1 2 3 4 5 6	SHEPPARD MULLIN RICHTER & HAMP KENT R. RAYGOR, Cal. Bar No. 117224 kraygor@sheppardmullin.com VALERIE E. ALTER, Cal. Bar No. 239905 valter@sheppardmullin.com ZACHARY J. GOLDA, Cal. Bar No. 327532 zgolda@sheppardmullin.com 1901 Avenue of the Stars, Suite 1600 Los Angeles, California 90067-6055 Telephone: (310) 228-3700 Facsimile: (310) 228-3701		
7 8 9	Attorneys for Defendants COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH, MUNTU DAVIS, M.D., and BARBARA FERRER, PhD		
10	SUPERIOR COURT OF THE STATE OF CALIFORNIA		
11	IN AND FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT		
12		G N ASSETS	ND00550
13	ALLIANCE OF LOS ANGELES COUNTY PARENTS, an unincorporated	Case No. 22STC	
14	association,	Assigned for All Hon. James C. C	Purposes to: Chalfant, Dept. 85
15	Petitioner and Plaintiff,		S COUNTY OF LOS
16	v.	PUBLIC HEAI	PARTMENT OF LTH'S, MUNTU DAVIS
17 18	COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH; MUNTU DAVIS, in his official capacity	PHD'S REPLY MOTION TO S	ARBARA FERRER, IN SUPPORT OF STRIKE PLAINTIFF'S DED PETITION
19	as Health Officer for the County of Los Angeles; BARBARA FERRER, in her		December 15, 2022
20	official capacity as Director of the County of Los Angeles Department of Public Health; and DOES 1 through 25, inclusive,		9:30 a.m. 85
21	Respondents and Defendants.	Complaint Filed Trial Date:	: July 26, 2022 Not Set
22		That Date.	Not Set
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24			
25			
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28			

SMRH: 4872-7939-8210

THE MOTION TO STRIKE SHOULD BE GRANTED

2	Defendants Los Angeles County Department of Public Health's, Muntu Davis,		
3	M.D.'s, and Barbara Ferrer, PhD's (collectively "LACDPH") motion to strike the First		
4	Amended Petition ("FAP") filed by Plaintiff Alliance of Los Angeles County Parents		
5	("Plaintiff") should be granted. As explained in the Motion, the FAP as filed did not have		
6	a valid electronic or holographic signature. [Mot., at 1-2.] Plaintiff admits as much, as it		
7	does not in its opposition dispute the invalidity of the verification on the filed FAP .		
8	Rather, Plaintiff provides a new version of the FAP verified by DocuSign dated December		
9	1, 2022—over a month after the Motion was filed.		
10	Against this procedural backdrop, Plaintiff's assertion that the Motion is "yet		
11	another wasteful delay tactic at the expense of taxpayers" is not well taken. [Oppo., at 2:8-		
12	9.] LACDPH raised this issue during the required pre-filing meet and confer between the		
13	parties. Plaintiff could have obviated the need for LACDPH's motion had it provided to		
14	LACDPH the properly verified FAP , as promised during that meet and confer. It was		
15	Plaintiff's own delay in providing a proper verification that necessitated the County's		
16	Motion. Frankly, Plaintiff should have to pay the County for the attorneys' fees it had to		
17	incur in having to file this Motion because Plaintiff did not do as promised, delayed in		
18	curing this defect, and instead of working this out with the County, filed an opposition		
19	with the Court to the County's motion. Thus, the FAP as filed should be stricken, and the		
20	FAP with the December 1, 2022, verification filed in its place.		
21			
22	Dated: December 8, 2022 SHEPPARD MULLIN RICHTER & HAMPTON LLP		
23			
24	By Leut C. Com		
25	KENT R. RAYGOR		

Attorneys for Defendants COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH, MUNTU DAVIS, M.D., and BARBARA FERRER, PhD

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PROOF OF SERVICE 1 Alliance of Los Angeles County v. County of Los Angeles Department of Public Health, et al. Case No. 22STCP02772 3 STATE OF CALIFORNIA, COUNTY OF ORANGE 4 At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Orange, State of California. My business address is 650 5 Town Center Drive, 10th Floor, Costa Mesa, CA 92626-1993. 6 On December 8, 2022, I served true copies of the following document(s) described as DEFENDANTS COUNTY OF LOS ANGELES DEPARTMENT OF PÚBLIC HEALTH'S, MUNTU DAVIS, M.D.'S, AND BARBARA FERRER, PHD'S REPLY IN SUPPORT OF MOTION TO STRIKE PLAINTIFF'S FIRST AMENDED **PETITION** on the interested parties in this action as follows: 9 Julie A. Hamill Attorney for Petitioner and Plaintiff ALLIANCE OF LOS ANGELES Hamill Law & Consulting 10 904 Silver Spur Road, #287 **COUNTY PARENTS** Rolling Hills Estates, California, 90274 11 Email: julie@juliehamill-law.com 12 13 14 **BY ELECTRONIC SERVICE:** I served the document(s) on the person listed in the Service List by submitting an electronic version of the document(s) to One Legal, LLC, 15 through the user interface at www.onelegal.com. I declare under penalty of perjury under the laws of the State of California that the 16 foregoing is true and correct. 17 Executed on December 8, 2022, at Costa Mesa, California. 18 19 /s/ Christina Lopez 20 Christina Lopez 21 22 23 24 25 26 27 28 SMRH: 4872-7939-8210