Gregory J. Glaser (SBN 226706)
4399 Buckboard Drive, Box 423
Copperopolis, California 95228
Ph.: (925) 642-6651
Fax.: (209) 729-4557
Email: greg@gregglaser.com

Ray L. Flores II (SBN 233643)
11622 El Camino Real Suite 100
San Diego, CA 92130
Ph.: (858) 367-0397
Fax.: (888) 336-4037
Email: rayfloreslaw@gmail.com

Attorneys for the Petitioners

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT

ROXANE WAGNER-HOLLIER; RACHAEL NICOLAISEN and her children AN, RN, UN; and CHILDREN'S HEALTH DEFENSE, a California Nonprofit Corporation,

Petitioners,

vs.

CITY OF LOS ANGELES; KAREN BASS, mayor of the CITY OF LOS ANGELES, in her official capacity; TED ROSS, general manager of the INFORMATION TECHNOLOGY AGENCY, in his official capacity; MIGUEL SANGALANG, general manager of the BUREAU OF STREET LIGHTING, in his official capacity; BEATRICE HSU, president of LOS ANGELES WORLD AIRPORTS, in her official capacity; KEITH MOZEE, general manager of the BUREAU OF STREET SERVICES, in his official capacity; TED ALLEN, executive director for the BUREAU OF ENGINEERING, in his official capacity; DANIEL RANDOLPH, chief of staff for the LOS ANGELES POLICE DEPARTMENT, in his official capacity,

Respondents.

CASE NO: 23STCP02601

PETITIONERS' REPLY BRIEF IN SUPPORT OF MOTION FOR WRIT OF MANDATE

Trial date: March 15, 2024
Time: 9:30 a.m.
Department: 86
Judge: Hon. Mitchell L. Beckloff

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SUMMARY OF REQUESTED RELIEF

The administrative record is now complete for adjudication. And the following proposed Court Order would promptly resolve the dispute, pursuant to the laws specifically authorizing this traditional writ of mandate relief (Gov. Code, § 7923.100, Code Civ. Proc., § 1085, and Cal. Const, art. VI, § 10):

1. Judicial Findings Regarding CPRA Compliance. In this California Public Records Act (CPRA) action, the City has unreasonably delayed production of responsive records and continues to claim numerous privileges to withhold documents from the public relating to the surveillance activities of the City and its corporate partners. Hence a Catch-22: Petitioners are lawfully permitted to follow the Attorney General's guidance to opt-out of corporate surveillance,[1] but cannot identify the surveillance in order to opt-out. Certain public records show that even City employees cannot identify surveillance that is *already* taking place by the City and the City's corporate partners.[2] The City of Los Angeles recognizes residents' right to navigate the City without digital ID in its Digital Code of Ethics.[3] The Court should recognize these essential facts in its ruling.

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[1] *Privacy and Data Security*, State of California Department of Justice <https://oag.ca.gov/privacy> [as of 3/1/24]. Especially for children, California law and Federal law both protect the right to know what personal information is collected, and the right to opt-in and opt-out of information sharing and sale.

[2] Glaser Opening Decl., ¶¶ 10-18. See also VP ¶ 24 (example: Louis Carr with DWP, "Some level of transparency in explaining to our customers and citizens how we might use their data. We are all aware that companies like Google and Facebook have made billions of dollars by understanding information and sometimes selling it, sometimes using it for other things. Even within the City, how can DWP share information appropriately so that Rec and Parks or the Library might pick up clients. I know most citizens probably don't trust government to use their information wisely, but if we could obtain that trust even internally, we could do some cross-marketing with information that we have." And see the abundant references in the parties' meet and confer communications such as Exh. P830 ("Eco-Counter "hosts the data and BSL will have access". Ms. Frias goes on to state that "[w]e're working closely with the vendor…however, no official access to data yet." That statement seems to indicate that Eco-Counter is gathering public data, and giving BSL access as an afterthought. Thus, how can my clients exercise their privacy rights (Glaser Decl., para 9) with respect to this data sharing if the City cannot even access the data or report to the public on how it is being used?")

