorney’s Office. The City  
5 Attorney will provide Plaintiff with a final bill, which should result in a partial refund.

6 In making this production, City is no way concedes that it has a legal obligation to search  
7 for and produce redacted transcripts of any other closed sessions, nor does City waive the right to  
8 appeal or otherwise challenge any further court determination.

9  
10 Dated: November 4, 2014

~~JANI. GOLDSMITH~~, City Attorney

By 

Donald R. Worley  
Assistant City Attorney  
Attorneys for Defendant and Respondent  
CITY OF SAN DIEGO

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7 San Diego, California 92101-4100  
8 (619) 533-5800; fax (619) 533-5856  
9 Attorneys for Defendant and Respondent  
10 CITY OF SAN DIEGO  
11

12 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**

13 DECLARATION Case No. 37-2013-00056051-CU-MC-CTL  
14 OF SERVICE Case Name: *San Diegans for Open Government v. City of San Diego*  
15 Judge: Richard E.L. Strauss; Dept.: C-75  
16 **IMAGED FILE**

17 I, the undersigned, declare that I am, and was at the time of service of the papers herein  
18 referred to, over the age of eighteen years and not a party to the action; and I am employed in the  
19 County of San Diego, California, in which county the within-mentioned service occurred. My  
20 business address is 1200 Third Avenue, Suite 1100, San Diego, California, 92101.

21 I served the foregoing documents, in this action, described as:

22 • **NOTICE OF PRODUCTION TO PLAINTIFF OF TRANSCRIPTS**

23 on the following interested parties in this action:

24 25 26 27 28 Cory J. Briggs, Esq. Mekaela M. Gladden, Esq. BRIGGS LAW CORPORATION 99 East "C" Street, Suite 111 Upland, CA 91786 Tel: (909) 949-7115 Fax: (909) 949-7121 <a href="mailto:cory@briggslawcorp.com">cory@briggslawcorp.com</a>	
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Attorneys for Plaintiff and Petitioner  
**SAN DIEGANS FOR OPEN  
GOVERNMENT**

29 [ X ] (BY U.S. MAIL) I served the individual(s) named by placing a true and correct copy of  
30 the documents in a sealed envelope and placed it for collection and mailing with the  
31 United States Postal Service this same day, at my address shown above, following  
32 ordinary business practices. [CCP § 1013(a)]

33 I further declare that I am readily familiar with the business' practice for collection and  
34 processing of correspondence for mailing with the United States Postal Service; and that

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the correspondence shall be deposited with the United States Postal Service this same day in the ordinary course of business.

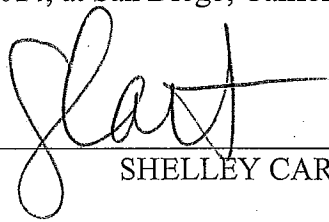
**(BY FAX)** On November 4, 2014, I transmitted the above-described documents by facsimile machine to the fax number(s) set forth above or as stated on the attached service list. The transmission originated from facsimile phone number (619) 533-5856 and was reported as complete and without error. The facsimile machine properly issued a transmission report, a copy of which is attached hereto. [CCP § 1013(e); CRC Rule 2008]

**(BY E-MAIL)** I caused to be served by electronically mailing a true and correct copy through electronic mail system to the e-mail addressee(s) set forth above, or as stated on the attached service list per agreement in accordance with Code of Civil Procedure section 1010.6. [CCP § 1010.6]

**(BY OVERNIGHT DELIVERY)** I served the individual(s) named by placing a true and correct copy of the documents in a sealed envelope(s) to be delivered overnight via an overnight delivery service in lieu of delivery by mail to the addressee(s) listed above, or as stated on the attached service list: [CCP § 1013]

**(BY PERSONAL SERVICE)** I served the individual named by personally delivering the copies to the offices of the addressee. [CCP § 1011]  
Time of delivery: \_\_\_\_\_ a.m./p.m. Person served: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed **November 4, 2014**, at San Diego, California.

