

EFILE REC'D 7/26/22

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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 ERIC YUAN; HUA YUAN; and DOES 11
26 through 20, inclusive,

27 Real Parties in Interest.
28

Case No.: 17CV001063

PEREMPTORY WRIT OF MANDATE

1 To COUNTY OF NAPA and NAPA COUNTY BOARD OF SUPERVISORS, Respondents:

2 Judgment having been entered in this action ordering that a peremptory writ of mandate
3 be issued from this court,

4 YOU ARE HEREBY COMMANDED to set aside your actions taken on or around
5 August 27, 2017 and reaffirmed on May 18, 2021 adopting a Negative Declaration under the
6 California Environmental Quality Act and approving Use Permit No. P13-00320-UP and an
7 exception to Napa County's Road and Street Standards for the proposed Mountain Peak Winery
8 Project.

9 The MATTER is remanded to you for reconsideration in light of the court's Judgment
10 and Order Granting Writ of Mandamus filed March 21, 2022, and to take any further action
11 specially enjoined on you by law; however, nothing in this writ shall limit or control the
12 discretion legally vested in you.

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



T. DeLuna, Clerk

ROBERT E. FLESHMAN

T. DeLUNA, Deputy Clerk

23 LET THE FOREGOING WRIT ISSUE.

24
25 Dated: 7/29/22

Cynthia P. Smith
Honorable Cynthia P. Smith
Judge of the Superior Court

1 Approved as to form:

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3 Dated: 07/26/2022

/s/ Laura J. Anderson

Laura J. Anderson
Attorney for Respondents

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7 Dated: 07/26/2022

Brien F. McMahon

Brien F. McMahon
Attorney for Real Parties

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