

CIV-180226-JCP-DS4720-JF-143602



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**Judgment on 1st Amended Judicial Counsel
Coordinated Complaint of THE NEW 49'ERS, INC
filed**



NEW FILE

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Exempt from Filing Fees
 Pursuant to Gov. Code, § 6103

FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF SAN BERNARDINO
 SAN BERNARDINO DISTRICT
 FEB 26 2018
 BY *Kimberly Reynolds*
 KIMBERLY REYNOLDS, DEPUTY

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 10 COUNTY OF SAN BERNARDINO

11 Coordination Proceeding Special Title (Rule 1550(b) 12 SUCTION DREDGE MINING CASES 13 14 15	Coordinated Case No. JCCP4720 [PROPOSED] JUDGMENT IN THE NEW 49'ERS CASE Dept: S33 Judge: Honorable Gilbert Ochoa Trial Date: September 24, 2018 Action Filed: Various
16 Included Actions: 17 Kimble, et al. v. Kamala Harris, Attorney General of California, et al. 18 Public Lands for the People, et al. v. California Department of Fish and Game 19 The New 49er's, et al. v. State of California, California Department of Fish and Game, et al. 20 Walker v. Harris, et al. 21 Foley et al. v. California Department of Fish and Wildlife, et al. 22 Eimer et al. v. California Department of Fish and Wildlife, et al. 23 24 25 26 27 28	CIVDS 1012922 - San Bernardino County CIVDS 1203849 - San Bernardino County SCCVCV120048 - Siskiyou County 34-2013-80001439 - Sacramento County SCCVCV1300804 - Siskiyou County CIVDS 1509427 - San Bernardino County

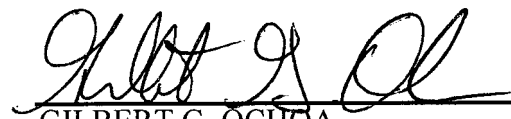
1 *The New 49'ers, Inc. v. State of California* was filed on April 13, 2012 as case number SC
2 CV CV 12-00482 in the Siskiyou County Superior Court, and coordinated in this action. An
3 amended complaint was filed on March 15, 2013 and alleges multiple causes of action brought by
4 plaintiffs The New 49'ers, Inc., Steve Kleszyk, Billy and Chad Stanford, David Garey, David
5 Ransom, Richard and Sue Burton, Elizabeth and Mark Cutler, Edward Murphy, Martha Cronin,
6 Raymond Phillips, Robert and Anna Sonnenburg, Ray Derrick, Ronald Burnside, and Northwest
7 Mining LLC against defendants State of California, the California Department of Fish and
8 Wildlife, and Charlton H. Bonham. The *The New 49'ers* Plaintiffs dismissed their claims in the
9 third cause of action in a stipulated Second Case Management Conference Order, dated October
10 18, 2013. The Court resolved the remaining issues in this case in its Order Granting Defendants'
11 Motions for Summary Adjudication on Preemption Claims, dated January __, 2018, its Order
12 Dismissing Plaintiffs' Record-Based Claims, dated January __, 2018; and its Order Dismissing
13 Plaintiffs' Takings Claims, dated January __, 2018. There is nothing else to resolve in the *The*
14 *New 49'ers* case.

15 Therefore, IT IS ORDERED AND ADJUDGED that:

- 16 1. Judgment be entered in favor of Defendants in this proceeding.
17 2. Defendants may recover their costs, in an amount to be determined, without prejudice
18 to any motion to strike costs brought pursuant to California Rules of Court, rule 3.1700.

19 Dated:

20 2-26-18

21 

22 GILBERT G. OCHOA
23 Judge of the Superior Court

24 GILBERT G. OCHOA