

**Sheri Damon - Petrovich Development Company / Seaside Development Project (2891-009)**

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**From:** Laura Cummings <LCummings@herumcrabtree.com>  
**To:** "sdamon@ci.seaside.ca.us" <sdamon@ci.seaside.ca.us>  
**Date:** 5/22/2020 10:28 AM  
**Subject:** Petrovich Development Company / Seaside Development Project (2891-009)  
**CC:** Steve Herum <sherum@herumcrabtree.com>  
**Attachments:** 2891-009 - Letter to City Attorney.pdf

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Good morning Ms. Damon:

Attached please find a letter to you from Steve Herum, prepared on behalf of our client Petrovich Development Company, regarding the above-entitled matter. If you have any questions or comments regarding the attached letter, please contact Mr. Herum directly.

Sincerely,

*Laura Cummings*

Legal Assistant to  
Steven A. Herum  
Karna E. Harrigfeld  
Hon. Lesley D. Holland, Ret.

**HERUM\CRABTREE\SUNTAG**

ATTORNEYS

T: 209.472.7700 | F: 209.472.7986

5757 Pacific Avenue, Suite 222, Stockton, CA 95207

[www.herumcrabtree.com](http://www.herumcrabtree.com) | [lcummings@herumcrabtree.com](mailto:lcummings@herumcrabtree.com)

Connect to Us:



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**Lesley Milton - Re: Public Records Act request**

---

**From:** Mary Duan <[mary@mcweekly.com](mailto:mary@mcweekly.com)>  
**To:** Craig Malin <[CMalin@ci.seaside.ca.us](mailto:CMalin@ci.seaside.ca.us)>  
**Date:** 7/1/2020 5:09 PM  
**Subject:** Re: Public Records Act request  
**CC:** Lesley Milton <[LMilton@ci.seaside.ca.us](mailto:LMilton@ci.seaside.ca.us)>, Sheri Damon <[SDamon@ci.seaside...](mailto:SDamon@ci.seaside...)>

---

Thanks Craig ... and Lesley and Sheri. Appreciate it.

MD

On Wed, Jul 1, 2020 at 4:13 PM Craig Malin <[CMalin@ci.seaside.ca.us](mailto:CMalin@ci.seaside.ca.us)> wrote:

Mary:

The emails between me and Mr. Petrovich are easy to batch together and we can get them to you tomorrow. ACM Milton will work with IT and City Attorney Damon on the others.

Craig

>>> Mary Duan <[mary@mcweekly.com](mailto:mary@mcweekly.com)> 7/1/2020 2:46 PM >>>

July 1, 2020

Mary Duan

Monterey County Weekly

668 Williams Ave., Seaside, CA 93955

RE: Public Records Act Request

Dear Craig,

This letter is to request access to City of Seaside records for the purpose of inspection and possible copying, pursuant to the California Public Records Act, Government Code Section 6250 et seq.

The records that I am asking to inspect and have the opportunity to copy are:

All emails sent to or received from Paul Petrovich or anyone employed by Paul Petrovich.

All emails referencing the lawsuit brought against the city of Seaside by The Committee for Sound Water and Land Development on Fort Ord.

The records I'm requesting include electronic correspondence and electronic documents, and include all attachments and enclosures, sent, received, prepared, owned, used, retained, after April 1, 2020. They also include documents scanned into electronic files, residing on a city computer or on a shared computer drive or on a diskette, CD or DVD, and in archived form.

I request those records in the form held by the city of Seaside. If the records are electronic, please forward those to me at [mary@mcweekly.com](mailto:mary@mcweekly.com). If the records are kept individually,

please forward them as individual emails and not combined. Government Code § 6253.9, subd. (a).

I believe no provisions of law exist which exempt these records from disclosure. Pursuant to Government Code Section 6257, I ask that you make the records "promptly available" to me for inspection.

If you believe a portion of the information I have requested is exempt from disclosure by express provisions of the law, Government Code Section 6257 additionally **requires segregation and deletion of that material in order that the remainder of the information may be released.**

If you believe that an express provision of law exists to exempt from disclosure all or a portion of the material I have requested, **Government Code Section 6256 requires you notify me of the reasons for the determination not later than 10 days from your receipt of this request.**

Government Code section 6253.1 **requires a public agency to assist the public** in making a focused and effective request by (1) identifying records and information responsive to the request, (2) describing the information technology and physical location of the records, and (3) **providing suggestions for overcoming any practical basis for denying access to the records or information sought.** If you have any questions about this request I expect that you will contact me promptly to discuss them.

