

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 85

22STCP02772

December 15, 2022

**ALLIANCE OF LOS ANGELES COUNTY PARENTS, AN
UNINCORPORATED ASSOCIATION vs COUNTY OF LOS
ANGELES DEPARTMENT OF PUBLIC HEALTH, et al.**

9:30 AM

Judge: Honorable James C. Chalfant
Judicial Assistant: J. De Luna/ P. Herrera
Courtroom Assistant: C. Del Rio

CSR: None
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Petitioner(s): Julie Hamill (X)

For Defendant(s): Kent Randall Raygor by: Valerie E. Alter (X)

NATURE OF PROCEEDINGS: Trial Setting Conference; Hearing on Demurrer - with Motion to Strike (CCP 430.10)

The court's tentative ruling is published to all parties via posting on the court's website.

The matters are called for hearing.

After argument of counsel, the court orders the tentative filed but not adopted.

Summary of the court's ruling:

Respondents County of Los Angeles Department of Public Health, Muntu Davis ("Davis"), and Barbara Ferrer ("Ferrer") (collectively, "LACDPH" or "Department"), demurs to the first, second, and fourth causes of action in the First Amended Petition ("FAP") filed by Petitioner Alliance of Los Angeles County Parents ("Parents") and also moves to strike the FAP for failure to verify it.

The court has read and considered the moving papers, opposition, and reply, and renders the decision.

The motion to strike is granted and Parents is ordered to file the FAP attached as an exhibit to its opposition.

The demurrer to the first, second, and fourth causes of action in the First Amended Petition is sustained without leave to amend. The court concludes that given the petitions' arguments about the inaccuracies of the findings, nonetheless, there is a rational basis to rely on the CDC's recommendation as a matter of law.

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Trial Setting Conference is continued to 01/17/2023 at 01:30 PM in Department 85 at Stanley Mosk Courthouse.

Order to Show Cause Re: Dismissal as to the 1st, 2nd, and 4th causes of action in FAP is scheduled for 01/17/2023 at 01:30 PM in Department 85 at Stanley Mosk Courthouse.

Parties are ordered to meet and confer to discuss discovery and identity of the person to be deposed.

Petitioner may file a motion to reconsider on ripeness grounds that Department is likely to issue a new mask mandate for all persons in the County.

Notice is waived.