  
\_\_\_\_\_  
SHELLEY CARTER

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CITY OF SAN DIEGO  
PARTIAL TRANSCRIPT  
CITY COUNCIL - CLOSED SESSION  
Tuesday, February 26, 2013  
San Diego, California

REPORTED BY CSR NO. 12478

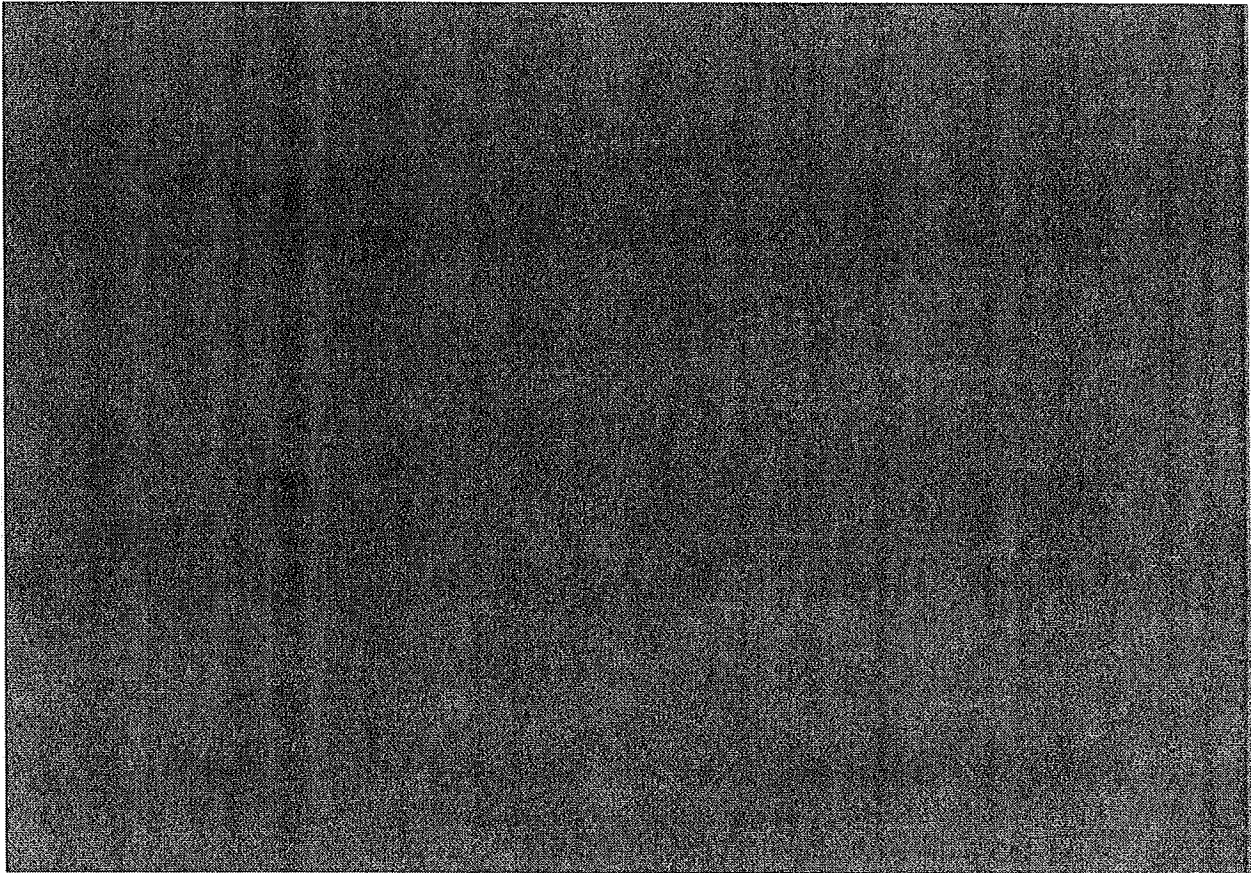
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CITY OF SAN DIEGO  
PARTIAL TRANSCRIPT  
CITY COUNCIL - CLOSED SESSION  
Tuesday, February 26, 2013  
San Diego, California

PARTIAL TRANSCRIPT - CITY COUNCIL CLOSED SESSION,  
commencing at the hour of 9:41 a.m. on Tuesday,  
February 26, 2013, at 202 C Street, 12th Floor,  
San Diego, California, before Keren M. Guevara,  
Certified Shorthand Reporter No. 12478, in and for the  
State of California.