[3] See, e.g., Exh. P199, the City's official Digital Code of Ethics ["Location data will not be tracked or stored, unless it is required by a lawful warrant or essential to providing a service, and then it is anonymized with no stored history…. The apps, websites, and portals that we provide to the public will never be instruments for unauthorized spying or surveillance activities."].) Even at the most

Petitioners confirmed the exercise of their privacy rights (recognized by the California Attorney General and the City's Digital Code of Ethics) requires production of documents pursuant to the California Public Records Act (CPRA). Petitioners also appreciate these excerpts in the City's Opposition brief (p. 2, lines 25-28) about whether the record provides "concrete evidence City was collecting the type of information the public has the right to opt of based on the California Consumer Privacy Act. It is undeniable that there is a significant public interest in understanding how City intends to implement the roll out of its smart technology strategy."

2. **Respondents Must Produce Responsive Non-Privileged Documents.**

   a. **Information Technology Agency (VP Exhibit 2 – P023-P029):** applicable to missing attachments identified in P851-P853.

   b. **Bureau of Street Lighting (VP Exhibit 3 – P030-P035):** applicable to missing attachments identified in P838-P840.

   c. **Los Angeles World Airports (VP Exhibit 4 – P036-P041):** applicable to the missing attachments referenced in Glaser Reply Decl., ¶ 3.d.vii.

   d. **Los Angeles Police Department (VP Exhibit 7 – P055-P063):** applicable to the supplemental document production referenced in counsels' declarations (Glaser Reply Declaration, ¶ 3.e.vi.1, Wilson Opposition Declaration, ¶ 9).

   e. **Mayor's Office (VP Exhibit 8 – P064-P071):** applicable to the missing attachments referenced in Glaser Reply Decl., ¶ 3.f.vi.

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intrusive smart city location in the City (the airport) digital ID is not required. See *TSA Launches Leading-Edge Passenger Identification Technology at LAX Checkpoints*, Los Angeles World Airports (March 18, 2022) <https://www.lawa.org/news-releases/2022/news-release-017> ("When entering the TSA screening area, guests may be asked to insert their government-issued photo ID into a next generation Credential Authentication Technology (CAT) unit, which is equipped with a camera that captures a photo of the guest. The CAT compares the guest's facial features on their photo ID against the facial features from the in-person photo, confirming their identity…. Guests who do not wish to participate in facial recognition verification can *opt out in favor of an alternative identity verification process*." [emphasis added]). And this is further confirmed by the federal government. See *Travel FAQs*, Transportation Security Administration (2024) <https://www.tsa.gov/travel/frequently-asked-questions/am-i-required-be-processed-biometric-technology-tested-airport> ("Am I required to be processed by the biometric technology tested at an airport checkpoint? No. Participation in the testing of biometric technology is voluntary. Passengers may notify a TSA officer if they do not wish to participate and instead go through the standard ID verification process.")

f. **Information Technology Agency (VP Exhibit 9 – P072-P085):** applicable to the supplemental document production identified in Glaser Reply Declaration, ¶ 3.g.vii.1; Wilson Opposition Declaration, ¶ 11.

g. **Information Technology Agency (VP Exhibit 10 – P086-P092):** applicable to the supplemental document production identified in Glaser Reply Declaration, ¶ 3.h.viii.1.

h. **Bureau of Street Lighting (VP Exhibit 11 – P093-P102):** applicable to the supplemental document production referenced in counsels' declarations (Glaser Reply Declaration, ¶3.h.viii.1; Wilson Opposition Declaration, ¶ 13).

