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17CV001063
Napa - Civil

FILED

SEP 07 2018

Clerk of the Napa Superior Court
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Deputy

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14 Attorneys for Petitioner

15 THE SUPERIOR COURT OF CALIFORNIA
16 COUNTY OF NAPA

17 SODA CANYON GROUP,
18 Petitioner,
19 vs.
20 COUNTY OF NAPA; NAPA COUNTY
21 BOARD OF SUPERVISORS; and
22 DOES 1 through 10, inclusive,
23 Respondents

24 MOUNTAIN PEAK VINEYARDS, LLC;
25 STEVEN REA; ERIC YUAN; HUA YUAN;
26 and DOES 11 through 20, inclusive,
27 Real Parties in Interest.

Case No.: 17CV001063

^{DMP}
STIPULATION AND [Proposed]
ORDER RE BRIEFING SCHEDULE
AND HEARING DATE

CEQA MATTER

Action filed: September 20, 2017
Trial Date: None set

RECEIVED

SEP - 5 2018
Napa Superior Court

1 The parties to this writ of mandate action, by and through their respective counsel,
2 hereby agree and stipulate to the following with respect to a schedule for briefing, lodging of the
3 administrative record, and a hearing on the merits of the petition:

4 1. Petitioner shall file and serve its opening brief on the merits of the petition, not to
5 exceed 25 pages, no later than October 15, 2018.

6 2. Respondent and Real Parties in Interest shall file and serve their opposition briefs
7 no later than November 20, 2018. If a single, joint brief is filed, it shall not exceed 30 pages. If
8 separate briefs are filed, each brief shall not exceed 20 pages.

9 3. Petitioner shall file and serve its reply brief no later than December 14, 2018. If
10 Respondent and Real Parties file a joint opposition brief, the reply brief shall not exceed 15
11 pages; if two opposition briefs are filed, the reply brief shall not exceed 20 pages.

12 4. Any party may seek leave from the court to file a brief exceeding these page limits
13 via ex parte application.

14 5. Service shall be by electronic mail only, sent before 5:00 pm on the due date.

15 6. The parties' briefs shall constitute their statements of issues pursuant to Public
16 Resources Code section 21167.8(f).

17 7. Petitioner shall lodge one copy of the administrative record with the court no later
18 than the date of filing of its opening brief. The record will be lodged in electronic format unless
19 otherwise ordered by the court.

20 8. The hearing on the merits of the petition shall take place on **January 11, 2019**, or
21 on a date thereafter as ordered by the court.

22 IT IS SO STIPULATED.

23 M. R. WOLFE & ASSOCIATES, P.C.

24
25
26 Dated: Sept. 5, 2018

27 By: 
28 Mark R. Wolfe
Attorney for Petitioner SODA CANYON GROUP

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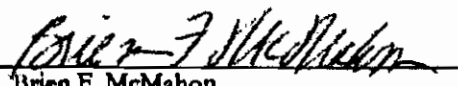
COUNTY OF NAPA

Dated: Sept. 5, 2018

By: 
Jason Dooley, Deputy County Counsel
Attorney for Respondents COUNTY OF NAPA et al.

PERKINS COIE LLP

Dated: Sept. 5, 2018

By: 
Brian F. McMahon
Attorney for Real Party In Interest MOUNTAIN PEAK
VINEYARDS, LLC and alleged Real Party In Interest
Hua YUAN, also known as "ERIC" YUAN

ORDER

The Court approves each of the terms of the Stipulation of the Parties set forth above. Each of the stipulated terms in paragraphs 1 through 8 above are hereby adopted as an order of this Court. The hearing on the merits shall take place on 1/11/19, 2019, at 9:30 am in Dept. I of this court.

IT IS SO ORDERED.

Dated: Sept. 6, 2018

By: 
Superior Court Judge

1 **PROOF OF SERVICE**

2 *Soda Canyon Group v. County of Napa, et al.*
3 Napa County No. 17CV001063

4 I hereby declare that I am employed in the City San Francisco, County of San Francisco,
5 California. I am over the age of eighteen years and not a party to this action. My business
6 address is 555 Sutter Street, Suite 405, San Francisco, CA 94102.

7 On September 12, 2018 I served the attached **STIPULATION AND ORDER RE**
8 **BRIEFING SCHEDULE AND HEARING DATE** in this action on the following parties:

9 Laura Anderson
10 Jason M. Dooley
11 Napa County Office of County Counsel
12 1195 Third Street, Suite 301
13 Napa, CA 94559
14 Laura.Anderson@countyofnapa.org
Jason.Dooley@countyofnapa.org
Attorneys for Respondents COUNTY OF
NAPA et al.

Brien McMahon
Perkins Coie
505 Howard Street, Ste 1000
San Francisco, CA 94105
BMcMahon@perkinscoie.com
Attorney for Real Parties In Interest
MOUNTAIN PEAK VINEYARDS, LLC
Et. al.

- 15 **BY FIRST CLASS MAIL:** I am familiar with my employer’s practice for the collection and processing of
16 correspondence for mailing with the U.S. Postal Service. In the ordinary course of business,
17 correspondence would be deposited with the U.S. Postal Service on the day on which it is collected. On
18 the date written above, following ordinary business practices, I placed for collection and mailing at my
19 place of employment a copy of the attached document(s) in a sealed envelope, with postage fully prepaid,
20 addressed as shown.
21 **BY ELECTRONIC MAIL:** On the date written above, I caused a copy of the attached document(s) to
22 be transmitted via electronic mail to the electronic mail address maintained by the person on whom it is
23 served at the electronic mail address shown, before 5:00 p.m. That transmission was reported as complete
24 without error by my electronic mail software. The parties served have agreed to accept service
25 electronically.

26 I declare under penalty of perjury that the foregoing is true and correct and that this
27 declaration was executed at San Francisco, California on September 12, 2018.
28



Susan Anthony