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

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 IN AND FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT

12 ALLIANCE OF LOS ANGELES
13 COUNTY PARENTS, an unincorporated
14 association,

15 Petitioner and Plaintiff,

16 v.
17 COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC HEALTH;
18 MUNTU DAVIS, in his official capacity
as Health Officer for the County of Los
19 Angeles; BARBARA FERRER, in her
official capacity as Director of the County
20 of Los Angeles Department of Public
Health; and DOES 1 through 25, inclusive,
21 Respondents and Defendants.
22

Case No. 22STCP02772

Assigned for All Purposes to:
Hon. James C. Chalfant, Dept. 85

DEFENDANTS COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH'S, MUNTU DAVIS, M.D.'S, AND BARBARA FERRER, PHD'S REPLY IN SUPPORT OF MOTION TO STRIKE PLAINTIFF'S FIRST AMENDED PETITION

Hearing Date: December 15, 2022
Time: 9:30 a.m.
Dep't: 85

Complaint Filed: July 26, 2022
Trial Date: Not Set

1 **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


KENT R. RAYGOR

25
26 Attorneys for Defendants
27 COUNTY OF LOS ANGELES DEPARTMENT
28 OF PUBLIC HEALTH, MUNTU DAVIS, M.D.,
and BARBARA FERRER, PhD

