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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN DIEGO**

10 GUY McELROY, DAVID COOKSON, JOSEPH)
11 KROUSS and SCOTT A. THOMPSON,)

12 Plaintiffs,)

13 v.)

14 CITY OF SAN DIEGO, and DOES 1 to 20,)
inclusive,)

15 Defendants.)

CASE NO: 37-2009-00081178-CU-MC-CTL

16 REQUEST FOR JUDICIAL NOTICE
17 IN SUPPORT OF OPPOSITION TO
CITY OF SAN DIEGO'S
DEMURRER TO FIRST
AMENDED COMPLAINT

Date: February 26, 2010

Time: 10:30 a.m.

Judge: Hon. Judith F. Hayes

Dept: C-68

Complaint Filed: January 13, 2009

Trial: May 28, 2010

18 Pursuant to Evidence Code sections 451, and 452, subdivisions (c) and (d), petitioners
19 Guy McElroy, David Cookson, Joseph Krouss and Scott A. Thompson respectfully requests this
20 Court to take judicial notice of the following documents in support of its accompanying
21 Opposition to City of San Diego's Demurrer to First Amended Complaint for Writ of Mandate:

22 Exhibit 1: The Honorable Judith F. Hayes' Ruling After Hearing filed June 12, 2006,
23 in *Sloan, et al. v. City of San Diego*, San Diego Superior Court Case No.
24 GIC 848641;

25 Exhibit 2: Court of Appeal, Fourth Appellate District's opinion filed January 29,
26 2008, in *Sloan, et al. v. City of San Diego*, Court of Appeal Case No.
27 D049158;

28 Exhibit 3: City of San Diego's Petition for Writ of Mandate; and Complaint for

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Exhibit 15: San Diego Municipal Code, Article 4, Division 1, sections 24.0100 through 24.0107; and

Exhibit 16: San Diego Municipal Code, Article 4, Division 4, sections 24.0401 through 24.0405.1.

For environmental concerns the actual documents listed below are attached to the Request for Judicial Notice filed concurrently in San Diego Police Officers Association v. City of San Diego, Case No. 37-2009-00081659-CU-WM-CTL.

Dated: February 11, 2010

LAW OFFICE OF MICHAEL A. CONGER

By: 
Michael A. Conger
Attorney for Petitioners
Guy McElroy, David Cookson,
Joseph Krouss and Scott A. Thompson