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August 20, 2019

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**Statements from City Attorney Rick Doyle and City Manager Dave Sykes on First Amendment Coalition and Working Partnerships U.S.A. vs. City of San José**  
*Court finds City complied with law in Google case*

**Statement from City Attorney Rick Doyle**

The Superior Court has denied the petition for writ of mandate which challenged the City of San José's compliance with the Public Records Act (PRA) in connection with the Google project. On August 16, 2019, Judge Patricia Lucas issued her ruling noting there are certain statutory exemptions to the PRA and held that the documents not produced by the City were properly exempt from disclosure as attorney-client communications or under the deliberative process privilege. The Court specifically found that documents related to ongoing real estate negotiations were properly withheld from production because it is in the City's best interests to not have its negotiation strategies and goals made public during the negotiation process with third parties. As to the thousands of pages released by the City, the Court held the protocols followed by the City in its search for documents complied with the Public Records Act.

The Court noted:

*"[T]he City's ability to obtain the best value in land transactions and to maximize community benefits it can achieve in negotiations with Google would be adversely impacted if the parties with which the City negotiates had otherwise confidential information about the City's approaches, strategies, and options."*

With respect to the question over nondisclosure agreements, in their reply brief the Court did not consider it since the Petitioners only raised it in passing and failed to explain why they had not included it in their opening brief. In addition, the Court stated that the issue was moot, since Petitioners conceded that no documents had been withheld because of the nondisclosure agreements, and the agreements have not been in effect since June 9, 2017. Similarly, Judge Lucas rejected Petitioners' request for an order that the City release Closed Session transcripts that had been made available for public viewing since they conceded that no such relief had been sought in their Petition or their opening brief.

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**Statement from San José City Manager Dave Sykes**

“The City of San José is committed to transparency and following the rules in all of our processes, including our efforts to attract and retain businesses that invest in San Jose. We hope the outcome of this lawsuit strengthens trust in the public process. We look forward to continuing to engage the community in the development of the Diridon Station Area plan and Google’s mixed-use project.”

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