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No Fee Required - Gov't Code § 6103

15 Attorneys for Defendant City of Los Angeles, including its component
16 parts erroneously named as Defendants Los Angeles City Council; Los
Angeles Housing Department; and Los Angeles Department of
17 Transportation

18 SUPERIOR COURT OF THE STATE OF CALIFORNIA
19 FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT

20 LA FORWARD INSTITUTE, a non-profit
organization; SYLVIA AROTH, an individual;
21 KATHLEEN L. COATES, an individual; and
GARY WILLIAMS, an individual,

22 Plaintiffs,

23 vs.

24 CITY OF LOS ANGELES; LOS ANGELES CITY
COUNCIL; LOS ANGELES HOUSING
DEPARTMENT; LOS ANGELES
25 DEPARTMENT OF TRANSPORTATION; and
DOES 1 through 100, inclusive,

26 Defendants.

Case No: 24STCV17156

Assigned for all purposes to:
Hon. Robert D. Broadbelt III

**DEFENDANTS' NOTICE OF MOTION AND
MOTION TO STAY THIS ACTION
PENDING RESOLUTION OF THE
RELATED WRIT PROCEEDINGS;
MEMORANDUM OF POINTS AND
AUTHORITIES**

Date: June 11, 2025

Time: 10:00 a.m.

Dept.: 53

Reservation ID: 416843669541

Date Action Filed: July 10, 2024

1 **NOTICE OF MOTION AND MOTION**

2 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

3 PLEASE TAKE NOTICE that on that on June 11, 2025, at 10:00 a.m. or as soon thereafter as the
4 matter may be heard in Department 53 of the above-entitled court, located at 111 N. Hill St., Los
5 Angeles, CA 90012-3014, Defendant City of Los Angeles, on behalf of itself and the City’s component
6 parts erroneously named as Defendants Los Angeles City Council, Los Angeles Housing Department,
7 and Los Angeles Department of Transportation (collectively, “City”), will and hereby does move the
8 Court for an order staying this action pending determination of the two related writ petitions filed in this
9 Court that involve the same facts and issues as those in this case, listed below:

10 1. *Venice Community Housing Corporation v. The Los Angeles Board of Transportation*
11 *Commissioners*, Los Angeles Superior Court, Case No. 25STCP00892, filed on March 7, 2025, assigned
12 to the Honorable Curtis Kin; and

13 2. *People Organized for Westside Renewal v. The Los Angeles Board of Transportation*
14 *Commissioners*, Los Angeles Superior Court, Case No. 25STCP01091, filed on March 19, 2025,
15 assigned to the Honorable Stephen Goorvitch.

16 This motion will be made pursuant to the Court’s inherent power to stay this action in the interest
17 of justice and to promote judicial efficiency under Code Civ. Proc. § 128 and relevant case law.

18 This motion is further based upon this Notice, the attached Memorandum of Points and
19 Authorities, the Declaration of Ilse C. Scott filed herewith; upon the records and files in this action; and
20 upon such further evidence and argument as may be presented prior to or at the time of hearing on the
21 motion.

22 Dated: April 11, 2025

NOSSAMAN LLP
PATRICK J. RICHARD
ILSE C. SCOTT
PAOLO A. HERMOSO

23
24
25 By: /s/ Patrick J. Richard
Patrick J. Richard

26 Attorneys for Defendant City of Los Angeles, including its
27 component parts erroneously named as Defendants Los
28 Angeles City Council; Los Angeles Housing Department;
and Los Angeles Department of Transportation

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 This action arises out of a proposed development known as the Venice Dell Community (the
4 “Proposed Project”). In July 2024, Plaintiffs filed a Complaint that alleged the City delayed in issuing
5 approvals for the Proposed Project, and sought declaratory and injunctive relief “order[ing] the City to
6 take all affirmative steps to allow Venice Dell to be constructed....” (Compl. at 42:22-23.) At the time
7 Plaintiffs filed their Complaint last July, the City had not denied any approval for the Proposed Project
8 or otherwise taken any final administrative action.¹

