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12 CITY OF SAN BUENAVENTURA

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF LOS ANGELES

15 SANTA BARBARA CHANNELKEEPER, a
California non-profit corporation,
16
17 Petitioner,
18 v.
19 STATE WATER RESOURCES CONTROL
BOARD, etc., et al.,
20 Respondents.

Case No. 19STCP01176
Judge: Hon. William F. Highberger
CITY OF SAN BUENAVENTURA'S
OBJECTION TO JOINDERS

21 CITY OF SAN BUENAVENTURA, a
California municipal corporation,
22
23 Cross-Complainant,
24 v.
25 DUNCAN ABBOTT, an individual, et al.,
26 Cross-Defendants.

Date: January 18, 2022
Time: 1:30 p.m.
Dept: 10

Action Filed: Sept. 19, 2014
Trial Date: Feb. 14, 2022

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OBJECTION

Defendant and Cross-Complainant the City of San Buenaventura (Ventura) hereby objects to the untimely notices of joinder served on December 28 and 29, 2021 by Cross-Defendants Dale G. Givner and Patricia Givner (Givners) in their attempt to join the motion for judgment on the pleadings filed by Andrew K. Whitman. Pursuant to Code of Civil Procedure section 1005(b), “all moving and supporting papers shall be served and filed at least 16 court days before the hearing.” In this case, the Court entered an order on September 20, 2021 that deemed electronic service as personal service. Thus, for purposes of the motion for judgment on the pleadings scheduled for January 18, 2022, all moving and supporting papers were required to be filed and served on December 22, 2021. Here, however, the Givners served untimely notices of joinder on December 28 and 29, 2021, that the Court should deny as procedurally improper. (See *Fraze v. Seely* (2002) 95 Cal.App.4th 627, 637 [denying procedurally defective and untimely notice of joinder in codefendants’ motion for summary judgment].)

Dated: January 4, 2022

BEST BEST & KRIEGER LLP

By: 
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