APPEARANCES:



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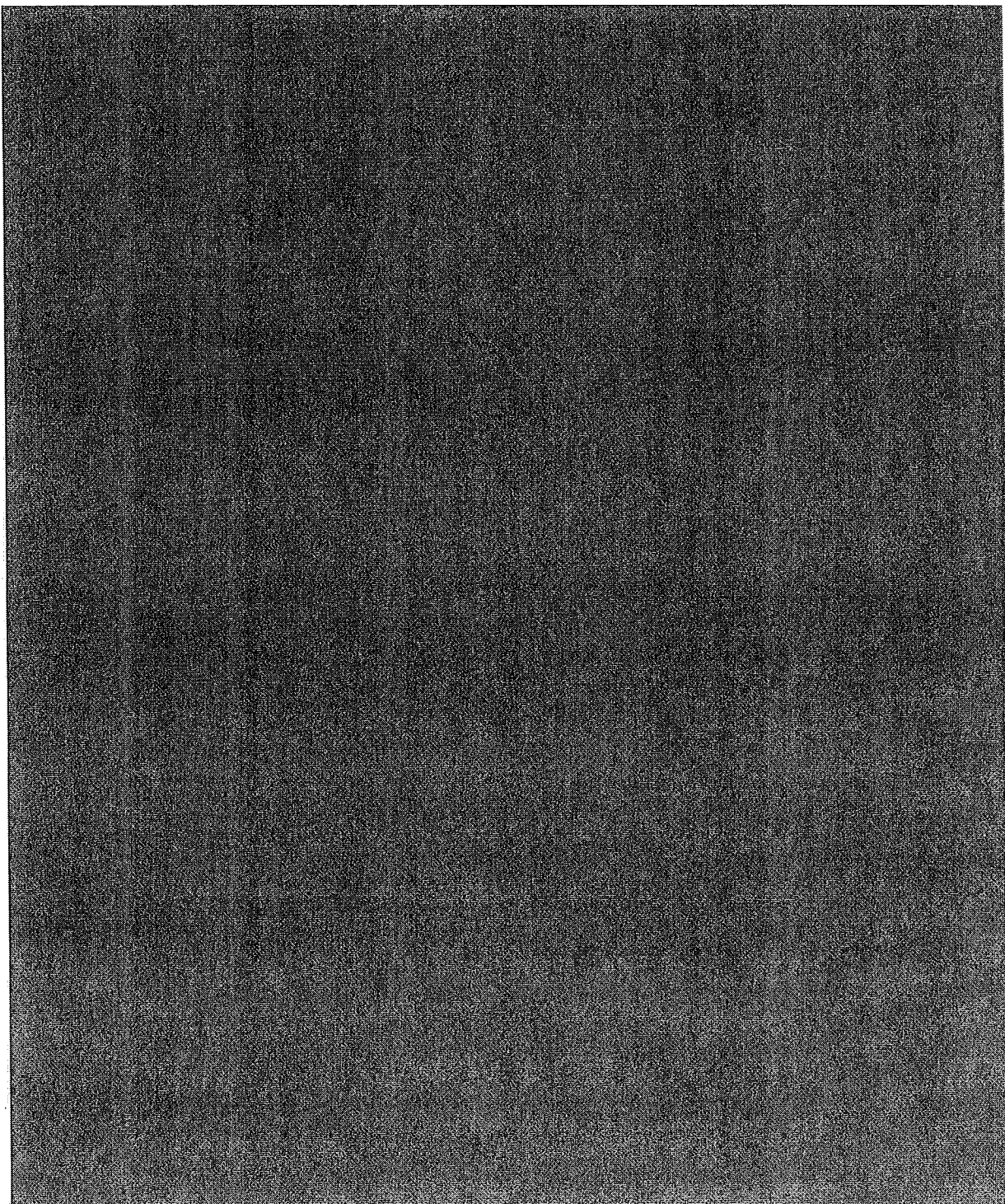
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AGENDA	VOTE ON PAGE
CS-3 Save Our Heritage Organization v. City of San Diego	X