9 Plaintiffs’ Complaint has been overtaken by events. On December 10, 2024, the Proposed
10 Project came before the City’s Board of Transportation Commissioners (“Board”), which is charged
11 with the management of City-owned public parking facilities. The Board considered whether to approve
12 the use of the parking lot at issue—municipal Lot 731—for the Proposed Project, or whether another lot
13 would be more suitable for the type of project proposed. For the reasons detailed in an evidence-based
14 report submitted by the Los Angeles Department of Transportation (Declaration of Ilse C. Scott [“Scott
15 Decl.”], Ex. A), the Board *denied* authorization to use Lot 731 for the Proposed Project, and
16 recommended instead that the Los Angeles Housing Department determine the feasibility of relocating
17 the Proposed Project to Lot 701. (Scott Decl., Ex. B.) Subsequently, the Los Angeles City Council did
18 not exercise its authority pursuant to Section 245 of the City Charter to veto the Board’s action to deny
19 the use of Lot 731 for the Proposed Project, resulting in the Board’s action becoming final. Thus, the
20 developers cannot proceed with their construction plans on Lot 731, absent a Court order (1) overturning
21 the Board’s decision, and (2) nullifying the City Council’s authority under Charter Section 245 to allow
22 the Board’s action to become final.

23 After the Board denied authorization to use Lot 731 for construction of the Proposed Project and
24 that action became final, two writ petitions were filed in March 2025 that seek to undo the Board’s

25
26
27 ¹ The City argued in its Anti-SLAPP motion that Plaintiffs’ Complaint was filed prematurely and the
28 claims therein were not yet ripe, given the absence of any final administrative action. Because the Court
denied the Anti-SLAPP Motion on other grounds, it did not consider or rule upon the merits of
Plaintiffs’ lawsuit, including this ripeness defect. (See Feb. 6, 2025 Order.)

1 actions:

- 2 3. *Venice Community Housing Corporation v. The Los Angeles Board of Transportation*
3 *Commissioners*, Los Angeles Superior Court, Case No. 25STCP00892, filed on March 7,
4 2025, assigned to the Honorable Curtis Kin (Scott Decl., Ex. C); and
5 4. *People Organized for Westside Renewal v. The Los Angeles Board of Transportation*
6 *Commissioners*, Los Angeles Superior Court, Case No. 25STCP01091, filed on March
7 19, 2025, assigned to the Honorable Stephen Goorvitch (Scott Decl., Ex. D).

8 These writs overlap almost entirely with this case: they involve the same Proposed Project, the
9 same City-owned real estate, and similar related claims challenging the City’s actions with respect to the
10 Proposed Project. Judgments to be entered in the two writ proceedings—which will determine whether
11 the City Council properly rejected the developers’ appeal of the Board’s well-supported administrative
12 decision denying authorization to use the parking facility at Lot 731 for the Proposed Project—will
13 directly impact the outcome of this case, and may entirely moot this action if the Board’s denial is
14 upheld. The writ petitions are pending in this Court’s Writs and Receivers departments, which have
15 special expertise in resolving challenges to local governmental authority and typically resolve such
16 issues on a faster timeline than is possible in an unlimited civil litigation. On the other hand, if this
17 action is not stayed, that would create a risk of inconsistent judgments within the same Court.
18 Accordingly, this action should be stayed until the pending writ proceedings are resolved, in the interests
19 of justice and judicial efficiency.

