

<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MENDOCINO</b> Ten Mile Branch 700 South Franklin Street Fort Bragg CA 95437	<small>FOR COURT USE ONLY</small> <b>FILED</b> <b>12/21/2023</b> KIM TURNER, CLERK OF THE COURT SUPERIOR COURT OF CALIFORNIA, COUNTY OF MENDOCINO
<b>City of Fort Bragg,</b> Plaintiff(s) / Petitioner(s), vs. <b>Mendocino Railway,</b> Defendant(s) / Respondent(s)	<b>Jess, Dorothy</b> DEPUTY CLERK Case Number: <b>21CV00850</b>
<b>MINUTE ORDER SETTING TRIAL and OTHER PROCEEDINGS</b>	

**Trial:**

The above-entitled matter is assigned for all purposes to **Clayton Brennan** and is set for **\*Trial: Court commencing on 10/23/2024 at 9:00 AM in Dept "TM" of the Ten Mile branch** of the Superior Court of California, County of Mendocino.

**Pre-Trial Conference:**  Pre-Trial Conference is NOT set.

A pre-trial conference will be held **on 10/17/2024 at 2:00 PM in Dept "TM" of the Ten Mile branch** of the Superior Court of California, County of Mendocino. Counsel who will try the case and all unrepresented parties are ordered to be present at the pre-trial conference in person, unless telephonic appearance has been authorized. *The Court will expect strict compliance with Chapter 2 of the Local Rules of the Court relating to pre-trial conferences.*

**Mandatory Settlement Conference:**  Settlement Conference is NOT set.

A mandatory settlement conference will be held **on 09/18/2024 at 9:15 AM in Dept "E" of the Ukiah Courthouse** of the Superior Court of California, County of Mendocino. Each party appearing in the action must be personally present unless excused by the Court. *The Court will expect strict compliance with the California Rules of Court § 3.1380 relating to settlement conferences.*

**Settlement Conference Statements:**

Each party must file their Settlement Conference Statements with the clerk no later than five (5) court days prior to the mandatory settlement conference. The Court may impose sanctions on parties that fail to comply.

**Matters Settled Prior to the Mandatory Settlement Conference or Trial:**

If the matter settles prior to the mandatory settlement conference or trial, parties are required to notice the Court no later than the day prior to the conference or trial. The Court may impose sanctions on parties that fail to comply.

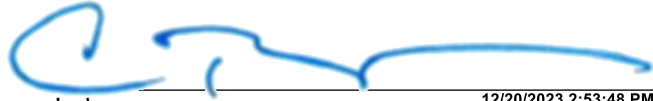
**Jury Instructions:**

Each party must lodge all proposed jury instructions with the clerk no later than five (5) court days prior to the pre-trial conference. Parties shall provide all the requested instructions, including CACI instructions and copies of all requested special instructions.

**Court Reporter:**

The Court will not be providing a court reporter for your trial. Pursuant to Local Rule of Court 1.16<sup>1</sup>, any party wishing to have this proceeding reported shall file a request with the clerk not less than two (2) days prior to the hearing or parties may provide and pay for a certified court reporter approved by the court.

Dated: 12/20/2023



Judge

12/20/2023 2:53:48 PM

Superior Court of California, County of Mendocino

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### 1.1.16 Requests for Court Reporter

- a. If a party in a civil or probate case wants to request the presence of an official court reporter, the party must file a written request not less than 48 hours before a hearing date. The written request for court reporter may be made on [Request for a Court Reporter \(MMC-140-local\)](#) and must include the \$30 fee covering the first hour of official court reporter services. Should the proceedings last longer than one hour, the requesting party will be responsible for a fee equal to the actual cost of providing that service for each one-half day on the first and each succeeding hearing day those services are provided.
- b. The court will notify the requesting party as soon as possible if an official court reporter is not available on the hearing date. Any party may thereafter arrange for a certified shorthand reporter to serve as an official pro tem reporter, at that party's expense, pursuant to California Rules of Court rule 2.956(c). If an official court reporter or pro tem reporter is not available on the hearing date, the requesting party may request a continuance of the hearing or waive the request for court reporter.
- c. In accordance with Government Code § 68630(a) and California Rules of Court rule 3.55, the court will provide to a fee waiver litigant an official court reporter or a certified shorthand reporter serving as an official pro tem reporter in civil or probate matters if a request is made pursuant to section (a) of this local rule.

**Superior Court of California, County of Mendocino  
PROOF OF SERVICE**

Case: **21CV00850 CITY OF FORT BRAGG**

**VS**

**MENDOCINO RAILWAY**

Document Served: **MINUTE ORDER SETTING TRIAL and OTHER PROCEEDINGS**

I declare that I am employed by the Superior Court of California, in and for the County of Mendocino; I am over the age of eighteen years and not a party to the within action. My business address is:

- Mendocino County Courthouse, 100 North State Street, Ukiah, CA 95482
- Ten Mile Branch, 700 South Franklin Street, Fort Bragg, CA 95437

I am familiar with the Superior Court of Mendocino County's practice whereby each document is placed in the Attorneys' boxes, located in Room 107 of the Mendocino County Courthouse or at the Ten Mile Branch, transmitted by fax or e-mail, and/or placed in an envelope that is sealed with appropriate postage is placed thereon and placed in the appropriate mail receptacle which is deposited in a U.S. mailbox at or before the close of the business day.

On the date of the declaration, I served copies of the attached document(s) on the below listed party(s) by placing or transmitting a true copy thereof to the party(s) in the manner indicated below.

Party Served	Ukiah US Mail	Ten Mile US Mail	Ukiah Attorney Box	Ten Mile Attorney Box	Inter Office Mail	Fax	E-mail
Atty. Krista MacNvin Jee JONES MAYER 3777 N. Harbor Boulevard Fullerton, California 92835 kmj@jones-mayer.com	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Atty. Paul Beard FisherBroyles, LLP 453 S. Spring St., Suite 400-1458 Los Angeles, CA. 90013 paul.beard@fisherbroyles.com	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Deputy Attorney General Patrick Tuck Dept. of Justice, Office of the Attorney General 1515 Clay Street, 20 <sup>th</sup> Floor, P.O. Box 70550 Oakland, California 94612-0550 patrick.tuck@doj.ca.gov	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct and that this declaration was executed at:

- Ukiah, California
- Fort Bragg, California

Date: December 21, 2023

KIM TURNER, Clerk of the Court

*Dorothy Jess*

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By: DOROTHY JESS, Deputy Clerk