If the city determines that any of the information is exempt from disclosure, I ask that they reconsider that determination in view of **Proposition 59**, which amended the state Constitution to require that **all exemptions be "narrowly construed."** **Proposition 59 may modify or overturn authorities on which the City has relied in the past.** **If the City determines that any requested records are subject to a still-valid exemption, I request that: (1) the City exercise its discretion to disclose some or all of the records notwithstanding the exemption; and (2) with respect to records containing both exempt and non-exempt content, the City redact the exempt content and disclose the rest.**

Should the city deny part or all of this request, the city is **required to provide a written response describing the legal authority on which the City relies, and the names and titles or positions of the person(s) responsible for the denial.**

Finally, if you plan to charge me for any expense incurred in complying with this request, please notify me in advance.

Thank you for your timely attention to my request.

Sincerely,

Mary Duan

--  
Mary Duan

1 CITY OF SEASIDE  
2 OFFICE OF THE CITY ATTORNEY  
3 SHERI L. DAMON, City Attorney (SBN#186427)  
4 440 Harcourt Avenue  
5 Seaside, CA 93955  
6 Tel: (831) 899-6890 Fax: (831) 718-8602  
7 [cityattorney@ci.seaside.ca.us](mailto:cityattorney@ci.seaside.ca.us)

EXEMPT FROM FILING FEES  
(GOVERNMENT CODE §6103)

5 THE SOHAGI LAW GROUP, PLC  
6 R. TYSON SOHAGI, State Bar No. 254235  
7 11999 San Vicente Boulevard, Suite 150  
8 Los Angeles, California 90049-5136  
9 Telephone: (310) 475-5700  
10 Facsimile: (310) 475-5707  
11 Email: [TSohagi@sohagi.com](mailto:TSohagi@sohagi.com)

ELECTRONICALLY FILED BY  
Superior Court of California,  
County of Monterey  
On 6/29/2020 2:48 PM  
By: Melanie Oliverez, Deputy

10 SUPERIOR COURT OF THE STATE CALIFORNIA  
11 COUNTY OF MONTEREY

12 COMMITTEE FOR SOUND WATER AND  
13 LAND DEVELOPMENT OF FORT ORD,

14 Petitioner,

15 v.

16 CITY OF SEASIDE, BY AND THROUGH  
17 THE CITY COUNCIL; and DOES 1  
18 THROUGH XXX,

19 Respondents,

20 KB BAKEWELL SEASIDE VENTURE II, a  
21 Delaware limited liability company; and  
22 DOES XXXI-XXXXX, inclusive.

23 Real Parties in Interest.

CASE NO.: 20CV001203

REPLY TO OPPOSITION TO MOTION TO  
DETERMINE WHETHER IDENTITY OF  
CLIENT IS PRIVILEGED

[CCP 128(A)(5)]

HEARING INFORMATION:

DATE: JULY 7, 2020

TIME: 8.30 A.M.

DEPT: 13

HON. JUDGE VILLAREAL ASSIGNED

COMPLAINT FILED: April 6, 2020

TRIAL DATE: NONE SET

24  
25  
26  
27  
28 REPLY IN SUPPORT OF MOTION TO  
DETERMINE WHETHER IDENTITY OF  
CLIENT IS PRIVILEGED

- 1 - COMMITTEE FOR SOUND WATER AND  
LAND DEVELOPMENT OF FORT ORD V,  
CITY OF SEASIDE, ET AL.  
CASE NO: 20 CV 001203

1           **I. INTRODUCTION**

2           This Motion requests a determination that the attorney client privilege does not  
3 apply to the disclosure of the true identity of the attorneys' client, and that the disclosure  
4 may be used as evidence of his client's identity.

5           While this action purports to be brought on behalf of local citizens, Petitioner's  
6 counsel inadvertently admitted the truth. The redacted entity actually behind this case is  
7 not the "California non-profit unincorporated association" asserted under penalty of  
8 perjury in the Petition. Rather, it is a private economic interest which affirmatively  
9 advocated for approval of the Project and certification of the EIR; facts uncontested in the  
10 opposition. The true identity of Petitioner has important implications for this case.