20 **II. FACTUAL BACKGROUND**

21 **A. In July 2024, Plaintiffs Prematurely Filed a Complaint Seeking an Injunction**
22 **Requiring the City To Expedite Approvals for the Proposed Project**

23 On July 10, 2024, Plaintiffs (who are not the Proposed Project’s developers [the “Developers”])
24 filed the Complaint initiating this action. (See generally, Compl.) The Complaint alleged that the
25 Proposed Project responds to a housing crisis (Compl. ¶¶ 27-48), that the Developers have spent years
26 advancing the Proposed Project to redevelop the municipal parking lot on Lot 731 and construct
27 affordable housing there (Compl. ¶¶ 49-54), that the Proposed Project was approved by the City Council
28 (Compl. ¶ 54), and that the Disposition and Development Agreement (“DDA”) between the City and the

1 Developers was executed with the City Council’s approval in June 2022. (Compl. ¶ 56.) The DDA
2 contemplated that the Proposed Project would be “constructed on a City-owned site currently used as a
3 surface parking lot located at 200 North Venice Boulevard, Venice, California” [i.e., municipal Lot
4 731]. (Compl. ¶ 3.)

5 As alleged in the Complaint, the DDA was executed partway through the development process:
6 at the time of execution, the City Council had already “approved entitlements for the Project” (Compl. ¶
7 54), but the “DDA contemplates that the Developers and the City will meet several terms and conditions
8 before executing a ground lease with the approval of the City Council.” (Compl. ¶ 68.) The Complaint
9 also noted that a ground lease could not be negotiated and drafted until ““project design changes are
10 finalized.”” (Compl. ¶ 83.)

11 The Complaint further alleged that as the result of a “work stoppage, four necessary prerequisites
12 to breaking ground on the Project have been indefinitely delayed.” (Compl. ¶¶ 74-88.) It also alleged the
13 City had usurped the legislative power of the City Council via “a de facto ... veto system” allowing
14 others to delay “or renegotiate an approved housing project—without ever putting the Project to a vote
15 of the City Council” in alleged violation of the Los Angeles City Charter. (Compl. ¶¶ 126, 143-144,
16 153-156.) The Complaint thus sought declaratory and injunctive relief asking that the “Court enjoin the
17 City from any further delays and order the City to take all affirmative steps to allow Venice Dell to be
18 constructed, operated, and maintained as permanent supportive and affordable housing as set forth in the
19 DDA....” (Compl. at 42:22-24.)

20 **B. In December 2024, the Board Issued a Denial Preventing Construction of the**
21 **Proposed Project**

22 In December 2024, approximately five months after Plaintiffs filed their Complaint, the
23 Proposed Project came before the City’s Board of Transportation Commissioners (“Board”). The Board
24 is charged with the management of City-owned parking facilities such as Lot 731, where the Developers
25 sought to construct the Proposed Project. (See City of Los Angeles Admin. Code, § 22.484(g)(2)(A)(7)
26 [Board’s “powers and duties” include “coordinating, directing, and managing all matters respecting the
27 acquisition, and thereafter the management, of all public off-street parking places by the City....”].)

28 At its December 10, 2024 meeting, the Board reviewed and considered the Los Angeles

1 Department of Transportation’s evidence-based recommendations to (1) not authorize the use of Lot 731
2 for construction of the Proposed Project, and (2) recommend that the Los Angeles Housing Department
3 determine the feasibility of relocating the Proposed Project to nearby Lot 701 instead, including
4 potential changes “to effectuate a maximum number of affordable housing units with no replacement
5 parking required.” (Scott Decl., Ex. A at p. 1.) The Board then voted to adopt those recommendations,
6 thus denying authorization for the Proposed Project to be built on Lot 731, and recommending that the
7 Los Angeles Housing Department evaluate Lot 701 as an alternative location. (Scott Decl., Ex. B.)

8 The Los Angeles City Council had the ability to veto the December 2024 actions of the Board, if
9 it wished to do so—or alternatively, the City Council could allow the Board’s actions to become final by
10 taking no action. (See City of Los Angeles Charter, §§ 245 [“Actions of boards of commissioners shall
11 become final at the expiration of the next five meeting days of the Council during which the Council has
12 convened in regular session, unless the Council acts within that time by two-thirds vote to bring the
13 action before it or to waive review of the action....”] & 245(a) [“If the Council timely asserts
14 jurisdiction over the action, the Council may, by two-thirds vote, veto the action of the board within 21
15 calendar days of voting to bring the matter before it, or the action of the board shall become final.”].)
16 Here, the City Council did *not* challenge or veto the Board’s December 2024 actions. The Board’s
17 actions thus have become final.

