

1/12/2026 4:15:53 PM

Clerk of the Superior Court
By T. Automation , Deputy Clerk

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5 Attorneys for Petitioner
6 FIRST AMENDMENT COALITION

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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SAN DIEGO

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12 FIRST AMENDMENT COALITION,

13 Petitioner,

14 v.

15 CITY OF SAN DIEGO,

16 Respondent.

Case No. 25CU033245C

**NOTICE OF MOTION AND MOTION
FOR JUDGMENT GRANTING VERIFIED
PETITION FOR DECLARATORY
RELIEF AND WRIT OF MANDATE**

*Assigned for all purposes to Hon. Richard S.
Whitney, Dept. C-68*

Date: June 12, 2026
Time: 10:30 a.m.
Dept.: C-68
Judge: Hon. Richard S. Whitney

Petition Filed: June 25, 2025

1 **TO THE COURT, THE PARTIES, AND ALL COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE** that on June 12, 2026 at 10:30 a.m. in Department C-68 of the
3 San Diego County Superior Court, located at 330 W. Broadway, San Diego, California, 92101,
4 before the Honorable Richard S. Whitney, Petitioner First Amendment Coalition will and hereby
5 does move for an order granting its Verified Petition for Declaratory Relief and Writ of Mandate
6 under the California Public Records Act (“Petition”).

7 Specifically, Petitioner moves the Court for:

8 1. A writ of mandate, order, and judgment in favor of Petitioner granting the Petition
9 and directing Respondent City of San Diego to disclose all records covered by Petitioner’s request
10 under the Public Records Act (“Request”), attached to the Petition as **Exhibit D** and the
11 Declaration of David Loy filed herewith as **Exhibit H**.

12 2. A judicial declaration that:

13 a. The records called for by the Request and withheld by Respondent fall
14 within Penal Code section 832.7, subdivisions (b)(1)(A)(i) and (b)(1)(A)(ii) and, as to
15 video and audio recordings, Government Code section 7923.625; and

16 b. Respondent violated the Public Records Act, (Gov. Code §§ 7920.000 et
17 seq.), Penal Code section 832.7, subdivision (b), and Article I, section 3(b) of the
18 California Constitution by denying the Request and withholding all records called for by
19 the Request in their entirety except a single redacted call log.

20 The records covered by the Request are subject to and not exempt from the presumption of
21 access enshrined in the Public Records Act, (Gov. Code, §§ 7920.000 et seq.), Penal Code section
22 832.7, subdivision (b), Government Code section 7923.625, and Article I, section 3(b) of the
23 California Constitution, and Respondent’s denial of Petitioner’s request and withholding of
24 requested records was and is inconsistent with these laws.

25 This Motion is based on this Notice, Petitioner’s Memorandum of Points and Authorities
26 in support of the Motion, the declaration of David Loy in support of the Motion, Petitioner’s
27 anticipated Reply in support of the Motion, all pleadings, records, and files in this action, and all
28

1 other evidence and argument that may be received by the Court before, at, or in connection with
2 the hearing on the Motion.

3 Dated: January 12, 2026

4 FIRST AMENDMENT COALITION

6 By



7 DAVID LOY

8 AARON R. FIELD

9 Attorneys for Petitioner FIRST
10 AMENDMENT COALITION
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1 PROOF OF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF MARIN

3 At the time of service, I was over 18 years of age and **not a party to this action**. I am
4 employed in the County of Marin, State of California. My business address is 534 4th Street,
Suite B, San Rafael, CA 94901-3334.

5 On January 12, 2026, I served true copies of the following document(s) described as
6 **NOTICE OF MOTION AND MOTION FOR JUDGMENT GRANTING VERIFIED**
7 **PETITION FOR DECLARATORY RELIEF AND WRIT OF MANDATE** on the interested
parties in this action as follows:

8 Stacy J. Plotkin-Wolff
9 Senior Chief Deputy City Attorney
10 Office of the City Attorney
11 1200 Third Avenue, Suite 1100
12 San Diego, California 92101-4100

Email: SJPWolff@sandiego.gov; marissag@sandiego.gov; maevans@sandiego.gov

11 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the
12 document(s) to be sent from e-mail address rregnier@firstamendmentcoalition.org to the persons
13 at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after
the transmission, any electronic message or other indication that the transmission was
unsuccessful.

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

15 Executed on January 12, 2026, at East Palo Alto, California.

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18 Robin P. Regnier