3. Detailed Privilege Log. Respondents have the burden of proof to establish privilege. Where responsive documents have been withheld, Respondent Agencies must revise their privilege logs with sufficient detail to substantiate the applicability of their claimed privileges. Respondents are disallowed the deliberative process privilege for emails and documents received from private contractors. See *Laguna Greenbelt v. County of Orange*, 2021 Cal. Super. LEXIS 123594, *24-25.

a. **Mayor's Office (VP Exhibit 1 – P016-P022):** Applicable to the 2,672 responsive documents that have been withheld during litigation (see privilege logs at D529-D581 and D585-D586).

b. **Information Technology Agency (VP Exhibit 2 – P023-P029):** Applicable to the 188 responsive documents that have been withheld during litigation (see privilege log at D589-D593).

c. **Bureau of Street Lighting (VP Exhibit 3 – P030-P035):** applicable to any responsive documents withheld during litigation.

d. **Los Angeles Police Department (VP Exhibit 7 – P055-P063):** applicable to any responsive documents withheld during litigation.

e. **Information Technology Agency (VP Exhibit 9 – P072-P085):** applicable to any responsive documents withheld during litigation.

f. **Information Technology Agency (VP Exhibit 10 – P086-P092):** applicable to any responsive documents withheld during litigation.

g. Bureau of Street Lighting (VP Exhibit 11 – P093-P102): applicable to any responsive documents withheld during litigation.

4. Redactions Where Feasible. Regarding records identified in Respondents' detailed privilege logs (section 3 above), Respondent Agencies must utilize reasonable efforts to redact privileged content and produce to Petitioners the non-privileged content. If a responsive but withheld document cannot feasibly be redacted, and is not subject to attorney-client privilege, then it must be submitted to the Court for in-camera review to verify the scope of privilege.

ARGUMENT

These are the current Agency deficiencies and issues requiring the writ:

A. Respondents Must Renew Certain Searches and Produce Responsive Records.

Petitioners provided numerous examples where Respondents wrongfully withheld responsive documents for three reasons:

(1) Respondents overlooked records (such as missing contracts);

(2) Respondents' Boolean searches[4] wrongfully restricted the search terms (i.e., where quotation marks were not utilized, wrongly requiring every search term be present, rather than using common sense search terms designed to identify responsive records); and,

(3) Respondents have the burden of proof and failed to substantiate their overutilized privileges.

Indeed, in certain instances the Respondents admit these problems.[5]

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[4] Respondents' Opposition brief states at page 3, lines 27-28, "Google Vault is an information governance and eDiscovery tool where all City gmail messages are retained. Gmail messages can be extracted from Google Vault through Boolean searches using search terms. As long as a gmail message contains the operative search term it will be extracted and appear in a search result."

[5] See, e.g., Opposition brief, page 2, lines 18-20 ("City acknowledges it has dropped the ball on a few occasions in processing requests by Petitioner, some of which are patently overbroad in scope." Compare Reply Declaration, ¶ 3.a.viii, "it is precisely because of this supposed 'overbreadth' that Petitioners have even been able to learn of these contract publication deficiencies affecting the privacy rights of Angelenos." See also, Opposition brief, page 9, lines 8-11, "On February 6, 2024, Petitioner sent a meet and confer letter to the City identifying responsive contracts on the City Clerk's website he could not locate. City is in the process of investigating the alleged deficiencies and plan to cure them as soon as possible."

To comply with CPRA,[6] this Court should order Respondents to search again for responsive records and make prompt production within two months. Respondents should be ordered to diligently search for the information requested utilizing reasonably expansive search methods rather than only the Boolean limiters restrictively.[7] For example:

- Where Petitioners request all emails from an employee with the word "smart", it is unreasonable for Respondents to change the search term from the general word "smart" to the more specific term "smart city".
- Where Petitioners request all "contracts" reviewed by the Agency, it is unreasonable for Respondents to unilaterally interpret the request only for contracts it deems related to a "smart city". It is also unreasonable if Respondents only search for the word "contract" yet not the singular and plural uses of "contract", "agreement", and "memorandum of understanding". See, e.g., P849-850 ("First, not all contracts are available through the City Clerk's contracts portal. Plaintiffs have already provided several examples of the systemic issue of withholding documents such as MOUs."); P842 ("The pattern here shows a systemic problem: the City is not producing its contracts. Only through the fortuitous production of miscellaneous emails with the word "smart" did this problem even become visible. BSL reviews its contracts regularly (i.e., annually) for compliance and