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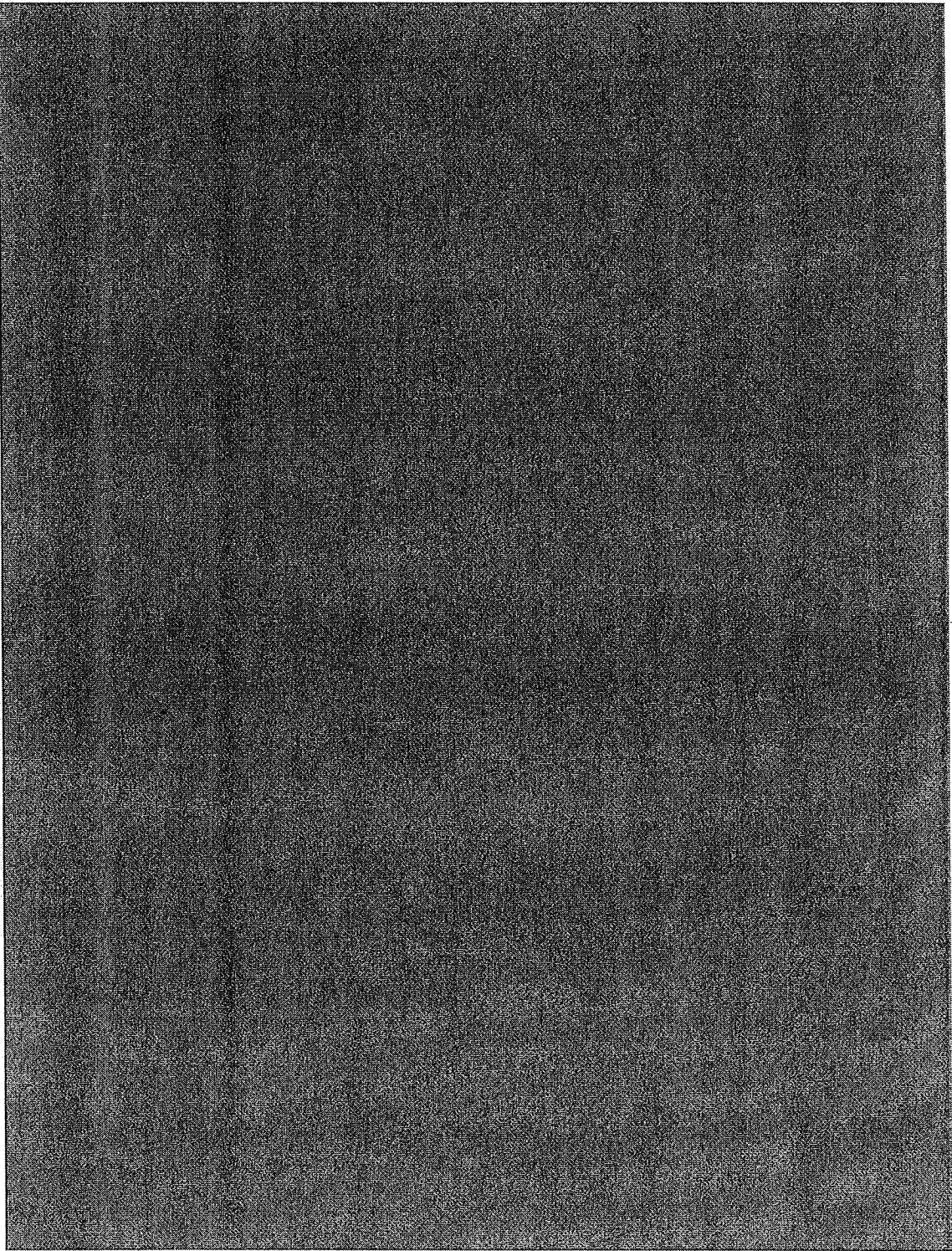
