

CIV-180130-JCP-DS4720-ORDR-095402



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System Code: CIV
Case Number: DS4720
Case Type: JCP
Action Code: ORDR
Action Date: 01/30/18
Action Time: 9:54
Action Seq: 0002
Printed by: KREYN

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Order ON SINGLE-SUBJECT CLAIMS filed



NEW FILE

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FILED
 SUPERIOR COURT OF CALIFORNIA,
 COUNTY OF SAN BERNARDINO
 SAN BERNARDINO DISTRICT

JAN 30 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] ORDER ON SINGLE-SUBJECT CLAIMS Dept: S33 Judge: Honorable Gilbert Ochoa Trial Date: September 24, 2018 Action Filed: Various
Included Actions: 16 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 20 The New 49er's, et al. v. State of California, California Department of Fish and Game, et al. 21 Walker v. Harris, et al. 22 Foley et al. v. California Department of Fish and Wildlife, et al. 23 24 Eimer et al. v. California Department of Fish and Wildlife, et al. 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

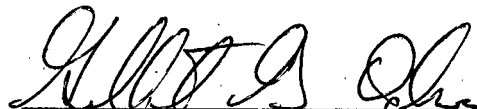
1 On October 17, 2017, the Court held a hearing on several matters. One of those was a
2 hearing on the merits of the claims under the single subject rule of Article IV, section 9 of the
3 California Constitution. Defendants had moved for judgment on the pleadings in the *Eimer* case.
4 The *Eimer* Plaintiffs had moved for summary judgment. Mr. Walker's complaint also includes a
5 claim under the single subject rule. James L. Buchal appeared for Plaintiffs. Deputy Attorneys
6 General Bradley Solomon and Marc N. Melnick appeared for Defendants. Mr. Walker had
7 submitted materials in lieu of appearing. The Court took the matter under submission.

8 The Court filed a ruling on these matters on December 20, 2017. Pursuant to that ruling,
9 and GOOD CAUSE APPEARING, the *Eimer* Plaintiffs' motion is denied and Defendants'
10 motion for judgment on the pleading is granted. Statutes 2011, chapter 133 (enacted as Assembly
11 Bill 120) and Statutes 2012, chapter 29 (enacted as Senate Bill 1018) do not violate the single
12 subject rule of Article IV, section 9 of the California Constitution. In addition, due to the passage
13 of Senate Bill 637 and the failure of the *Eimer* Plaintiffs to demonstrate that they have applied for
14 the required permit under the Clean Water Act, the *Eimer* Plaintiffs have not shown a justiciable
15 controversy.

16 IT IS SO ORDERED.

17 Dated:

18
19 1-30-18



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

21 Approved as to form:

22 Dated:

23
24
25 James L. Buchal
Murphy & Buchal LLP
Attorneys for Plaintiffs

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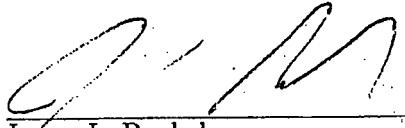
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26 Murphy & Buchal LLP
27 Attorneys for Plaintiffs
28