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 ALEXIS E. KRIEG (CBN 254548)
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Attorneys for Plaintiffs and Petitioners
 BACKCOUNTRY AGAINST DUMPS, et al.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

BACKCOUNTRY AGAINST DUMPS and DONNA TISDALE,	)	Environmental Leadership CEQA
	)	Challenge
)	
Petitioners and Plaintiffs,	)	Civ. No. 37-2015-00007420-CU-WM-CTL
v.)	
	)	ASSIGNED FOR ALL PURPOSES TO:
SAN DIEGO COUNTY BOARD OF	)	HON. JOEL WOHLFEIL
SUPERVISORS, and DOES 1-X, inclusive,)	
	)	NOTICE OF ENTRY OF JUDGMENT
Respondents and Defendants,	)	AND ISSUANCE OF PEREMPTORY
and	)	WRIT OF MANDATE
)	
SOITEC SOLAR DEVELOPMENT LLC, TIERRA	)	Hearing: June 25, 2015, 9:00 am
DEL SOL SOLAR FARM LLC, RUGGED SOLAR	)	Dept: C-73
LLC, and DOES XI-L, inclusive,	)	Action filed: March 4, 2015
	)	Judgment entered: July 29, 2015
Real Parties in Interest.	)	Writ issued: July 29, 2015
)	
	)	[IMAGED FILE]

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

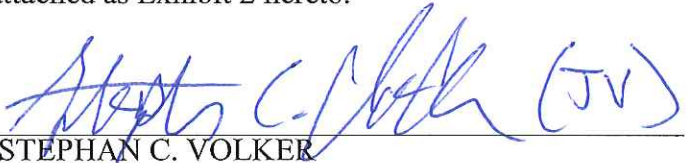
NOTICE IS HEREBY GIVEN that on July 29, 2015, this Court (1) entered Judgment in favor of Petitioners Backcountry Against Dumps and Donna Tisdale and against Respondent San Diego County Board of Supervisors ("Board") and Real Parties in Interest Soitec Solar Development LLC, Tierra Del Sol Solar Farm LLC, and Rugged Solar LLC; and (2) issued a Peremptory Writ of Mandate to the Board.

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1 A conformed copy of the Court's Judgment is attached as Exhibit 1 hereto. A conformed copy of
2 the Court's Peremptory Writ of Mandate is attached as Exhibit 2 hereto.

3 Dated: August 7, 2015

4  (JV)

5 STEPHAN C. VOLKER
6 Attorney for Plaintiffs and Petitioners BACKCOUNTRY
7 AGAINST DUMPS and DONNA TISDALE
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EXHIBIT 1

STEPHAN C. VOLKER (CSB #63093)
ALEXIS E. KRIEG (CSB #254548)
STEPHANIE L. CLARKE (CSB #257961)
JAMEY M.B. VOLKER (CSB #273544)
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Attorney for Plaintiffs
BACKCOUNTRY AGAINST
DUMPS, and DONNA TISDALE

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

07/29/2015 at 01:01:00 PM
Clerk of the Superior Court
By Lee McAlister, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

BACKCOUNTRY AGAINST DUMPS
and DONNA TISDALE,
Petitioners and Plaintiffs,
v.
SAN DIEGO COUNTY BOARD OF
SUPERVISORS, and DOES I-X, inclusive,
Respondents and Defendants,
and
SOITEC SOLAR DEVELOPMENT LLC,
TIERRA DEL SOL SOLAR FARM LLC,
RUGGED SOLAR LLC, and DOES XI-L,
inclusive,
Real Parties in Interest.

Case No. 37-2015-00007420-CU-WM-CTL

Assigned for All Purposes to the
Honorable Joel R. Wohlfeil (Dept. C-73)

Action Filed on March 4, 2015

[PROPOSED] JUDGMENT

Hearing: June 25, 2015

Dept: C-73

Action filed: March 4, 2015

[IMAGED FILE]

The Verified Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief (the “Petition”) filed by Petitioners Backcountry Against Dumps and Donna Tisdale (collectively, “Petitioners”) came on for hearing on June 25, 2015. Pursuant to the Court’s July 8, 2015 Order Granting Petition for Writ of Mandate (the “Order”),

IT IS ORDERED, ADJUDGED AND DECREED that:

1. Judgment is entered in favor of Petitioners and against Respondent San Diego

1 County Board of Supervisors ("Board") and Real Parties in Interest Soitec Solar Development
2 LLC, Tierra Del Sol Solar Farm LLC, and Rugged Solar LLC (collectively "Soitec") on the First
3 and Third Causes of Action of the Petition for the reasons set forth in the Order. Petitioners
4 previously dismissed their Second Cause of Action.

5 2. The Petition is granted in part and denied in part for the reasons set forth in the
6 Order.

7 3. This Court reserves jurisdiction to consider an award of costs to Petitioners upon
8 timely filing of their memorandum of costs in accordance with the schedule set forth in the
9 California Rules of Court, subject to any timely motion to tax costs.

10 4. This Court reserves jurisdiction over Petitioners' prayer for attorneys' fees, which
11 shall be considered for determination based on Petitioners' timely filing of a motion in
12 accordance with the schedule set forth in the California Rules of Court.

