

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SACRAMENTO
GORDON D SCHABER COURTHOUSE**

MINUTE ORDER

DATE: 12/30/2022

TIME: 08:08:00 AM

DEPT: 21

JUDICIAL OFFICER PRESIDING: Shelleyanne W L Chang

CLERK: D. Lashley

REPORTER/ERM: NONE

BAILIFF/COURT ATTENDANT: NONE

CASE NO: **34-2022-80004062-CU-WM-GDSCASE** INIT.DATE: 12/29/2022

CASE TITLE: **Save Local Restaurants vs. Katie Hagen, in her official capacity as Director of the California Department of Industrial Relations**

CASE CATEGORY: Civil - Unlimited

APPEARANCES

NATURE OF PROCEEDINGS: PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF-ORDER SETTING ORDER TO SHOW CAUSE

The Court is in receipt of the "Memorandum of Points and Authorities in Support of Verified Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief" and supporting documentation filed by Petitioners in this matter on December 29, 2022, seeking relief effective December 30, 2022 in connection with a statewide election matter. In light of the incredibly short timeframe provided to the Court to hear this matter, the Court has construed the filing as an ex parte application for a temporary restraining order, which the Court hereby **GRANTS**. Respondents are temporarily restrained from implementing, enforcing, or taking any other action to effectuate Assembly Bill 257, Stats. 2022, ch. 246.

The matter is set for an Order to Show Cause re: Preliminary Injunction on January 13, 2023 at 1:30 p.m. in Department 21. Respondents shall file and serve a memorandum of points and authorities and any supporting documentation as to why the preliminary injunction should not issue no later than 4:00 p.m. on January 9, 2023. Petitioners shall file and serve any response no later than 12:00 p.m. on January 11, 2023. No other filings will be considered by the Court.

The parties shall send a courtesy copy of all filings to the department's email address (Dept21@saccourt.ca.gov), no later than the deadline for the actual filing.

The Court notes Petitioners have failed to file proof that Respondents in this matter have been properly served with the petition and the required accompanying filings. Instead, Petitioners provide a proof of service by mail and electronic service. Petitions for writ of mandate must be served in the same manner as service of summons in a civil action. (Civ. Proc. Code section 1096; see also *Wagner v. City of South Pasadena* (2000) 78 Cal.App.4th 943, 949.) Civil Procedure Code sections 413.10 through 417.40 discuss service of summons. Petitioners **MUST** provide the Court with proof that the initial filings have been properly served on Respondents.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO**

Save Local Restaurants; Steven
McDermed; and Amber Evans,

Petitioners,

vs.

Katie Hagen, in her official capacity as
Director of the California Department of
Industrial Relations; Shirley N. Weber, in
her official capacity as Secretary of State of
California; ROB BONTA, in his official
capacity as Attorney General of the State of
California; and DOES 1-100,

Respondents.

Case Number: 34-2022-80004062

CERTIFICATE OF SERVICE BY MAILING
(C.C.P. Sec. 1013a(4))

I, the Clerk of the Superior Court of California, County of Sacramento, certify that I am not a party to this cause, and on the date shown below I served the foregoing **Order Setting Order To Show Cause** by email and by depositing true copies thereof, enclosed in separate, sealed envelopes with the postage fully prepaid, in the United States Mail at Sacramento, California, each of which envelopes was addressed respectively to the persons and addresses shown below:

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I, the undersigned Deputy Clerk, declare under penalty of perjury that the foregoing is true and correct.

Dated: December 30, 2022

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Superior Court Of California
County of Sacramento

By: D. Lashley,
Deputy Clerk

