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ORIGINAL FILED
Superior Court of California
County of Los Angeles

NOV 15 2022

Sherri R. Carter, Executive Officer/Clerk of Court
By: Berta Guerrero, Deputy

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17 [Additional Counsel Listed on Last Page]

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19 **Pro Hac Vice applications forthcoming*

20 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

21 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

22 Phillip Urquidi, Daniel Martinez, Susana
23 Perez, Terilyn Goldson, Gerardo Campos, and
24 Arthur Lopez, on behalf of themselves and all
25 other similarly situated, and Clergy and Laity
United for Economic Justice ("CLUE"),
Reverend Jennifer Gutierrez, Reverend Gary
Williams, and Rabbi Aryeh Cohen,
individually,

26 Plaintiffs,

27 vs.

Case No. ~~22SCFP04044~~ ^{22STCP04044} DG

**NOTICE OF LODGING RE:
~~PROPOSED ORDER~~**

1 City of Los Angeles, Los Angeles County, Los
2 Angeles County Sheriff's Department, Sheriff
3 Alex Villanueva, Los Angeles Police
4 Department, and Chief Michel R. Moore,

5 Defendants.

6 After the hearing on the *ex parte* regarding TRO and OSC, Plaintiffs contacted counsel for
7 Defendants to agree on language regarding the proposed order to be submitted to the Court.
8 Counsel for the City of LA, LAPD, and Chief Moore agreed to language consistent with the
9 Court's order at the hearing. Counsel for the County, LASD and the Sheriff—after assuring
10 Plaintiffs they had minor edits to the proposed order—edited Plaintiffs' proposal as follows,
11 explicitly contradicting the Court's ruling, which was made on the record at the hearing:

12
13 1. Unless the criminal court has set bail for Daniel Martinez, date of birth January 14,
14 1983, following an individualized determination of his ability to pay (associated with his felony
15 arrest for receiving stolen property under Penal Code § 496(a)), Martinez shall be released
16 forthwith from custody on his own recognizance. Defendant is ordered to release Daniel Martinez
17 from custody on his own recognizance forthwith.

18 Plaintiffs proceeded with filing a proposed order consistent with the Court's ruling.

19
20 DATED: November 15, 2022

Respectfully Submitted,

21 MUNGER, TOLLES & OLSON
22 HADSELL STORMER RENICK & DAI LLP
23 SCHÖNBRUN SEFLOW HARRIS HOFFMAN &
24 ZELDES
25 CIVIL RIGHTS CORPS
26 PUBLIC JUSTICE

27 By: 

28 TIANA S. BAHERI
Attorneys for Plaintiffs

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**Pro Hac Vice applications forthcoming*

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

Phillip Urquidi, Daniel Martinez, Susana Perez, Terilyn Goldson, Gerardo Campos, and Arthur Lopez, on behalf of themselves and all other similarly situated, and Clergy and Laity United for Economic Justice ("CLUE"), Reverend Jennifer Gutierrez, Reverend Gary Williams, and Rabbi Aryeh Cohen, individually,

Plaintiffs,

vs.

City of Los Angeles, Los Angeles County, Los Angeles County Sherriff's Department, Sheriff Alex Villanueva, Los Angeles Police Department, and Chief Michel R. Moore,

Defendants.

Case No. 22STCP04044

~~PROPOSED~~ ORDER GRANTING PLAINTIFFS' EX PARTE APPLICATION FOR (1) A TEMPORARY RESTRAINING ORDER AND (2) ORDER TO SHOW CAUSE REEGARDING PRELIMINARY INJUNCTION

Date: November 15, 2022

Time: 8:30 am

Dept: 11

The Court, having considered Plaintiffs' Ex Parte Application for Temporary Restraining Order and Order to Show Cause Regarding Preliminary Injunction and any opposition thereto, and having weighed the equities and considered Plaintiffs' likelihood of success, finds that the relief requested is just and proper on a limited basis. Good cause appearing, the Court hereby GRANTS the motion on a limited basis and orders as follows:

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1. Defendant is ordered to release Daniel Martinez from custody on his own recognizance forthwith.

2. Hearing on an Order to Show Cause is hereby set for December 19, 2022 at 9:00 a.m., regarding why a preliminary injunction should not issue enjoining (i) Defendants from detaining any individuals who cannot afford to pay cash bail as a condition of pre-arraignment release; and (ii) enjoining the use of taxpayer dollars to fund the enforcement of the bail schedule and the expenditure of forfeited bail funds collected pursuant to the unlawful bail schedule.

Defendants' written response to the order to show cause shall be due on December 5, 2022, and any reply from Plaintiffs shall be due on December 12, 2022. Pursuant to California Rule of Court 3.1150(c), this order to show cause must be served on Defendants on or before November 16, 2022. The proof of service for this order to show cause must be delivered to this Court by November 17, 2022.

DATED: November 15, 2022

DAVID S. CUNNINGHAM III

HON. DAVID S. CUNNINGHAM III
Judge of the Los Angeles Superior Court

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 350 South Grand Avenue, Fiftieth Floor, Los Angeles, CA 90071-3426.

On November 15, 2022, I served true copies of the following document(s) described as

**NOTICE OF LODGING OF [PROPOSED] ORDER GRANTING
TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE**

on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY E-MAIL OR ELECTRONIC TRANSMISSION: I served the document(s) on the persons listed in the Service List by submitting an electronic version of the document(s) via One Legal Attorney Service, through their user interface.

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

Executed on November 15, 2022, at Los Angeles, California.

/s/ Cherryl Tillotson
Cherryl Tillotson

SERVICE LIST

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