18 The Developers therefore cannot proceed with their redevelopment plans for Lot 731. Should Lot
19 701 prove to be a feasible alternative location, the Developers will need to submit new construction
20 plans and obtain new approvals and permits pertaining to Lot 701. The Board’s December 2024 action
21 was the first (and only) City denial of an approval for the Proposed Project.

22 **C. In March 2025, the Developers and Others Filed Overlapping Writ Petitions**
23 **Challenging the Board’s Denial Concerning the Proposed Project**

24 In March 2025, two writ petitions were filed in this Court. Both writs challenge the Board’s
25 actions at its December 10, 2024 meeting, and seek declaratory and injunctive relief to reverse the
26 Board’s denial of authorization to use Lot 701 for the Proposed Project.

27 First, on March 7, 2025, a writ petition was filed by the two Developers: Venice Community
28

1 Housing Corporation and Hollywood Community Housing Corporation.² (Scott Decl., Ex. C.) That writ
2 has been assigned to the Honorable Curtis Kin. (*Id.*) The Developers therein seek a writ of mandate
3 vacating the Board’s December 2024 actions, alleging that the Board’s denial of approval “exceeded the
4 [Board]’s scope of authority.” (Scott Decl., Ex. C at 1:22-27.) Just as in this case, the Developers allege
5 that the Proposed Project responds to a housing crisis, that the Developers have spent years advancing
6 the Proposed Project to redevelop the municipal parking lot on Lot 731 and construct affordable housing
7 there, that the Proposed Project was approved by the City Council, and that the City entered into the
8 DDA for the Proposed Project. (Scott Decl., Ex. C at ¶¶ 1-7, 20-25.) The Developers allege that at its
9 December 2024 meeting, the Board improperly “discussed and weighed the Project’s potential impacts
10 on parking, affordable housing, and public access” (Scott Decl., Ex. C at ¶ 39), and further that the
11 Board’s vote to deny approval to use Lot 731 “was an ultra vires attempt to undo valid City approvals
12 and entitlements in favor of the Project” and “usurp the authority of the City Council.” (Scott Decl., Ex.
13 C at ¶ 40.)³ The writ petition does not specifically explain that the City Council did *not* exercise its veto
14 power as authorized by City Charter Section 245, and instead allowed the Board’s December 2024
15 actions to become final (which is a defense the City intends to raise).⁴ However, the writ petition does
16 explain that the Developers appealed to the City Council to undo the Board’s actions, and that appeal
17 was rejected. (Scott Decl., Ex. C ¶¶ 42-44.) Accordingly, the Developers seek a “writ of mandate
18 compelling the [Board] to vacate its Ultra Vires Action at the December 10, 2024 Special Meeting,” a
19 “stay, temporary restraining order, preliminary injunction, and permanent injunction prohibiting any
20 actions ... pursuant to [Board]’s Ultra Vires Action,” and “a judicial declaration as to the scope of
21 [Board]’s authority, specifically that the [Board] cannot undo, reverse, or otherwise interfere with the
22 City Council’s approval of the Project, including the use of Lot 731....” (Scott Decl., Ex. C at ¶¶ 74-76.)

24
25 ² These same entities were identified in this action as the Developers of the Proposed Project. (Compl. ¶
4.) However, the Developers are not named parties in this action.

26 ³ Plaintiffs in this action similarly allege that individuals within the City have usurped the authority of
the City Council by obstructing the Proposed Project “in defiance of the City Council.” (Compl. ¶ 9.)

27 ⁴ The fact that the City Council allowed the Board’s December 2024 actions to become final under City
28 Charter Section 245 likewise undermines Plaintiffs’ allegations in this case that the City Council’s
legislative power has been usurped in violation of the Charter. (See Compl. ¶¶ 126, 143-144, 153-156.)

