

1 ROB BONTA  
Attorney General of California  
2 CHRISTINA BULL ARNDT  
Supervising Deputy Attorney General  
3 NINA LINCOFF  
Deputy Attorney General  
4 State Bar No. 348936  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 879-1017  
Fax: (510) 622-2121  
7 E-mail: nina.lincoff@doj.ca.gov  
*Attorneys for Petitioners-Intervenors*

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF LOS ANGELES

11  
12 **CALIFORNIA HOUSING DEFENSE  
FUND,**

13 Petitioner and Plaintiff,

14 v.

15  
16 **CITY OF LA CAÑADA FLINTRIDGE,**

17 Respondent and Defendant,

18 **600 FOOTHILL OWNER, LP,**

19 Real Party in Interest,

20  
21 **PEOPLE OF THE STATE OF  
CALIFORNIA, EX REL. ROB BONTA;  
CALIFORNIA DEPARTMENT OF  
22 HOUSING AND COMMUNITY  
DEVELOPMENT,**

23 Petitioners-Intervenors.  
24

Case No. 23STCP02614

**PEOPLE OF THE STATE OF  
CALIFORNIA, EX REL. ROB BONTA,  
AND CALIFORNIA DEPARTMENT OF  
HOUSING AND COMMUNITY  
DEVELOPMENT'S JOINDER TO  
CALIFORNIA HOUSING DEFENSE  
FUND'S MOTION FOR APPEAL BOND**

Date: September 6, 2024  
Time: 9:30 a.m.  
Dept: 82  
Judge: Hon. Stephen I. Goorvitch  
Trial Date: March 1, 2024  
Action Filed: July 25, 2023

25 Petitioners-Intervenors People of the State of California, ex rel. Attorney General Rob  
26 Bonta, and the California Department of Housing and Community Development (collectively,  
27 State) join Petitioner California Housing Defense Fund's motion for an appeal bond.  
28

1 This Court issued a writ of mandate against the City, which the City has appealed. Under  
2 the Housing Accountability Act, “[i]f the local agency appeals the judgment of the trial court, the  
3 local agency shall post a bond, in an amount to be determined by the court, to the benefit of the  
4 plaintiff if the plaintiff is the project applicant.” (Gov. Code, § 65589.5, subd. (m)(1).) The last  
5 clause does not apply in this case, because the project applicant is not the plaintiff, although it  
6 certainly makes sense that the project applicant — which is a party — should receive the benefit  
7 of the bond, since it bears the burden of the loss resulting from the appeal.

8 And, indeed, delay kills housing in California. Lengthy litigation, even if it is meritless, can  
9 result in the cancelation of a housing development due to inflation, changing interest rates,  
10 carrying costs, and expiring affordability funding. The Housing Accountability Act’s bond  
11 requirement is crucial to address this problem, and was intended to do so. (Assemb. Comm. on  
12 Local Gov. and Cmty. Dev., Analysis of Sen. Bill 575, June 29, 2005 [“even if they are  
13 successful in a[] . . . court action against a local government, they often lose their projects as a  
14 result of increases in costs, loss of permits or land, or other consequences of the amount of time it  
15 took to get through the legal process.”]). The Act should be “interpreted and implemented in a  
16 manner to afford the fullest possible weight to the interest of, and the approval and provision of,  
17 housing.” (Gov. Code, § 65589.5, subd. (a)(2)(L).) Accordingly, the Court should order the City  
18 to post a bond in light of its appeal.

19 Dated: June 17, 2024

20 ROB BONTA  
21 Attorney General of California

22 

23 CHRISTINA BULL ARNDT  
24 Supervising Deputy Attorney General  
25 *Attorneys for Petitioners-Intervenors*  
26 *People of the State of California, ex rel.*  
27 *Attorney General Rob Bonta, and the*  
28 *California Department of Housing and*  
*Community Development*

**DECLARATION OF SERVICE BY E-MAIL**

Case Name: **Cal. Housing Defense Fund v. City of La Cañada Flintridge**  
No.: **Los Angeles County Superior Court Case No.23STCP02614**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter.

On June 18, 2024, I served the attached:

- **PEOPLE OF THE STATE OF CALIFORNIA, EX REL. ROB BONTA, AND CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S JOINDER TO CALIFORNIA HOUSING DEFENSE FUND'S MOTION FOR APPEAL BOND**

by transmitting a true copy via electronic mail as follows:

Dylan Casey, Esq.  
California Housing Defense Fund  
360 Grant Avenue, #323  
Oakland, CA 94160  
**E-mail Addresses:**  
[dylan@calhdf.org](mailto:dylan@calhdf.org)  
[LElls@rbgg.com](mailto:LElls@rbgg.com)  
[AGourse@rbgg.com](mailto:AGourse@rbgg.com)  
[nick@calhdf.org](mailto:nick@calhdf.org)

Alexander M. DeGood, Esq.  
Eric J. Cohn, Esq.  
Cox, Castle & Nicholson LLP  
2029 Century Park East, Suite 2100  
Los Angeles, CA 90067-3284  
**E-mail Addresses:**  
[adegood@coxcastle.com](mailto:adegood@coxcastle.com)  
[ecohn@coxcastle.com](mailto:ecohn@coxcastle.com)

Adrian Guerra, Esq.  
Michelle Villarreal, Esq.  
Aleshire & Wynder, LLP  
1 Park Plaza, Suite 1000  
Irvine, CA 92614  
**E-mail Addresses:**  
[aguerra@awattorneys.com](mailto:aguerra@awattorneys.com)  
[mvillarreal@awattorneys.com](mailto:mvillarreal@awattorneys.com)

Christopher Dacus, Esq.  
Peter Sheridan, Esq.  
Glaser Weil Fink Howard Jordan & Shapiro  
10250 Constellation Boulevard, 19th Floor  
Los Angeles, CA 90067  
**E-mail Addresses:**  
[cdacus@glaserweil.com](mailto:cdacus@glaserweil.com)  
[jfarruggia@glaserweil.com](mailto:jfarruggia@glaserweil.com)  
[psheridan@glaserweil.com](mailto:psheridan@glaserweil.com)

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on June 18, 2024, at Oakland, California.

\_\_\_\_\_  
Alfred Palma  
Declarant

\_\_\_\_\_  
*Alfred Palma*  
Signature