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[6] See, e.g., Cal. Gov't Code § 7922.600 ("(1) [] identify records and information that are responsive to the request or to the purpose of the request, if stated. (2) Describe the information technology and physical location in which the records exist. (3) Provide suggestions for overcoming any practical basis for denying access to the records or information sought.")

[7] See, e.g., *Buelow v. Alibaba Grp. Holding Ltd.*, 2016 Cal. Super. LEXIS 14913, *72 ("We believe that the Group 1 terms capture documents related to the core issues in this litigation, and can be applied without further search term limitation. We propose that the Group 2 and Group 3 terms be applied with a Boolean limiter, such that only documents that contain at least one term from Group 2 *and* at least one term from Group 3 are reviewed."); *Saul v. Umass Glob*., 2023 Cal. Super. LEXIS 94244, *4-5 ("There are ways to do true searches of emails and they must be done. Boolean logic is a standard way to do the search, and that is what must be done here…. As to the search parameters, plaintiff ought to use those that defendants have suggested. Remember, in today's electronic world there is far too much information for a human to lay eyes on everything. Therefore, the search is a way to winnow the universe of documents down to something that a human can review. Just because a document is returned by the search does not mean it is responsive; it means only that a human must decide whether it is responsive. Obviously, some searches may need to be refined. For example, one would think "Chapman" would be an obvious term. But if Joyce's best friend's name was "Chapman," it may have to be modified due to the quantity of irrelevant documents retrieved. That's ok. The key is to be reasonable.")

accounting purposes, so it should conduct a fresh search for its contracts and produce them, whether the contract is titled 'contract', 'agreement', 'memorandum of understanding', 'proposal', or similar. See, e.g., *Mendly v. County of Los Angeles* (1994) 23 Cal.App.4th 1193, 1208 (using "contract", "memorandum of understanding", and "agreement" to refer to the same document).") See also Exh. P850, the February 12, 2024 letter from Petitioners' counsel: "[O]ne of Plaintiffs' primary goals is to verify that the Mayor's Office and ITA are annually *reviewing* contracts for compliance with privacy guidelines. This was covered in my previous letters (keyword search "audit"). The CPRA request was not just for documents executed during the relevant time frame, but reviewed during that time frame."

- Where Petitioner requests all accounting documents, it is unreasonable for Respondents to unilaterally interpret the request only for accounting documents it deems related to a "smart city". It is also unreasonable if only spreadsheets are provided, as spreadsheets would not be the department's *only* accounting records.

- Where Petitioner requests all emails referencing "California Government Code section 7599", it is unreasonable if Respondents only search the exact phrase "California Government Code section 7599". It is reasonable for Respondents to recognize the law to which Petitioner is referring (titled by statute "The 4th Amendment Protection Act"), and for Respondents to conduct a search reasonably designed to identify responsive records. To be reasonable, Respondents would include, for example, a search for the terms "fourth amendment protection", "4th Amendment protection", "4th Amendment protection", "section 7599", "§7599", "§ 7599". [8]

B. Privilege Rulings

1. The Burden to Establish Privilege is on the Respondent Agencies.

The burden is on each agency to provide sufficient detail to substantiate any claimed CPRA exemptions. See, e.g., *Olson v. City of Long Beach*, 2018 Cal. Super. LEXIS 2825, *33-34:

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[8] See, e.g., *Pc Specialists v. Fusionstorm*, 2009 Cal. Super. LEXIS 116, *5-6 ("Conduct a keyword search using Boolean search strings attached hereto as Exhibit A, whereby the search includes (1) active files in allocated space and deleted files and/or remnants of the files in other areas of the drive and (2) use of "GREP" and Unicode variations of the search terms to make the search more efficient, to eliminate some false positive hits, and to include variations of the search terms (i.e., search term "Fusion" may appear in the computer as "f u s i o n", "FUSION", "Fusion", etc.)".)