1 Second, on March 19, 2025, another related writ petition was filed by the People Organized for
2 Westside Renewal. (Scott Decl., Ex. D.) This writ has been assigned to the Honorable Stephen
3 Goorvitch. (*Id.*) Just as in this action and in the other writ, the petitioner therein alleges that the
4 Proposed Project responds to a housing crisis, that the Developers have spent years advancing the
5 Proposed Project to construct affordable housing on Lot 731, that the Proposed Project was approved by
6 the City Council, and that the City entered into a DDA for the Proposed Project. (Scott Decl., Ex. D at
7 ¶¶ 4-5.) The petitioner further alleges that the Board’s actions violated the Brown Act, and seeks “a writ
8 of mandate compelling the Board to nullify its December 10, 2024 actions and set the matter for a public
9 meeting with a properly noticed agenda.” (Scott Decl., Ex. D at ¶ 43.)

10 On April 11, 2025, the City filed a Notice of Related Cases in this action informing the Court of
11 the existence of the two related writ petitions, and the City is also filing Notices of Related Case in both
12 of the writ actions. Thus, although the writ petitions were initially separately assigned to Judges Kin and
13 Goorvitch, the two closely-related writs may be consolidated before one of those two Judges.

14 **III. LEGAL ARGUMENT**

15 **A. The Court Has Authority to Stay This Action Until the Related Writ Proceedings** 16 **Are Resolved**

17 Trial courts have inherent powers to manage and fashion procedures to control litigation and
18 ensure the orderly administration of justice. (*Cottle v. Superior Court* (1992) 3 Cal.App.4th 1367, 1376-
19 79; see also Code Civ. Proc. § 128 [confirming a court’s inherent powers, including “[t]o provide for the
20 orderly conduct of proceedings before it” and “[t]o amend and control its process and orders so as to
21 make them conform to law and justice”]; Code Civ. Proc. § 1048(a) [“When actions involving a
22 common question of law or fact are pending before the court, ... it may make such orders concerning
23 proceedings therein as may tend to avoid unnecessary costs or delay.”].)

24 Among other things, “the power to stay proceedings is incidental to the power inherent in every
25 court to control the disposition of the causes on its docket with economy of time and effort for itself, for
26 counsel, and for litigants.” (*OTO, L.L.C. v. Kho* (2019) 8 Cal.5th 111, 141 [quoting *Landis v. North*
27 *American Co.* (1936) 299 U.S. 248, 254]; accord *Freiberg v. City of Mission Viejo* (1995) 33
28 Cal.App.4th 1484, 1489 [“Trial courts generally have the inherent power to stay proceedings in the

1 interests of justice and to promote judicial efficiency.”].)

2 In *Martin-Bragg v. Moore* (2013) 219 Cal.App.4th 367, for example, plaintiff filed an unlawful
3 detainer action; in answer, the defendant denied plaintiff’s ownership and asserted that he was the
4 property’s true owner. (*Id.* at 371.) A few months later, he filed a quiet title action likewise alleging that
5 he was the true owner of the property. (*Id.* at 372.) The appellate court found that the trial court erred in
6 giving priority to the first-filed unlawful detainer action so it could be tried first, and further explained
7 that the trial court had authority to stay the unlawful detainer action pending resolution of the later-filed
8 quiet title case: “When an unlawful detainer proceeding and an unlimited action concerning title to the
9 property are simultaneously pending, the trial court in which the unlimited action is pending may stay
10 the unlawful detainer action until the issue of title is resolved in the unlimited action, or it may
11 consolidate the actions.” (*Id.* at 385.)

