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10 Sierra Club, Save Our Carmel River,
11 Patricia Bernardi

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF MONTEREY

14 SIERRA CLUB, SAVE OUR CARMEL
15 RIVER, PATRICIA BERNARDI,

16 Petitioners,

17 v.

18 COUNTY OF MONTEREY, BOARD OF
19 SUPERVISORS OF THE COUNTY OF
20 MONTEREY, and DOES 1 - 25,

21 Respondents.

22 SEPTEMBER RANCH PARTNERS,
23 JAMES MORGENS, and DOES 26 - 50,

24 Real Parties in Interest.

25 TO THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTEREY:

26 WHEREAS, Judgment has been entered in this action ordering certain relief and
27 ordering that a peremptory writ of mandate be issued from the Superior Court, and
28

FILED

DEC 23 2006

CON. CLERK OF THE BOARD
DONNA D. CHACON

RECEIVED
MONTEREY COUNTY
2009 JAN -5 PM 12:44
CLERK OF THE BOARD

DEPUTY

Case No. M82632
Filed January 12, 2007
(Includes consolidated cases)

[PROPOSED] PEREMPTORY WRIT
OF MANDATE

1 WHEREAS, the Superior Court has issued a Judgment directing the issuance of
2 a peremptory writ of mandate;

3 THEREFORE, YOU ARE HEREBY ORDERED AND DIRECTED promptly on
4 receipt of this writ to void the determination, finding and decision adopting Resolution
5 No. 06-363, including the approval of any permits or entitlements for the project
6 described in said Resolution, and to vacate the certification of the final revised
7 environmental impact report prepared in regard to said project and to comply with the
8 terms of the statement of decision by not taking further action to approve the project
9 without the preparation, circulation, and consideration under CEQA of a legally
10 adequate document adopted in compliance with CEQA which properly analyzes water
11 demand, water cap, and cumulative impacts as to water demand. The revised EIR
12 certified by the County contains a legally sufficient discussion on all other issues other
13 than those specified in this Paragraph.

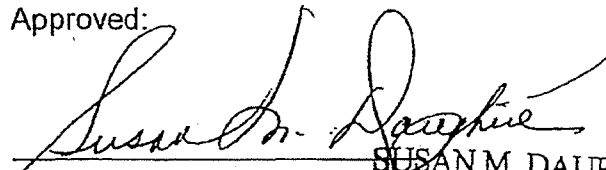
14 Pursuant to Public Resources Code section 21168.9, subdivision (c), the Court
15 does not direct Respondents to exercise their discretion in any particular way.

16 Witness the Honorable Susan M. Dauphiné, ~~Retired~~ Judge of the Superior Court.

17 ATTEST my hand and the seal of this Court on this 23 day of _____,
18 2008.

19 Dated: _____, 2008 Connie Mazzei, Clerk

20
21 DEC 23 2008 _____, Deputy

22 Approved:
23
24 
25 SUSAN M. DAUPHINE
26 Honorable Susan M. Dauphiné
27 Judge of the Superior Court

28 _____
Date