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FILED
JUL 09 2013
CONNIE MAZZEI
CLERK OF THE SUPERIOR COURT
J. NICHOLSON DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF MONTEREY

THE PEOPLE OF THE STATE OF CALIFORNIA, on the Relation of the CITY OF SALINAS, a charter city and municipal corporation,

Plaintiff,

vs.

JOSÉ CASTAÑEDA, an individual,

Defendant.

No.: M123946

LEAVE TO SUE

No Filing Fee Pursuant to Gov. Code § 6103

On April 2, 2013, application pursuant to Code of Civil Procedure section 803 was made to this office by Thomas A. Willis, attorney for Relator, City of Salinas, for Leave to Sue José Castañeda in the name of the People of the State of California. (Cal. Code Regs, tit. 11, §§ 1, 2.) The application alleges that Mr. Castañeda currently holds the two incompatible offices of Trustee of the Alisal Union School District and City Councilmember of the City of Salinas, in violation of Government Code section 1099. In Opinion No. 13-203, Leave to Sue was granted on the basis of circumstances identical to those set forth in the application of Relators herein. Mr. Castañeda, has waived his opportunity under California Code of Regulations, title 11, section 3 to file a responsive pleading to the application of Relator City of Salinas. Accordingly, Leave to Sue is hereby granted to City of Salinas, and to attorney, Thomas A. Willis, to file the original Complaint in Quo Warranto and this Leave to Sue. Relators may use the name of THE PEOPLE OF THE STATE OF CALIFORNIA as plaintiffs in this proceeding. No amended complaint shall be filed unless it has been approved by the Attorney General. At any time the Attorney General may either dismiss or assume the management of this action. Approval of the Attorney General must be obtained before relators may file a notice of appeal. Copies of all documents filed in this action by any party must be served on the Attorney General.

This Leave to Sue is granted upon the condition that neither the PEOPLE OF THE STATE OF CALIFORNIA nor the Attorney General shall be liable for any costs, charges, or counsel fees in the proceeding.

Respectfully submitted,

Dated: July 8, 2013

OFFICE OF THE ATTORNEY GENERAL
OF THE STATE OF CALIFORNIA

By: _____
Susan Duncan Lee
Supervising Deputy Attorney General
Acting Solicitor General of California

(00201249)