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FILED
09/14/2026
Superior Court of California,
County of Fresno
By: S. Garay
ELECTRONICALLY RECEIVED
Superior Court of California,
County of Fresno
By: Estela Gonzalez, Deputy Clerk
09/8/26 5:52 PM

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF FRESNO

AMERICAN CIVIL LIBERTIES UNION OF
NORTHERN CALIFORNIA, a nonprofit
corporation, and FIRST AMENDMENT
COALITION, a nonprofit corporation,

Petitioners,

v.

THE CITY OF FRESNO, and THE HONORABLE
MEMBERS OF THE FRESNO CITY COUNCIL,

Respondents.

CASE NO. 23CECG04744

**[Proposed] ORDER REGARDING
RESPONDENTS' MOTION FOR
NEW TRIAL**

Petition Filed: November 15, 2023

On September 2, 2026, this action came on for hearing in Department 97D of the above-captioned court, the Honorable Robert Michael Whalen, Jr. presiding. David Loy appeared for Petitioners. Anthony Taylor appeared for Respondents.

The Court entered its Decision Granting Judgment and Declaratory Relief for Petitioner ("Decision") on May 4, 2026, Respondents filed their first notice of intention to move for a new trial on May 19, 2026.

After reviewing all filings submitted by the parties in connection with Respondents' motion for new trial and hearing argument of counsel, the Court hereby rules as follows:

///

1 1. Pursuant to Code of Civil Procedure section 660, subdivision (c), the Court's power
2 to rule on Respondents' motion for new trial has expired, and said motion is deemed to have been
3 denied by operation of law.

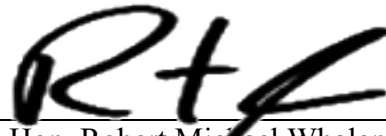
4 2. The Court considered Respondents' arguments made in their motion for new trial
5 on the Court's own motion, and after hearing the arguments made by Respondents the Court did
6 not change the Decision.

7 3. The Court will enter judgment in favor of Petitioners in accordance with the
8 Decision.

9 4. The parties shall meet and confer on the form of the judgment and submit the final
10 judgment for entry by the Court no later than September 9, 2026 at 3:00 p.m.

11 IT IS SO ORDERED.

12 Dated: September 14 2026

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15 Hon. Robert Michael Whalen, Jr.
16 Judge of the Superior Court
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1 PROOF OF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF SAN MATEO

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 September 8, 2026, I served true copies of the following document(s) described as
6 **[Proposed] ORDER REGARDING RESPONDENTS' MOTION FOR NEW TRIAL** on the
interested parties in this action as follows:

7 Andrew N. Janz
8 Amanda B. Freeman
9 OFFICE OF THE FRESNO CITY ATTORNEY
2600 Fresno Street
Fresno, CA 93721-3620
10 Email: andrew.janz@fresno.gov; amanda.freeman@fresno.gov

11 Anthony R. Taylor
12 Michael R. Linden
13 ALESHIRE & WYNDER, LLP
3880 Lemon Street, Suite 520
Riverside, CA 92501
14 Email: ataylor@awattorneys.com; mlinden@awattorneys.com

15 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on an agreement of the
16 parties to accept service by e-mail or electronic transmission I caused a copy of the document(s) to
be sent from e-mail address rregnier@firstamendmentcoalition.org to the persons at the e-mail
17 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.

18 I declare under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct. Executed on September 8, 2026, at East Palo Alto, California.

20 
21 Robin P. Regnier