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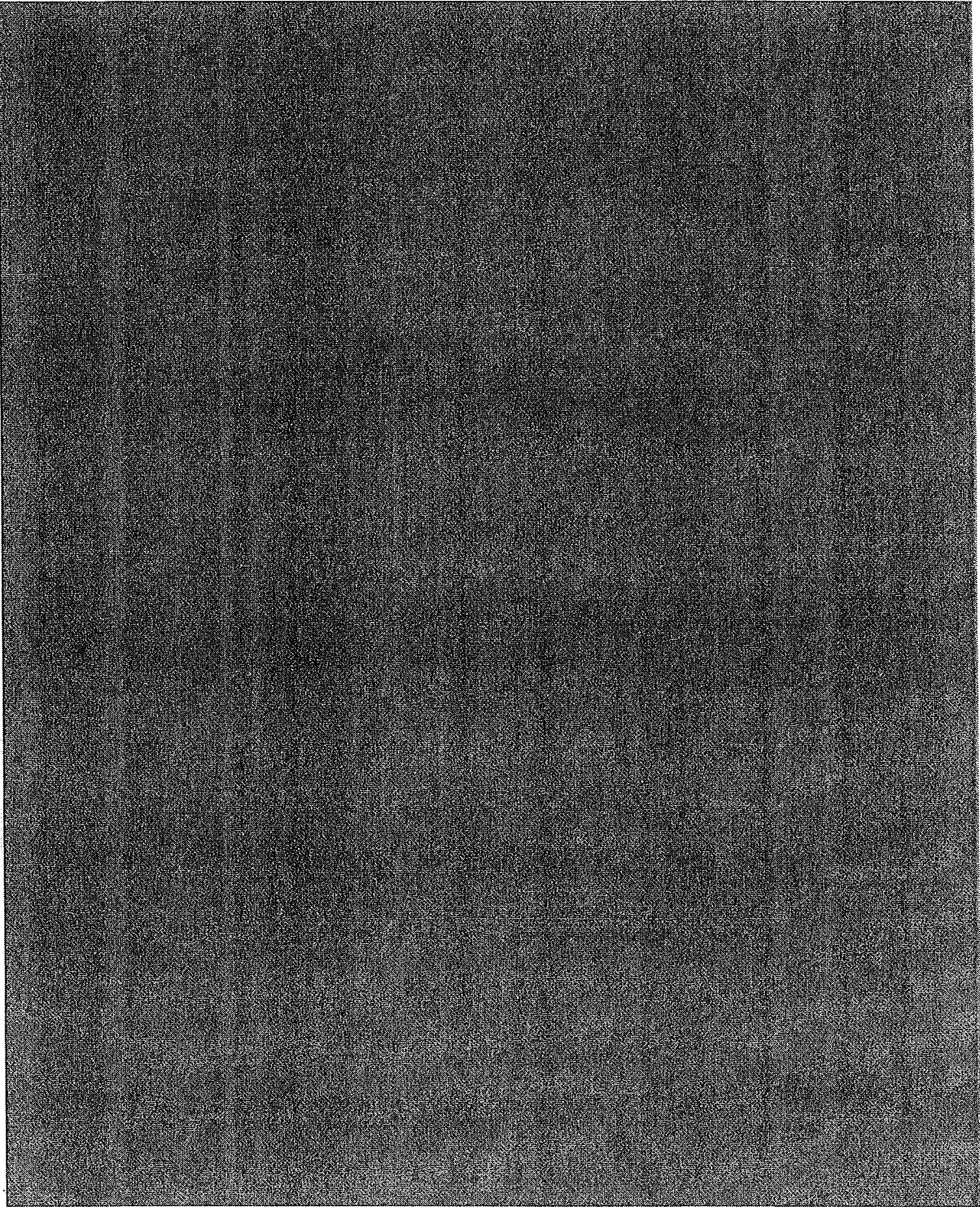
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