13 Dated: 07/29/2015

BY THE COURT:

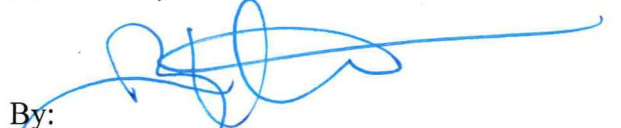


HON. JOEL R. WOHLFEIL
JUDGE OF THE SUPERIOR COURT

16 APPROVED AS TO FORM:

17 Dated: July 23, 2015

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

19
20 

By: _____
RYAN R. WATERMAN
Attorney for Respondent SAN DIEGO
COUNTY BOARD OF SUPERVISORS
and Real Parties in Interest SOITEC
SOLAR DEVELOPMENT LLC, et. al.

EXHIBIT 2

STEPHAN C. VOLKER (CSB #63093)
ALEXIS E. KRIEG (CSB #254548)
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Attorney for Plaintiffs
BACKCOUNTRY AGAINST
DUMPS, and DONNA TISDALE

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

07/29/2015 at 01:01:00 PM
Clerk of the Superior Court
By Lee McAlister, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

BACKCOUNTRY AGAINST DUMPS
and DONNA TISDALE,
Petitioners and Plaintiffs,
v.
SAN DIEGO COUNTY BOARD OF
SUPERVISORS, and DOES I-X, inclusive,
Respondents and Defendants,
and
SOITEC SOLAR DEVELOPMENT LLC,
TIERRA DEL SOL SOLAR FARM LLC,
RUGGED SOLAR LLC, and DOES XI-L,
inclusive,
Real Parties in Interest.

Case No. 37-2015-00007420-CU-WM-CTL

Assigned for All Purposes to the
Honorable Joel R. Wohlfeil (Dept. C-73)

Action Filed on March 4, 2015

**[PROPOSED] PEREMPTORY WRIT OF
MANDATE**

Hearing: June 25, 2015
Dept: C-73
Action filed: March 4, 2015

[IMAGED FILE]

TO RESPONDENT SAN DIEGO COUNTY BOARD OF SUPERVISORS:

Judgment having been entered in this proceeding ordering that a Peremptory Writ of
Mandate issue from this Court,

Pursuant to Public Resources Code section 21168.9, this Court commands as follows:

1. The San Diego County Board of Supervisors (the "Board") shall RESCIND AND
VACATE its approval of the Final Programmatic Environmental Impact Report (the "FPEIR")
and associated Findings and Statement of Overriding Considerations for the Soitec Solar Project

1 that Petitioners challenged herein (the "Project"), Major Use Permit Nos. PDS2012-3300-12-007
2 and PDS2012-3300-12-010, respectively, for the Rugged and Tierra Del Sol components of the
3 Project, Ordinance No. 10375 rezoning the Tierra Del Sol component of the Project, and
4 Resolution No. 15-015 disestablishing the Maupin Agricultural Preserve, because such approvals
5 are contrary to the California Environmental Quality Act ("CEQA"), Public Resources Code
6 section 21000 *et seq.*

7 2. On or before November 2, 2015, by way of RETURN to this Peremptory Writ of
8 Mandate, the Board shall report to this Court the steps it has taken to comply with this writ and
9 correct the deficiencies in the EIR. Within 90 days thereafter or such additional time as the Board
10 may require, the Board shall file with the Court a final RETURN to this Peremptory Writ of
11 Mandate. Should the Board choose to submit a revised EIR and certification and findings
12 regarding the same to comply with this Court's July 8, 2015 Order Granting Petition for Writ of
13 Mandate ("Order"), Judgment and this Peremptory Writ of Mandate, then the Court will conduct
14 a review of the same for compliance with its Order, Judgment and this Peremptory Writ of
Mandate, and applicable provisions of CEQA.

15 3. Except as provided herein, this Peremptory Writ of Mandate shall not limit or
16 constrain the Board's lawful jurisdiction and discretion.

17 4. This Court shall retain jurisdiction over this proceeding until the Board files a final
18 return demonstrating compliance with this Peremptory Writ of Mandate and, as necessary, CEQA,
19 and this Court issues an order discharging this Peremptory Writ of Mandate.

20 Dated: 07/29/2015



21 Judge ~~CLERK~~ OF THE SUPERIOR COURT

22 APPROVED AS TO FORM:

23 Dated: July 23, 2015

BROWNSTEIN HYATT FARBER SCHRECK, LLP

24 By: 

25 RYAN R. WATERMAN
26 Attorney for Respondent SAN DIEGO COUNTY
27 BOARD OF SUPERVISORS and Real Parties in Interest
28 SOITEC SOLAR DEVELOPMENT LLC, et. al.

1 **PROOF OF SERVICE**

2 I am a citizen of the United States of America; I am over the age of 18 years and not a party to the
3 within entitled action; my business address is 436 14th Street, Suite 1300, Oakland, CA 94612.

4 On August 7, 2015 I arranged for the electronic service of

5 **NOTICE OF ENTRY OF JUDGMENT AND ISSUANCE OF PEREMPTORY WRIT OF**
6 **MANDATE**

7 on each of the persons listed below by instructing One Legal to e-serve said document via their
8 electronic filing and service website and by emailing the same as follows:

9 LISABETH D. ROTHMAN
10 RYAN R. WATERMAN
11 AMY M. STEINFELD
12 ELISABETH ESPOSITO
13 BROWNSTEIN HYATT FARBER SCHRECK, LLP
14 225 Broadway, Suite 1670
15 San Diego, CA 92101-5000
16 Lrothman@bhfs.com
17 rwaterman@bhfs.com
18 Asteinfeld@bhfs.com
19 EESPOSITO@bhfs.com

20 I declare under penalty of perjury that the foregoing is true and correct. Executed on August 7,
21 2015, at Oakland, California.

22 
23 _____
24 Teddy Ann Fuss
25
26
27
28