> "In camera review of the unredacted records is permitted under the CPRA. The agency claiming the exemptions should make a sufficient showing to justify the in camera review- (See e.g. Gov. Code § 6259(a); see *American Civil Liberties Union of Northern Cal. v. Sup. Ct.* (2011) 202 Cal.App.4th 55, 74, 134 Cal. Rptr. 3d 472 ["Because the agency opposing disclosure bears the burden of proving that an exemption applies," it has the burden to submit evidence, including for in camera review]; see also *Id.* at 87 ["a trial court's prerogative to inspect documents in camera 'is not a substitute for the government's burden of proof, and should not be resorted to lightly'"].) Even though the court has found that certain categories of information are properly redacted under' the Public Records Act, as Petitioners point out, there is insufficient information about the redacted material to ascertain whether it fits into one of those categories." [9]

Here, the Court can plainly observe that Respondents' privilege logs are factually devoid. An illustrative example would be Item #661 for Ms. Bromaghim regarding funding:

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Custodian: Erin Bromaghim
ID:          93519836
Name:        MEMO - LA28 Funding.msg
Email To:    erin.bromaghim@lacity.org.
Email From: comments-noreply@docs.google.com
Email CC:    [blank]
Privileged: Yes
Privileged Reason: Deliberative
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See Exh. D542. There is simply no basis on which Petitioners or the Court can provide any factual assessment whether privilege applies to such ambiguity. Nearly every entry is like the above, sparse and ambiguous, which is not best practices.[10]

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[9] However, according to *Watt Industries, Inc. v. Sup. Ct*. (1981) 115 Cal.App.3d 802, courts should resolve "doubtful cases" in favor of privilege. This caution, the *Watts* court added, must be examined in the context of the weighty burden on public agencies seeking to withhold documents from public scrutiny in a Public Records Act case. See *Caldecott v. Superior Court* (2015) 243 Cal.App.4th 212, 218-19: "The CPRA embodies a strong policy in favor of disclosure of public records...." [Citation.] "Statutory exemptions from compelled disclosure are narrowly construed. [Citation.]" (*Ibid.*) "'[T]he government agency opposing disclosure bears the burden of proving that one or more [of the exemptions] apply in a particular case.' [Citations.]" (*County of Los Angeles v. Superior Court* (2012) 211 Cal.App.4th 57, 63, 149 Cal.Rptr.3d 324; § 6255, subd. (a).)"

[10] A privilege log entry should describe the type of document (e.g., an opinion letter, a request for an opinion letter), its topic, date, the writer and recipient, and explain why the matter is privileged. This explanation or description of privilege for each document must be sufficiently detailed to allow an opposing party or a judge examining the entry to determine whether the entry meets the requirements for the type of privilege claimed. See, e.g., *4K Global-ACC Joint Venture, LLC v. Dep't of Labor*, CBCA 6683 et al., 2020 WL 6611039 (Nov. 5, 2020). The description must contain

If the City is not willing to spend time redacting documents of "internal notes that can easily be redacted" (*Anaheim, supra*), nor willing to provide an objection log with factual information that allows Petitioners to assess privilege per the legal standard of balancing, then the only remaining option (per standard CPRA procedure) is for the Court to review the documents *in camera*. And indeed, *in-camera* review is often the solution chosen by the courts to resolve these matters.

2. Protecting Attorney-Client Privilege Without Intruding on Facts.

Petitioners have no desire to diminish Respondents' attorney-client privilege. Rather, Petitioners request the Court order Respondents to produce only the factual content in the documents. Indeed, the Opposition brief (p. 10, lines 19-23) concedes for the Mayor's Office, "Should the court grant Petitioner's request for an in-camera review, these records should be in camera review. In the meantime, counsel for City will heed Petitioner's request for a re-review withheld to ensure that the attorney-client privilege has not been improperly applied to attorney-client communications unrelated to the provision of legal services."

