| ATTORNEY OR PARTY WITHOUT ATTORNEY:                                    | STATE BAR NO.: 66809           | FOR COURT USE ONLY |
|--|--------------------------------|--------------------|
| NAME: Brien F. McMahon   |                                |                    |
| FIRM NAME: Perkins Coie LLP  |                                |                    |
| STREET ADDRESS: 505 Howard Street, Suite 1000                          |                                |                    |
| CITY: San Francisco  | STATE: CA ZIP CODE: 94105-3204 |                    |
| TELEPHONE NO.: 415-344-7000  | FAX NO.: 415-344-7050          |                    |
| E-MAIL ADDRESS: BMcMahon@perkinscoie.com                               |                                |                    |
| ATTORNEY FOR (name): Mountain Peak Vineyards, LLC; Hua "Eric" Yuan     |                                |                    |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF NAPA                           |                                |                    |
| STREET ADDRESS: 825 Brown Street                                       |                                |                    |
| MAILING ADDRESS: 825 Brown Street                                      |                                |                    |
| CITY AND ZIP CODE: Napa, CA 94559                                      |                                |                    |
| BRANCH NAME: Civil   |                                |                    |
| PLAINTIFF/PETITIONER: Soda Canyon Group                                |                                |                    |
| DEFENDANT/RESPONDENT: County of Napa; Napa County Board of Supervisors |                                |                    |
| × NOTICE OF APPEAL   | CROSS-APPEAL                   | CASE NUMBER:       |
| (UNLIMITED C   | IVIL CASE)                     | 17CV001063         |

Notice: Please read *Information on Appeal Procedures for Unlimited Civil Cases* (Judicial Council form APP-001) before completing this form. This form must be filed in the superior court, not in the Court of Appeal. A copy of this form must also be served on the other party or parties to this appeal. You may use an applicable Judicial Council form (such as APP-009 or APP-009E) for the proof of service. When this document has been completed and a copy served, the original may then be filed with the court with proof of service.

| NOTICE IS HEREBY GIVEN that (name): Real Parties in Interest Mountain Peak Vineyards, LLC and Hua "Eric" Yuan appeals from the following judgment or order in this case, which was entered on (date): June 17, 2019  Judgment after jury trial  Judgment after court trial  Default judgment  Judgment after an order granting a summary judgment motion  Judgment of dismissal under Code of Civil Procedure, §§ 581d, 583.250, 583.360, or 583.430  Judgment of dismissal after an order sustaining a demurrer  An order after judgment under Code of Civil Procedure, § 904.1(a)(2)  An order or judgment under Code of Civil Procedure, § 904.1(a)(3)—(13)  X Other (describe and specify code section that authorizes this appeal):  Judgment ordering remand and reconsideration of agency decision pursuant to Code of Civil Procedure § 1094.5(e), (f) |
|--|
| <ul> <li>2. For cross-appeals only:</li> <li>a. Date notice of appeal was filed in original appeal:</li> <li>b. Date superior court clerk mailed notice of original appeal:</li> <li>c. Court of Appeal case number (if known):</li> </ul>   |
| Date: August 16, 2019  Brien F. McMahon  (TYPE OR PRINT NAME)  (SIGNATURE OF PARTY OR ATTORNEY)  |

## **PROOF OF SERVICE** I, Matthew Walkup, declare: 3 I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business 4 address is 505 Howard Street, Suite 1000, San Francisco, California 94105-3204. On August 14, 5 2019, I served a copy of the within document(s): 6 **NOTICE OF APPEAL** 8 by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, the United States mail at San Francisco, California addressed as set 9 forth below. 10 by placing the document(s) listed above in a sealed \_\_\_\_\_ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to 11 agent for delivery. 12 by personally delivering the document(s) listed above to the person(s) at the 13 address(es) set forth below. 14 by transmitting via my electronic service address (MWalkup@perkinscoie.com) X the document(s) listed above to the person(s) at the e-mail address(es) set forth 15 below. 16 Anthony G. Arger, State Bar No. 304483 Mark R. Wolfe, State Bar No. 176753 Robertson, Johnson, Miller & Williamson 17 John H. Farrow, State Bar No. 209221 Telephone: (775) 329-5600 M. R. Wolfe & Associates, P.C. Email: anthony@nvlawyers.com 18 Telephone: (415) 369-9400 Email: mrw@mrwolfeassociates.com Attorneys for Petitioner Soda Canyon 19 Group Attorneys for Petitioner Soda Canyon Group 20 21 Jeffrey M. Brax, State Bar No. 218601 Laura J. Anderson, State Bar No. 161372 22 Jason M. Dooley, State Bar No. 258570 Napa County Counsel 23 1195 Third Street, Room 301 Napa, CA 94559-3001 24 Telephone: (707) 253-4521 25 Email: Jeffrey.Brax@countyofnapa.org Email: Laura. Anderson@countyofnapa.org 26 Email: Jason.Dooley@countyofnapa.org 27 Attorneys for Respondents County of Napa and Napa County Board of Supervisors 28

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 16, 2019, at San Francisco, California.

Matthew Walkup