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5 (707) 253-4521

6 Attorneys for Respondent Napa County

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF NAPA

10 SODA CANYON GROUP,

11 Petitioner,

12 v.

13 COUNTY OF NAPA;
14 NAPA COUNTY BOARD OF
SUPERVISORS; and
15 DOES 1 through 10, inclusive,

16 Respondent,

17 MOUNTAIN PEAK VINEYARDS, INC;
18 ERIC YUAN; HUA YUAN; and
DOES 11 through 20, inclusive,

19 Real Parties In Interest.
20

Case No. 17CV001063

**FIRST RETURN TO PEREMPTORY
WRIT OF MANDATE**

California Environmental Quality Act
(CEQA)

Hon. Cynthia Smith
Department A

Filing Date: September 20, 2017
Trial Date: January 20, 2022

21 Respondents County of Napa, and Napa County Board of Supervisors (the “County”) provide the
22 Court with this preliminary return to the Court’s Peremptory Writ of Mandate.

23 On July 29, 2022, the Court issued a peremptory writ of mandate in this case. The writ states:

24 *YOU ARE FURTHER COMMANDED to make and file a return to this writ not later*
25 *than sixty (60) days from the date of this writ is served on all parties, setting forth the*
26 *action it has taken to date to comply with the writ.*

27 The County has not yet taken action on the writ, but has scheduled the consideration of a
28 resolution to accomplish the actions required by the writ for the regular meeting of the Board of


1 Supervisors on October 25, 2022. The County will file a further return to the writ after the Board's
2 consideration of the action.

3 Respectfully submitted,

4 Dated: October 3, 2022

NAPA COUNTY COUNSEL

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6 By:


7 THOMAS C. ZELENY, Interim County Counsel
8 JASON M. DOOLEY, Deputy County Counsel
9 Attorneys for Respondents County of Napa, et al.
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1 **PROOF OF SERVICE**

2 I, Cathy Kisler Caravantes, the undersigned, declare as follows:

3 I am over the age of eighteen years, am a citizen of the United States, and am not a
4 party to this action. My business address is 1195 Third Street, Suite 301, Napa, California
5 94559. On October 3, 2022, I served the attached documents:

6 **FIRST RETURN TO PEREMPTORY WRIT OF MANDATE**

7 on the interested parties in said cause, as designated below:

8
9 **By U.S. Postal Service.** I am readily familiar with the practice of the Office of
10 the Napa County Counsel with regard to the collection and processing of
11 correspondence for mailing and can attest that the attached document(s) will be
12 deposited with the United States Postal Service in the ordinary course of
13 business on the same date it is collected. On the date written below, at Napa ,
14 California, I place a true copy of the above written document in a sealed
15 envelope(s) and placed it for collection and mailing that date following ordinary
16 business practices addressed as set forth below.

17 **By Electronic Mail:** I caused a true copy of the above-referenced documents to
18 be transmitted via email.

19 Said envelope(s) are addressed as set forth as follows:

20 Mark. R. Wolfe
21 John H. Farrow
22 M.R. Wolfe & Associates
23 A Professional Corporation
24 555 Sutter Street, Suite 405
25 San Francisco, CA 94102
26 mrw@mrwolfeassociates.com

27 Anthony G. Arger
28 Robertson Johnson Miller & Williamson
50 West Liberty Street, Suite 600
Reno, NV 89501
anthony@nvlawyers.com

Brien McMahon
Perkins Coie
505 Howard Street, Ste. 1000
San Francisco, CA 94105
BMcMahon@perkinscoie.com

29 I declare under penalty of perjury that the foregoing is true and correct, and that this
30 declaration was executed on October 3, 2022, at Napa, California.

31 

32 Cathy Kisler Caravantes
33 Paralegal