Respondents' counsel is well-equipped to review attorney-client privileged content and redact where necessary. In *Caldecott, supra,* 243 Cal.App.4th at page 227, the court remanded the case for in camera review of documents claimed to be attorney-client privileged, as it reasoned:

> A confidential communication between a lawyer and his or her client is protected from disclosure. (Evid. Code, § 954.) But not all communications with attorneys are subject to that privilege. For example, the privilege does not shield from disclosure underlying facts that may be set out in the communication. (*State Farm Fire & Casualty Co. v. Superior Court* (1997) 54 Cal.App.4th 625, 639, 62 Cal.Rptr.2d 834.)

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objective facts to allow the judge to determine whether the claim of privilege is valid. As the Judge pointed out in the case cited above, generic statements such as "attorney-client email correspondence" or "request for final contracting officer decision" are deficient on their face. This is instructive for parties preparing descriptions for a standard privilege log. See also Michael Downey & Paige Tungate, *Practical Advice on Privilege Logs*, Law Practice Today (Sept. 14, 2018) <https://www.lawpracticetoday.org/article/practical-advice-privilege-logs/> ("In preparing descriptions, the party withholding records as privileged should try to provide a coherent explanation of what is being withheld from discovery due to privilege and why, without actually disclosing the privileged information. There can be a fine line in providing enough details as to the claim of privilege to appease opposing counsel and ensuring the privilege is not disclosed. We find the best practice is often to prepare descriptions that clearly indicate why the privileges apply. The descriptions above identify or reiterate that the author and recipient were corporate officials or counsel, and suggest why the two privileges would be applicable. Sometimes only part of a document should be retained as privileged.")

> Likewise, the privilege does not protect "independent facts related to a communication...." (*Id.* at p. 640, 62 Cal.Rptr.2d 834.) Further, the mere fact nonprivileged information is relayed to an attorney does not shield the communication. (*Costco Wholesale Corp. v. Superior Court* (2009) 47 Cal.4th 725, 735, 101 Cal.Rptr.3d 758, 219 P.3d 736.) In addition, "[t]he privilege does not apply to communications to an attorney who is transacting business that might have been transacted by another agent who is not an attorney [citation]." (*Montebello Rose Co. v. Agricultural Labor Relations Bd.* (1981) 119 Cal.App.3d 1, 32, 173 Cal.Rptr. 856.) "For example, the privilege is not applicable when the attorney acts merely as a negotiator for the client or is providing business advice [citation]; in that case, the relationship between the parties to the communication is not one of attorney-client." (*Costco Wholesale Corp. v. Superior Court*, *supra*, 47 Cal.4th at p. 735, 101 Cal.Rptr.3d 758, 219 P.3d 736.)

(*Id.* at 227.)

The court further added it can review protected information in the form of attorneys' advice and information intertwined with unprotected information. See, e.g., *Costco Wholesale Corp. v. Sup. Ct.* (2009) 47 Cal.4th 725, 735-36. However, all factual information considered by an agency does not become immediately protected merely because it is handed from one attorney to another, from attorney to client, or simply is stored as a file on an attorney's computer.

Regarding what is practicable for time spent redacting, the burden is on the City to prove where it would be unduly burdensome to redact. See, e.g., *Pasadena Police Officers Assn. v. Superior Court* (2015) 240 Cal.App.4th 268, 277 ("The City argued that all but about 20 percent of the Report (which it agreed was confidential personnel information) should be disclosed.")

Consider for example Item #20 in the Mayor's log for Ms. Bromaghim, who is not a lawyer, yet certain of her emails to Google Docs are claimed attorney-client privilege. Exh. D529. Even if an attorney was cc'd or commented on the document, the comment could be redacted, and the factual information produced.

