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JUDICIAL COUNCIL OF CALIFORNIA  
COURT OF APPEALS  
RIVERSIDE

APP-002

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <b>Adriano L. Martinez, SBN 237152; Oscar Espino-Padron, SBN 290603</b>		FOR COURT USE ONLY  16 NOV 17 2016 11:43
<b>EARTHJUSTICE</b> 800 Wilshire Blvd, Suite 1000, Los Angeles, CA 90017 (List of Counsel continued on Attachment A)		
TELEPHONE NO.: (415)217-2000 FAX NO. (Optional): (415)217-2040 E-MAIL ADDRESS (Optional): <b>amartinez@earthjustice.org</b>		
ATTORNEY FOR (Name): <b>Petitioners Ctr. for Comm. Action and Env Justice, et al</b>		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Riverside</b> STREET ADDRESS: 4050 Main Street MAILING ADDRESS: 4050 Main Street CITY AND ZIP CODE: Riverside, 92501 BRANCH NAME: Riverside Historic Courthouse		
PLAINTIFF/PETITIONER: Ctr. for Comm. Action and Env. Justice, et al DEFENDANT/RESPONDENT: City of Moreno Valley, et al		
<input checked="" type="checkbox"/> NOTICE OF APPEAL <input type="checkbox"/> CROSS-APPEAL (UNLIMITED CIVIL CASE)		CASE NUMBER: <b>RK</b> <b>RIC 1602094 [MF 1601988]</b>
<b>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.</b>		

1. NOTICE IS HEREBY GIVEN that (name): **Petitioners Center for Community Action and Environmental Justice, et al.** appeals from the following judgment or order in this case, which was entered on (date): **09/14/2016**

- 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 sections 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 section 904.1(a)(2)
- An order or judgment under Code of Civil Procedure section 904.1(a)(3)-(13)
- Other (describe and specify code section that authorizes this appeal):

2. For cross-appeals only:

- a. Date notice of appeal was filed in original appeal:
- b. Date superior court clerk mailed notice of original appeal:
- c. Court of Appeal case number (if known):

Date: Nov. 14, 2016

**Adriano L. Martinez**

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

CASE NAME: Ctr. for Comm. Action and Env. Justice, et al v. City of Moreno Valley	CASE NUMBER: RIC 1602094 [MF 1601988]
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NOTICE TO PARTIES: A copy of this document must be mailed or personally delivered to the other party or parties to this appeal. A PARTY TO THE APPEAL MAY NOT PERFORM THE MAILING OR DELIVERY HIMSELF OR HERSELF. A person who is at least 18 years old and is not a party to this appeal must complete the information below and mail (by first-class mail, postage prepaid) or personally deliver the front and back of this document. When the front and back of this document have been completed and a copy mailed or personally delivered, the original may then be filed with the court.

**PROOF OF SERVICE**

**Mail**     **Personal Service**

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**
2. My residence or business address is (*specify*):  
800 Wilshire Blvd., Ste. 1000, Los Angeles, California 90017
3. I mailed or personally delivered a copy of the *Notice of Appeal/Cross-Appeal (Unlimited Civil Case)* as follows (*complete either a or b*):
  - a.  **Mail.** I am a resident of or employed in the county where the mailing occurred.
    - (1) I enclosed a copy in an envelope **and**
      - (a)  **deposited** the sealed envelope with the United States Postal Service, with the postage fully prepaid.
      - (b)  **placed** the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
    - (2) The envelope was addressed and mailed as follows:
      - (a) Name of person served: **See attached service list.**
      - (b) Address on envelope:
      - (c) Date of mailing:
      - (d) Place of mailing (*city and state*):
  - b.  **Personal delivery.** I personally delivered a copy as follows:
    - (1) Name of person served:
    - (2) Address where delivered:
    - (3) Date delivered:
    - (4) Time delivered:

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

Date: Nov. 14, 2016

Idalmis Vaquero

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

SHORT TITLE: Ctr. for Comm Action and Env Justice, et al v. City of Moreno Valley	CASE NUMBER: RIC 1602094 [MF 1601988]
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**ATTACHMENT (Number):** A

*(This Attachment may be used with any Judicial Council form.)*

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*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

Page 1 of 1

*(Add pages as required)*

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9 *Attorneys for Petitioners Center for Community*  
*Action and Environmental Justice, Center for*  
10 *Biological Diversity, Coalition for Clean Air,*  
*Sierra Club, and San Bernardino Valley Audubon Society.*  
11

12 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
13 IN AND FOR THE COUNTY OF RIVERSIDE

14 SOUTH COAST AIR QUALITY  
15 MANAGEMENT DISTRICT, an air quality  
management district,

16 Petitioner/Plaintiff,

17 v.