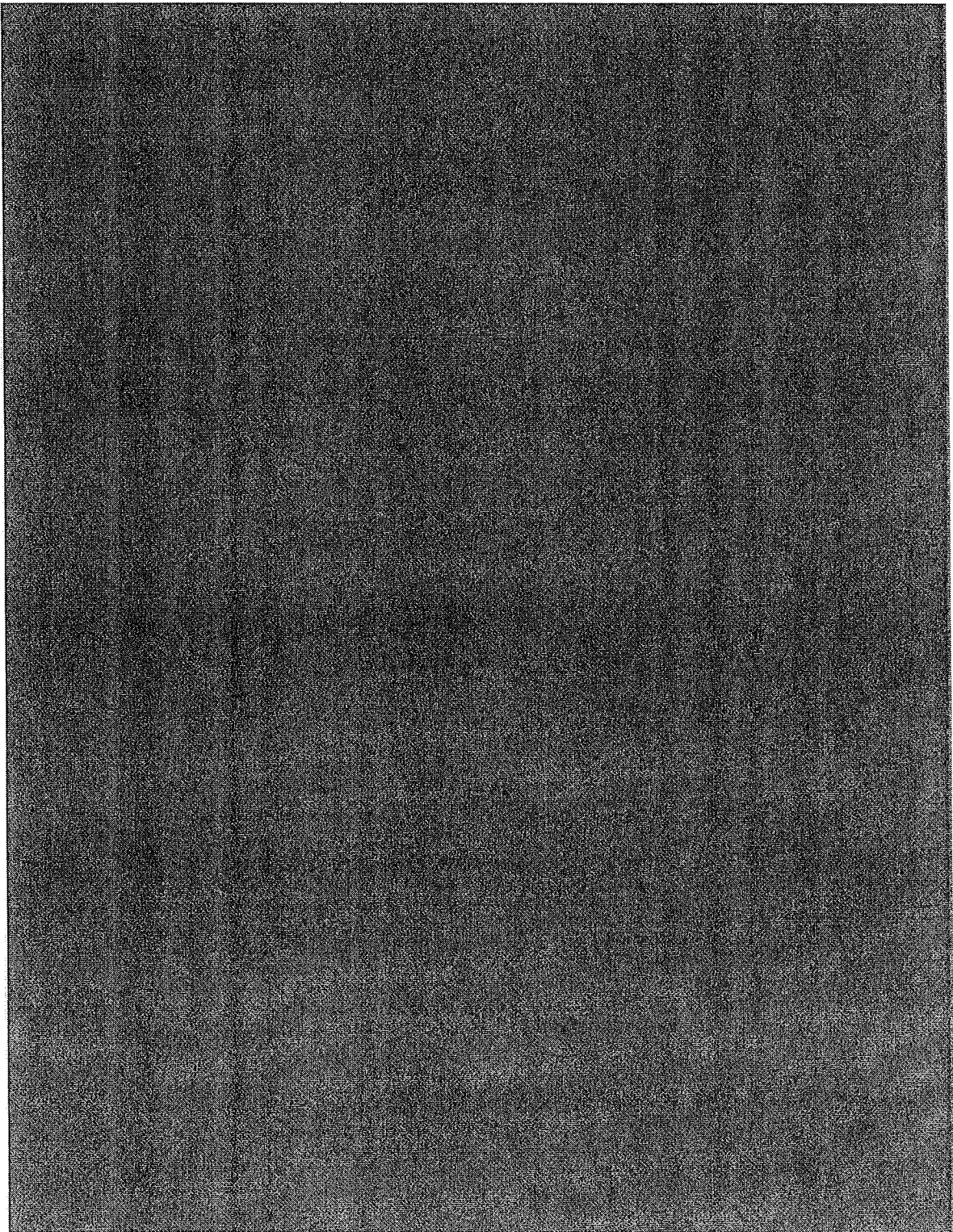
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MR. FILNER: Mr. Gloria.