If redactions are feasible then attorney-client privilege does not block access to facts.

3. Other Privileges Such As Deliberative Process Require Balancing.

Deliberative privilege is a frequent objection cited in the City's objection logs, but no substantive information was provided to verify any objection. Petitioners can trust, but cannot verify; so the rules require now the Court to verify. By law, the burden is on the City to produce the

documents *in camera*. See, e.g., *County of Los Angeles v. Superior Court* (2000) 82 Cal.App.4th 819, 835 ("We conclude, therefore, that an in-camera review of these documents is required in order to determine whether the deliberative process privilege is applicable.") *Cal. First Amendment Coalition v. Superior Court* (1998) 67 Cal.App.4th 159, 172-173 ("Not every disclosure which hampers the deliberative process implicates the deliberative process privilege. Only if the public interest in nondisclosure clearly outweighs the public interest in disclosure does the deliberative process privilege spring into existence. The burden is on the Governor to establish the conditions for creation of the privilege.") See also *Am. Reclamation v. L.A. Metro. Transp. Auth.*, 2021 Cal. Super. LEXIS 73678, *34, 36-37, 45; *Cal. Policy Ctr. v. Anaheim Union High Sch. Dist.*, 2019 Cal. Super. LEXIS 35440, *8-9 ("It is for this reason that draft proposals of already-inked contracts are not subject to withholding because they are either not deliberative or the public interest in withholding is negligible once a final agreement is inked. This does not mean that every document sent to an adversary must be disclosed, but it certainly limits the universe of documents that can be righteously withheld. Moreover, a document that is 99% discoverable cannot be withheld because of a few rouge internal notes that can easily be redacted.")

Indeed, the Opposition brief (p. 11, lines 13-16) concedes for the Agencies: "Petitioner has raised concerns that City may have improperly withheld records that could have been produced with redactions to deliberative substance. Counsel for City has agreed to rereview the production and provide redacted records where appropriate and, in some instances, waive the privilege where the chilling effect from disclosure is negligible."

Petitioners' legal position is that Respondents should produce liberally because Petitioners' document review team is very well versed on these issues. Respondents should redact as needed and send the documents directly to Petitioners. This would allow the parties to cooperatively limit the documents for in-camera review (ideally to zero), and promotes efficient judicial administration.

Dated: March 1, 2024

Respectfully submitted,

Gregory J. Glaser

Gregory J. Glaser (SBN 226706)
4399 Buckboard Drive, Box 423

Copperopolis, California 95228
Ph: (925) 642-6651
Fax.: (209) 729-4557
Email: greg@gregglaser.com

Ray L. Flores II (SBN 233643)
11622 El Camino Real Suite 100
San Diego, CA 92130
Ph.: (858) 367-0397
Fax.: (888) 336-4037
rayfloreslaw@gmail.com

Attorneys for the Petitioners

PROOF OF SERVICE

Case No. 23STCP02601

I, the undersigned, declare as follows: I am over the age of 18 years, and not a party to this action. My business address is 4399 Buckboard Drive, Box 423, Copperopolis, CA 95228. On March 1, 2024 I served the foregoing documents:

(1) PETITIONERS' REPLY BRIEF IN SUPPORT OF MOTION FOR WRIT OF MANDATE

(2) REPLY DECLARATION OF PETITIONERS' COUNSEL GREGORY J. GLASER IN SUPPORT OF MOTION FOR WRIT OF MANDATE

to the following lawyer for all Respondents in this action

Mr. Bethelwel Wilson
Deputy City Attorney
General Counsel Division
Los Angeles City Attorney's Office
200 N. Main Street, 8th Floor
City Hall East, Mail Stop 140
Los Angeles, CA 90012
bethelwel.wilson@lacity.org
Attorney for all Respondents

X (*BY ELECTRONIC SERVICE)* Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the Documents to be sent to the above-referenced lawyer at the electronic notification address. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed March 1, 2024, in Copperopolis, California. I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Gregory J. Glaser