18 CITY OF MORENO VALLEY, CITY COUNCIL  
OF THE CITY OF MORENO VALLEY,  
19 Respondents/Defendants,

20 HIGHLAND FAIRVIEW; HF PROPERTIES, a  
California general partnership; SUNNYMEAD  
21 PROPERTIES, a Delaware general partnership;  
THEODORE PROPERTIES PARTNERS, a  
22 Delaware general partnership; HL PROPERTY  
PARTNERS, a Delaware general partnership;  
23 13541 THEODORE, LLC, a Delaware limited  
liability company; HIGHLAND FAIRVIEW  
24 PROPERTIES, LLC, a California limited liability  
company; HF PHASE II PROPERTIES, a  
25 California general partnership; SKINNER  
PROPERTIES PARTNERS, a Delaware general  
26 partnership; EASTGATE PROPERTIES  
PARTNERS, a Delaware general partnership; GB  
27 PROPERTIES, a California general partnership;  
PASADENA PROPERTIES PARTNERS, a  
28 Delaware General Partnership; CHE PROPERTIES  
PARTNERS, a Delaware general partnership; HFM

Case No: RIC 1601988

Combined with Case Nos. RIC 1602094,  
RIC 1602243

**PROOF OF SERVICE**

Dept: 10  
Judge: Waters

Action Filed: February 22, 2016  
Trial Date: June 17, 2016  
Time: 9:30 a.m.

1 PROPERTY PARTNERS, a Delaware general  
2 partnership; COLVILLE PROPERTIES, a  
3 Delaware general partnership; HIGHLAND  
4 FAIRVIEW PROPERTIES, a California general  
5 partnership; WESTCOAST PROPERTY  
6 PARTNERS; HF EDUCATIONAL PARTNERS;  
7 13451 THEODORE LLC, a California limited  
8 liability company; and DOES 1 through 20,  
9 inclusive,

Real Parties in Interest.

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1 **PROOF OF SERVICE**

2 I, Idalmis Vaquero, declare as follows:

3 I am employed in Los Angeles County, Los Angeles California. I am over the age of 18 years  
4 and not a party to the within entitled action. My business address is Earthjustice, 800 Wilshire  
5 Boulevard, Suite 1000, Los Angeles, California.

6 I am readily familiar with the practice at Earthjustice for collection and processing of  
7 correspondence for mailing with the United States Postal Service, said practice being that in the  
8 ordinary course of business, correspondence is deposited in the United States Postal Service the  
9 same day as it is placed for collection.

10 I hereby certify that on November 14, 2016, I served a **Notice of Appeal** on the interested  
11 parties in this action addressed as follows:

12 Steve B. Quintanilla, Interim City Attorney *Attorneys for Respondent City of*  
13 Law Offices of Quintanilla & Associates *Moreno Valley*  
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Properties, Theodore Properties  
Partners, 13451 Theodore, LLC, HL  
Property Partners, and Highland  
Fairview Operating Co.*

8  **(BY U.S. MAIL)** By placing such document(s) in a sealed envelope, with postage thereon  
9 fully prepaid for first class mail, for collection and mailing at Earthjustice, Los Angeles, California  
10 following ordinary business practice, addressed to all parties.

11  **(BY ELECTRONIC MAIL)** I caused said document(s) to be transmitted to the e-mail  
12 address(es) of the addressee(s) designated.

13 I certify under penalty of perjury that the foregoing is true and correct. Executed on November  
14 14, 2016 in Los Angeles, California.



Idalmis Vaquero