MR. GLORIA: Thank you, Mayor.

MR. FILNER: Mr. Jones, can you -- do you mind taking a seat? I don't know what you're doing. You just keep walking back and forth. I don't know if you're going to take the microphone or what. Do you mind taking a seat?

MR. JONES: Sure.

MR. FILNER: Thank you.

\* \* \*

(Whereupon CS-3 continued at 9:46 a.m.)

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REPORTER'S CERTIFICATE

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COUNTY OF SAN DIEGO, )  
STATE OF CALIFORNIA, )

I, Keren M. Guevara, Certified Shorthand Reporter licensed in the State of California, License No. 12478, hereby certify that the foregoing was reported by me and was thereafter transcribed with Computer-Aided Transcription; that the foregoing is a full, complete, and true record of said proceeding.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing proceeding and caption named or in any way interested in the outcome of the cause in said caption.

In witness whereof, I have hereunto set my hand this day: *November 3, 2014*

*Keren M. Guevara*  
KEREN M. GUEVARA, CSR

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CITY OF SAN DIEGO

PARTIAL TRANSCRIPT

CITY COUNCIL - CLOSED SESSION

Tuesday, March 12, 2013

San Diego, California

REPORTED BY CSR NO. 12478

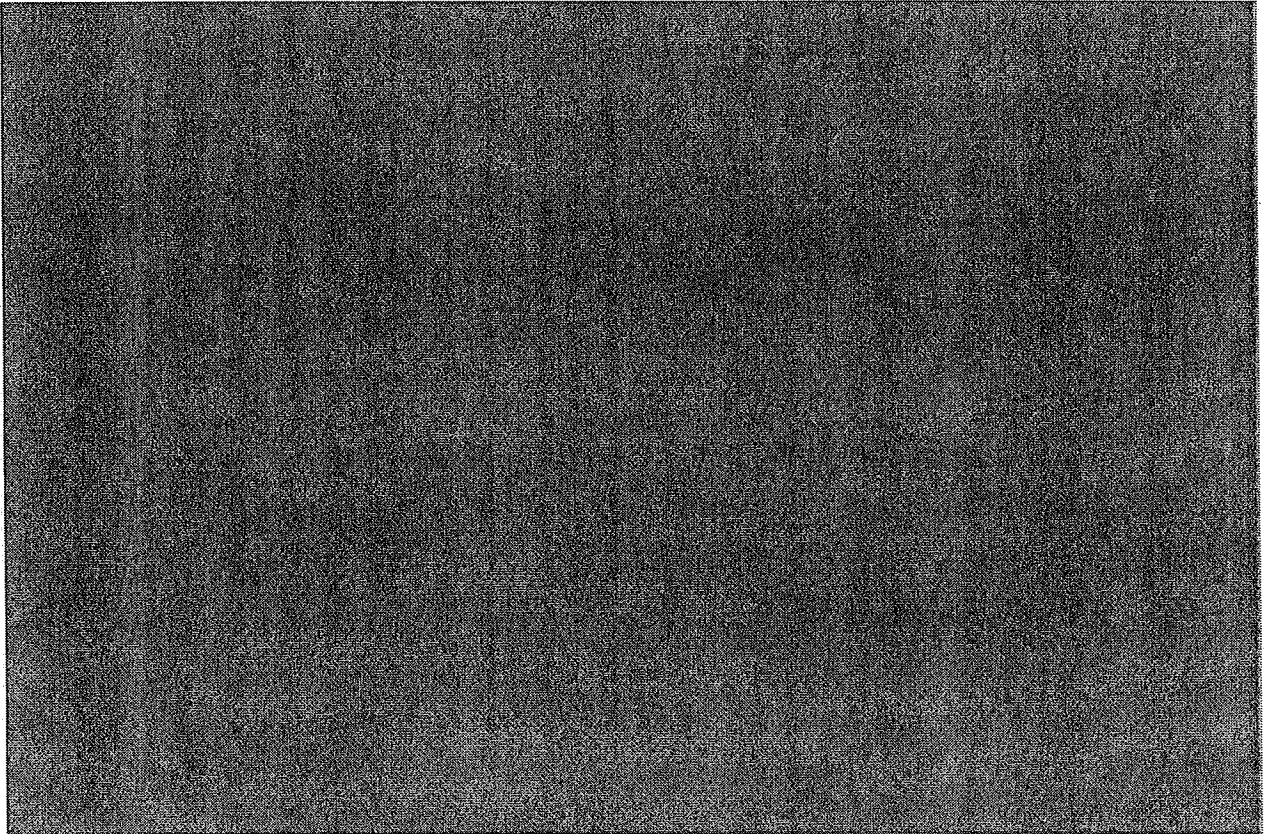
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CITY OF SAN DIEGO  
PARTIAL TRANSCRIPT  
CITY COUNCIL - CLOSED SESSION  
Tuesday, March 12, 2013  
San Diego, California

PARTIAL TRANSCRIPT - CITY COUNCIL CLOSED SESSION,  
commencing at the hour of 1:02 p.m. on Tuesday,  
March 12, 2013, at 202 C Street, 12th Floor, San Diego,  
California, before Keren M. Guevara, Certified Shorthand  
Reporter No. 12478, in and for the State of California.

APPEARANCES:



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AGENDA

VOTE ON PAGE

CS-1 Anthony Guy v. City of San Diego,  
et al.

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SAN DIEGO, CALIFORNIA

TUESDAY, MARCH 12, 2013, 1:02 P.M.

MR. FILNER: The March 12 -- the March 12 --  
are you going to stand there the whole meeting?


MR. JONES: I'll sit here, Mayor, if it makes  
you feel better.

MR. FILNER: Thank you.

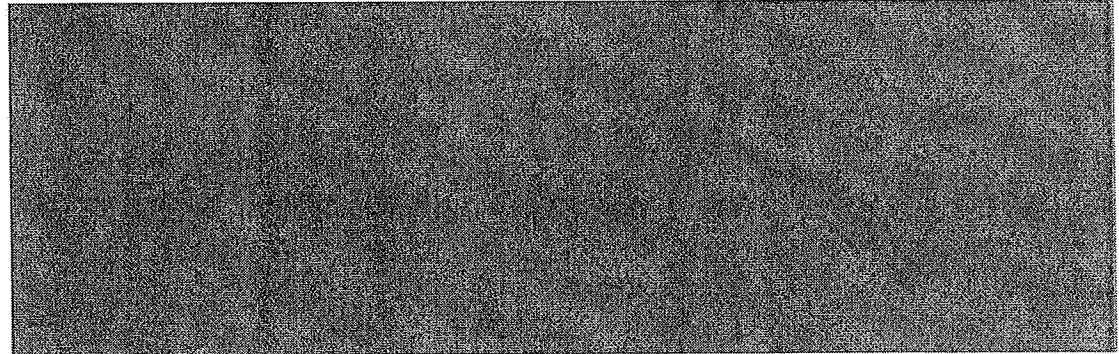
MR. JONES: Is this better?

MR. FILNER: Yes.

