

May. 25. 2017 4:24PM

No. 4789 F. 2

FILED BY FAX
ALAMEDA COUNTY
 May 26, 2017
 CLERK OF
 THE SUPERIOR COURT
 By Lynn Wiley, Deputy
 CASE NUMBER:
RG16834448

1 ANDREW M. ZACKS (CA# 147794)
 2 RYAN J. PATTERSON (CA# 277971)
 3 JAMES B. KRAUS (CA# 184118)
 4 JOHNATHON H. CROOK (SBN 312823)
 5 ZACKS, FREEDMAN & PATTERSON, PC
 235 Montgomery Street, Suite 400
 San Francisco, CA 94104
 (415) 956-8100

6 Attorneys for Petitioners
 7 San Francisco Bay Area Renters Federation,
 8 California Renters Legal Advocacy and
 9 Education Fund, Sonja Trauss, and
 10 Diego Aguilar-Canabal

SUPERIOR COURT - STATE OF CALIFORNIA

COUNTY OF ALAMEDA- UNLIMITED CIVIL JURISDICTION

11 SAN FRANCISCO BAY AREA RENTERS
 12 FEDERATION, CALIFORNIA RENTERS
 13 LEGAL ADVOCACY AND EDUCATION
 14 FUND, SONJA TRAUSS, and DIEGO
 AGUILAR-CANABAL,

CASE NO. RG16834448

PETITIONERS' NOTICE OF MOTION
 AND MOTION TO ENFORCE
 SETTLEMENT AGREEMENT/
 STIPULATED ORDER

Petitioners,

(CCP § 664.6)

vs.

Reservation number 1857327

17 BERKELEY CITY COUNCIL, CITY OF
 18 BERKELEY, a municipal corporation, and
 19 DOES 1-25,

Date: June 20, 2017
 Time: 9:00 a.m.
 Dept: 511
 Judge: Hon. Kimberly Colwell

Respondents.

20
 21 BARAN STUDIO ARCHITECTURE, a
 22 California corporation, and CS
 23 DEVELOPMENT & CONSTRUCTION INC,
 a California corporation,

Real Parties in Interest.

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 235 MONTGOMERY STREET, SUITE 400
 SAN FRANCISCO, CALIFORNIA 94104

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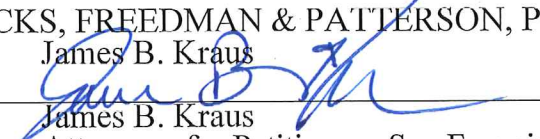
1 TO EACH PARTY AND THEIR ATTORNEY OF RECORD:

2 PLEASE TAKE NOTICE that on June 20, 2017 at 9:00 a.m., in Department 511 of
3 the above-entitled court located at the Hayward Hall of Justice, 24405 Amador Street,
4 Hayward, CA 94544, the Hon. Kimberly Colwell presiding, petitioners San Francisco Bay
5 Area Renters Federation, California Renters Legal Advocacy and Education Fund, Sonja
6 Trauss, and Diego Aguilar-Canabal (“Petitioners”) will move this Court for an order
7 enforcing the terms of the Stipulated Order Granting Petition for Writ of Administrative
8 Mandamus (the “Stipulated Order”) between the parties pursuant to Code of Civil
9 Procedure § 664.6.

10 This motion is made pursuant to CCP § 664.6 on the ground that the Respondents
11 have not complied with the following terms of the settlement agreement/Stipulated Order
12 filed November 10, 2016: “In its decision on the rehearing of the appeal, the Berkeley City
13 Council shall comply with the Housing Accountability Act (“HAA”), Gov’t Code § 65589.5
14 et seq.”

15 This motion is based on this notice of motion and motion, the attached points and
16 authorities, the request for judicial notice in support, and the entire file in this action.

17 Date: May 25, 2017

ZACKS, FREEDMAN & PATTERSON, PC
/s/ James B. Kraus
By: 
James B. Kraus
Attorneys for Petitioners San Francisco
Bay Area Renters Federation, California
Renters Legal Advocacy and Education
Fund, Sonja Trauss, and Diego Aguilar-
Canabal

28