

CIV-180130-JCP-DS4720-ORDR-094902



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**Order DISMISSING PLAINTIFFS' RECORD-BASED
CLAIMS 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

JAN 30 2018

BY Kimberly Reynolds
KIMBERLY REYNOLDS, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

Coordination Proceeding Special Title (Rule 1550(b))

Coordinated Case No. JCCP4720

SUCTION DREDGE MINING CASES

[PROPOSED] ORDER DISMISSING PLAINTIFFS' RECORD-BASED CLAIMS

Dept: S33
Judge: Honorable Gilbert Ochoa
Trial Date: September 24, 2018
Action Filed: Various

Included Actions:

Kimble, et al. v. Kamala Harris, Attorney General of California, et al.

CIVDS 1012922 - San Bernardino County

Public Lands for the People, et al. v. California Department of Fish and Game.

CIVDS 1203849 - San Bernardino County

The New 49er's, et al. v. State of California, California Department of Fish and Game, et al.

SCCVCV120048 - Siskiyou County

Walker v. Harris, et al.

34-2013-80001439 - Sacramento County

Foley et al. v. California Department of Fish and Wildlife, et al.

SCCVCV1300804 - Siskiyou County

Eimer et al. v. California Department of Fish and Wildlife, et al.

CIVDS 1509427 - San Bernardino County

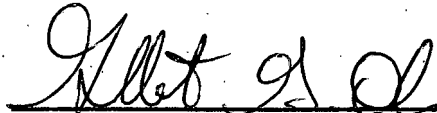
1 On October 17, 2017, the Court held a hearing on several matters. One of those was a
2 hearing on the merits of the claims under the California Environmental Quality Act, the
3 Administrative Procedure Act, and Article X, section 2 of the California Constitution. These
4 claims constitute the second cause of action in the *Kimble* case, the first, second, and third causes
5 of action in the *Public Lands for the People* case, and the fourth cause of action in the *The New*
6 *49'ers* case. James L. Buchal appeared for Plaintiffs. Deputy Attorneys General Bradley
7 Solomon and Marc N. Melnick appeared for Defendants. The Court took the matter under
8 submission.

9 The Court filed a ruling on these matters on December 20, 2017. The Court found these
10 issues in the consolidated action mooted given the application of Senate Bill 637. Pursuant to that
11 ruling, and GOOD CAUSE APPEARING, these causes of action are dismissed.

12 IT IS SO ORDERED.

13 Dated:

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15 1-30-18

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17 _____
18 GILBERT G. OCHOA
19 Judge of the Superior Court

20 Approved as to form:

21 Dated:

22 _____
23 James L. Buchal
24 Murphy & Buchal LLP
25 Attorneys for Plaintiffs
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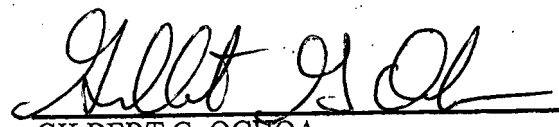
On October 17, 2017, the Court held a hearing on several matters. One of those was a hearing on the merits of the claims under the California Environmental Quality Act, the Administrative Procedure Act, and Article X, section 2 of the California Constitution. These claims constitute the second cause of action in the *Kimble* case, the first, second, and third causes of action in the *Public Lands for the People* case, and the fourth cause of action in the *The New 49'ers* case. James L. Buchal appeared for Plaintiffs. Deputy Attorneys General Bradley Solomon and Marc N. Melnick appeared for Defendants. The Court took the matter under submission.

The Court filed a ruling on these matters on December 20, 2017. The Court found these issues in the consolidated action mooted given the application of Senate Bill 637. Pursuant to that ruling, and GOOD CAUSE APPEARING, these causes of action are dismissed.

IT IS SO ORDERED.

Dated:

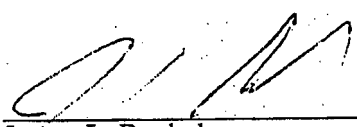
1-30-18



GILBERT G. OCHOA
Judge of the Superior Court
GILBERT G. OCHOA

Approved as to form:

Dated:



James L. Buchal
Murphy & Buchal LLP
Attorneys for Plaintiffs