I mean, look, you guys seem to indicate that  
you can interrupt at any moment. That's not your role,  
the City Attorney's role, your role, Ms. Lanzafame's  
role. You will ask for recognition the way everybody  
else does. You're not to intrude upon the conversation  
unless asked and recognized.

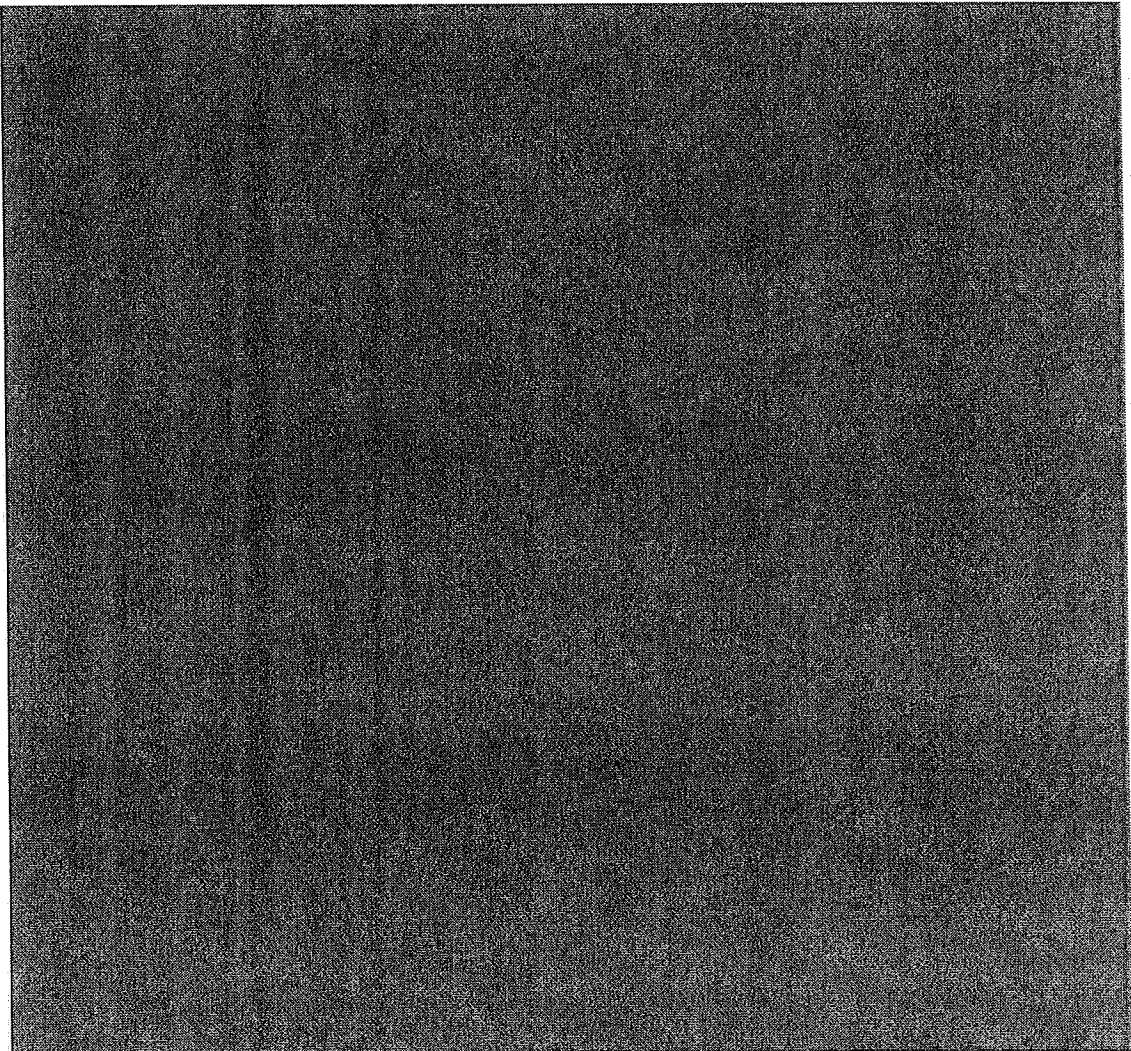
The March 12 Closed Session of the City  
Council will come to order. 





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COUNTY OF SAN DIEGO, )  
STATE OF CALIFORNIA, )

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I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing proceeding and caption named or in any way interested in the outcome of the cause in said caption.

In witness whereof, I have hereunto set my hand this day:



KEREN M. GUEVARA, CSR