12 A court’s inherent authority to issue a stay in the interests of fairness and efficiency has been
13 repeatedly acknowledged in a variety of contexts. (See, e.g., *Adams v. Paul* (1995) 11 Cal.4th 583, 592-
14 93 [concerns about prematurely-filed malpractice claims and the risk of inconsistent judgments can be
15 overcome because trial courts have inherent authority to stay suits, “holding them in abeyance pending
16 resolution of underlying litigation”]); *Jordache Enterprises, Inc. v. Brobeck, Phleger & Harrison* (1998)
17 18 Cal.4th 739, 758 [malpractice action; “[t]he case management tools available to trial courts, including
18 the inherent authority to stay an action when appropriate and the ability to issue protective orders when
19 necessary, can overcome problems of simultaneous litigation...”]; *Montrose Chem. Corp. v. Superior*
20 *Court* (1993) 6 Cal.4th 287, 301 [insurance litigation; “[t]o eliminate the risk of inconsistent factual
21 determinations ... a stay of the declaratory relief action pending resolution of the third party suit is
22 appropriate when the coverage question turns on facts to be litigated in the underlying action”];
23 *Houghton v. Superior Court* (1922) 187 Cal. 661, 666 [court may stay action when the resolution of a
24 related action would be res judicata as to “some or all of the issues involved” in the case].)

25 **B. This Action Should Be Stayed, Pending Resolution of the Related Writ Proceedings**

26 Given the substantial factual and legal overlap between this action and the two writ petitions, and
27 the interests of justice and judicial efficiency, this action should be stayed pending the resolution of the
28 writs. The writ proceedings are the more appropriate vehicle to determine whether the Board’s actions

1 regarding the Proposed Project were proper and should be upheld.

2 Initially, Plaintiffs filed this case based on factual allegations that no longer accurately reflect the
3 status of the Proposed Project today. Plaintiffs' Complaint alleged the City had delayed in processing
4 requested approvals for the Proposed Project—because at the time the Complaint was filed in July 2024,
5 the City had not yet denied any requested approval. Circumstances have changed in light of the Board's
6 December 2024 actions. Because the Board's vote denying approval to use Lot 731 occurred *after*
7 Plaintiffs prematurely filed this action, the allegations in Plaintiffs' Complaint do not even mention the
8 current status of the Proposed Project—i.e., that this proposed development is now in limbo because it
9 lacks any approved site for construction, given the Board's actions (and the City Council's decision to
10 allow the Board's actions to become final under the City Charter). In contrast, the writ petitions clearly
11 and narrowly present that exact issue, and seek a judgment that will determine whether the Board's
12 actions will be upheld or reversed.

13 Moreover, the Los Angeles Superior Court's Writs and Receivers departments have extensive
14 and specialized experience in resolving challenges to the exercise of local governmental power, and are
15 best placed to efficiently and promptly resolve this key underlying question. Thus, the writ proceedings
16 should, relative to this action, quickly determine whether the Board acted properly and within its
17 authority when it (1) denied the use of Lot 731 for the Proposed Project, and (2) recommended that a
18 different municipal lot be evaluated as possible site to relocate the Proposed Project.

19 This action and the writ actions all need to resolve similar allegations that City Council has
20 already "approved" construction of the Proposed Project on municipal Lot 731, and that actions by other
21 parts of the City which allegedly "interfere" with the City Council's approval are unlawful. Accordingly,
22 the findings and rulings made in the writ proceedings will directly impact the resolution of this case.
23 Specifically, the writ proceedings will determine critical common factual issues, including what the
24 status of the Proposed Project is—i.e., whether the City (via the Board) has properly *denied* approval to
25 use Lot 731 for the Proposed Project (leaving it without any identified building site), or alternatively
26 whether the Board's action was void and thus the City has *not yet acted* on the prerequisites necessary
27 for construction to begin on Lot 731. As another example, the writ proceedings will decide the common
28 factual dispute as to whether the City has allowed the City Council's legislative power to be improperly

1 usurped in defiance of its alleged “approval” of the use of Lot 731 for the Proposed Project, given that
2 the City Council opted *not* to veto the Board’s actions and instead allowed the Board’s denial of such
3 approval to become final.

