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12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF LOS ANGELES

14 LEE SCHMEER, SALIM BANA, JEFF)
15 WHEELER, CHRIS KUCMA, and)
16 HILEX POLY CO. LLC,)

17 *Petitioners/Plaintiffs,*

18 vs.

19 COUNTY OF LOS ANGELES,
CALIFORNIA; GAIL FARBER in her
20 official capacity as Los Angeles Co.
Director of Public Works; KURT
21 FLOREN in his official capacity as Los
22 Angeles Co. Director of the Dept. of
23 Agricultural Commissioner/Weights
and Measures; DR. JONATHAN
24 FIELDING in his official capacity as
25 Los Angeles Co. Director of Public
Health; and DOES 1-10,

26 *Respondents/Defendants.*

Case No.: BC470705

**NOTICE OF HEARING ON
MOTION FOR WRIT OF MANDATE
(Code Civ. Proc. § 1085)**

DATE: December 12, 2011
TIME: 8:30 a.m.
DEPT: 17
JUDGE: Hon. Richard E. Rico

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT, pursuant to Code of Civil Procedure section
3 1085, Petitioners' Motion for Writ of Mandate will be heard on December 12, 2011,
4 in Department 17 of the above-captioned Court, located at 111 North Hill Street,
5 Los Angeles, California. As set forth in detail in the moving papers filed herewith,
6 the motion is based on the claim that Los Angeles County Ordinance No. 2010-
7 0059 imposes an illegal tax and therefore violates Article XIII of the California
8 Constitution, as amended by the passage of Proposition 26 on the November 2010
9 statewide ballot. The motion is supported by the Memorandum of Points and
10 Authorities, the Request for Judicial Notice, and the Declarations of Jeff Wheeler,
11 Christine Kucma, Lee Schmeer, Salim Bana, and Philip Rozenski, filed herewith, as
12 well as the Verified Petition for Writ of Mandate and other records on file in this
13 action and such oral argument the court allows counsel for Petitioners to present at
14 the hearing.

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16 Dated: November 14, 2011

NIELSEN MERKSAMER PARRINELLO
GROSS & LEONI, LLP

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19 By: 

James R. Parrinello
Attorneys for Petitioners

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