4 The related writ actions thus present a serious risk of inconsistent factual findings and legal
5 rulings by different departments of this Court, unless this action is stayed pending the resolution of the
6 related writ proceedings. The City should not be subjected to the risk of inconsistent judgments created
7 by the overlapping allegations and requests for declaratory and injunctive relief in this action and the
8 writ petitions. Courts have repeatedly explained that the risk of inconsistent judgments must be avoided,
9 and a stay order eliminates that risk. (*See, e.g., Adams, supra*, 11 Cal.4th at 592-93 [risk of inconsistent
10 judgments in simultaneous litigation can be overcome by courts’ inherent authority to stay]); *Jordache*
11 *Enterprises, Inc., supra*, 18 Cal.4th at 758 [“the inherent authority to stay an action ... can overcome
12 problems of simultaneous litigation...”]; *Montrose Chem. Corp., supra*, 6 Cal.4th at 301 [stay
13 appropriate “[t]o eliminate the risk of inconsistent factual determinations”].)

14 Indeed, the resolution of the writ proceedings may fully resolve this action by rendering it moot.
15 If the writ proceedings result in a judgment that the Board’s denial was proper and cannot be undone,
16 the circumstances will have changed such that this Court could no longer grant any effectual declaratory
17 or injunctive relief. Here, Plaintiffs alleged “four necessary prerequisites to breaking ground on the
18 Project have been indefinitely delayed” (Compl. ¶ 74)—all of which depend on whether the Proposed
19 Project can be sited on Lot 731. First, Plaintiffs’ allegation that the City delayed processing an
20 application to evict “the four existing households at the Project site [Lot 731] and remove the units from
21 the rental market in order to build Venice Dell (the ‘Ellis Act Application’)” (Compl. ¶ 75) is entirely
22 irrelevant if the Proposed Project cannot be constructed on Lot 731 due to the Board’s December 2024
23 actions—in which case, none of the tenants currently living on Lot 731 need to be removed from their
24 homes. Likewise, Plaintiffs’ allegations of delays concerning negotiation of a public parking contract
25 (Compl. ¶¶ 76-77) and ground lease (Compl. ¶ 83) for Lot 731 would be irrelevant, as these steps could
26 not be taken unless and until a new location for the Proposed Project is approved. Finally, the City’s
27 alleged “interference” with the California Coastal Commission’s review of the redevelopment proposed
28 for Lot 731 (Compl. ¶¶ 78-80) would likewise be meaningless, as there would be no need to re-zone Lot

1 731 if the Proposed Project cannot be built there. Moreover, Plaintiffs’ allegation that the City has
2 usurped the authority of the City Council via a “de facto” veto system in violation of the City Charter
3 (Compl. ¶¶ 9, 126, 143-144, 153-156) may also be mooted if the writ proceedings result in a finding that
4 the City properly exercised its legislative power when the City Council opted to allow the Board’s
5 December 2024 actions to become final pursuant to City Charter Section 245.

6 To avoid the inefficiency and prejudice that would result if this case were litigated
7 simultaneously with the writ proceedings that will determine the critical factual issue of the status of the
8 Proposed Project (i.e., denied or still pending), this action should be stayed so that the parties know
9 which factual scenario applies and can prepare their claims and defenses accordingly.

10 For all of these reasons, it makes sense to stay this matter to allow the related writ proceedings to
11 be resolved, before proceeding further with this action. Accordingly, this Court should exercise its
12 power to stay this action in the interests of justice and “economy of time and effort for itself, for
13 counsel, and for litigants.” (*OTO, L.L.C., supra*, 8 Cal.5th 141.)

14 **IV. CONCLUSION**

15 For the foregoing reasons, the City respectfully requests that the Court stay this action in its
16 entirety, pending the resolution of the related writ proceedings.

17
18 Dated: April 11, 2025

NOSSAMAN LLP
PATRICK J. RICHARD
ILSE C. SCOTT
PAOLO A. HERMOSO

19
20
21 By: /s/ Patrick J. Richard
Patrick J. Richard

22 Attorneys for Defendant City of Los Angeles, including its
23 component parts erroneously named as Defendants Los
24 Angeles City Council; Los Angeles Housing Department;
25 and Los Angeles Department of Transportation
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27
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1 **PROOF OF SERVICE**

2 The undersigned declares:

3 I am employed in the County of San Francisco, State of California. I am over the age of
4 18 and am not a party to the within action; my business address is c/o Nossaman LLP, 50
California Street, 34th Floor, San Francisco, CA 94111.

5 On April 11, 2025, I served the foregoing DEFENDANTS’ NOTICE OF MOTION AND
6 MOTION TO STAY THIS ACTION PENDING RESOLUTION OF THE RELATED WRIT
PROCEEDINGS; MEMORANDUM OF POINTS AND AUTHORITIES on parties to the within
7 action as follows:

8 (By U.S. Mail) On the same date, at my said place of business, Copy enclosed in a sealed
9 envelope, addressed as shown on the attached service list was placed for collection and
10 mailing following the usual business practice of my said employer. I am readily familiar
11 with my said employer's business practice for collection and processing of
correspondence for mailing with the United States Postal Service, and, pursuant to that
12 practice, the correspondence would be deposited with the United States Postal Service,
with postage thereon fully prepaid, on the same date at San Francisco, California.

13 (By Overnight Service) I served a true and correct copy by overnight delivery service for
14 delivery on the next business day. Each copy was enclosed in an envelope or package
15 designated by the express service carrier; deposited in a facility regularly maintained by
the express service carrier or delivered to a courier or driver authorized to receive
16 documents on its behalf; with delivery fees paid or provided for; addressed as shown on
the accompanying service list.

17 (By Electronic Service) Pursuant to California Rules of Court, rules 2.251, from service
18 email address: alevintow@nossaman.com, by emailing true and correct copies to the
19 persons at the electronic notification address(es) shown on the accompanying service list.

20 (By Electronic Service) Pursuant to California Rules of Court, rules 2.251, by submitting
21 an electronic version of the document(s) to a court-approved third-party e-filing vendor, I
caused the document(s) to be e-served to the person(s) listed on the attached service list.

22 (By Electronic Service) Pursuant to California Rules of Court, rules 2.251(a)(2) and
23 2.251(a)(3), by submitting an electronic version of the document(s) to One Legal,
24 through the user interface at www.onelegal.com, I caused the document(s) to be sent to
the person(s) listed on the attached service list.

25 Executed on April 11, 2025.

26 (STATE) I declare under penalty of perjury under the laws of the State of California that
27 the foregoing is true and correct.

28 /s/ Anthony Levintow
Anthony Levintow

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Make a Reservation

LA FORWARD INSTITUTE, A NON-PROFIT ORGANIZATION, et al. vs CITY OF LOS ANGELES, et al.

Case Number: 24STCV17156 Case Type: Civil Unlimited Category: Other Complaint (non-tort/non-complex)
Date Filed: 2024-07-10 Location: Stanley Mosk Courthouse - Department 53

Reservation

Case Name: LA FORWARD INSTITUTE, A NON-PROFIT ORGANIZATION, et al. vs CITY OF LOS ANGELES, et al.		Case Number: 24STCV17156	
Type: Motion for Stay of Proceedings		Status: RESERVED	
Filing Party: City of Los Angeles (Defendant)		Location: Stanley Mosk Courthouse - Department 53	
Date/Time: 06/11/2025 10:00 AM		Number of Motions: 1	
Reservation ID: 416843669541		Confirmation Code: CR-ZI3WDGHZHKMPJOMRS	

Fees

Description	Fee	Qty	Amount
Motion for Stay of Proceedings *** Fees Exempted by Gov Code 6103.1 ***	0.00	1	0.00
TOTAL			\$0.00

Payment

Amount: \$0.00	Type: GOVT_EXEMPT
Account Number: n/a	Authorization: n/a
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