11           Petitioner's response tacitly admits that the unincorporated association is a sham  
12 being used to shroud the identity of the real petitioner. It is uncontested that this is the  
13 ninth matter Mr. Herum has represented his true client. (Memorandum of P&A p. 7, FN1)<sup>1</sup>  
14 Furthermore, the City can produce evidence that the redacted entity has been previously  
15 represented by Mr. Herum, and that the Petition, if successful, would provide a gain to  
16 that private economic interest. (Declaration of Sheri L. Damon in support of Reply,  
17 Paragraph 2) These facts cannot be reconciled with the uncontested fact that the  
18 "Committee" did not exist before 2019, unless the Committee and the redacted entity are  
19 one and the same. (Memorandum of P&A p. 7.)

20           **II. THE MATTER IS NOT MOOT**

21           Petitioner's response to its own disclosure cannot be described as anything short of  
22 gamesmanship. Petitioner's June 2, 2020 response to the disclosure first asserted that  
23 "the first email we sent to you ...incorrectly and inadvertently identified our firm's client as  
24

25 <sup>1</sup> Mr. Herum's Draft EIR comment letter identified that it was prepared on behalf of client  
26 "2891" on matter number "009." (Declaration of Sheri L. Damon in support of Reply,  
27 Paragraph 2) This is the same matter number that was included in the subject line of *both*  
28 *of the May 22, 2020 emails*, which referenced the redacted entity and the "Committee." It  
strains credulity to believe that Mr. Herum's office utilized the correct client number but  
the incorrect client name in the May 22 email.

1 another entity." However, *in the exact same letter*, Petitioner's counsel *claimed the*  
2 *redacted entity as his client*, stating "the identity of our firm's client *in this matter* was  
3 communicated to our firm in confidence. *That information [i.e. the redacted entity] is*  
4 *confidential and protected by the attorney client privilege.*" (Declaration of Sheri L.  
5 Damon, filed June 8, 2020, Exhibit E, June 2, 2020 letter.)

6 After filing the motion, Petitioner's counsel purported to allow disclosure of the June  
7 2 email stating "the *Committee* hereby withdraws its letters to you claiming the cover  
8 email to the revised settlement offer is not subject to disclosure...Withdrawing the letters  
9 asserting the email was inadvertent takes away any ethical duty on your part to withhold  
10 the email." (Declaration of Steven A. Herum, Exhibit G [June 16, 2020 email].) Thus,  
11 Petitioner's counsel was trying to have it both ways—withdraw his claim of privilege but  
12 not admit that he had invoked the privilege on behalf of the redacted entity. Obviously,  
13 the identity of the Committee was well known as it was the cover name used to plead the  
14 case. It is the identity of the real client behind the case that is meaningful.

15 Accordingly, the City's June 18, 2020<sup>2</sup> response noted:

16 ...this June 16, 2020 email was sent on behalf of the "Committee," seemingly  
17 referencing the "Committee for Sound Water and Land Development of Fort Ord."  
18 However, [Redacted entity] is the holder of any claim of privilege, not the  
19 "Committee" referenced in your email, unless the two are the same entity, which I  
20 believe to be the case. [¶] Therefore, I am assuming you are waiving this and any  
other claim of privilege or privacy right on behalf of your true client in the current  
litigation, [Redacted entity]. If this is incorrect, please advise.

21 Instead of providing a clear response to this straightforward inquiry, Mr. Herum  
22 persisted in asserting the fiction that "1) the claim is held by the committee; and 2) the  
23 committee has waived the claim." (Declaration of Sheri L. Damon filed herewith, Exhibit  
24 A, June 22, 2020 email[.])<sup>3</sup> Petitioner cannot claim attorney client privilege on behalf of

25 <sup>2</sup> Declaration of Steven A. Herum, Exhibit H.

26 <sup>3</sup> Petitioner asserts that the City "avoids the fact, as is present here that the verification  
27 was signed by a resident of the defendant city." (Opp. p. 5.) The City in no way ignores  
this fact. The City believes that the resident is a strawman for the private economic  
interests, and will, if needed, seek discovery into this individual's participation in this

1 the redacted entity, the holder of such a privilege (Evid. Code §§ 952, 953, 954), and  
2 then purport to waive that privilege on behalf of a different entity (i.e. the "Committee").  
3 There is no other way to read the assertion of privilege but on behalf of the redacted  
4 client. Unless Mr. Herum is prepared to admit that the Committee is in fact the same as  
5 his redacted client, this issue is not moot.

6 Indeed, Petitioner's opposition papers added new Exhibits which redacted a June  
7 18, 2020 email identifying his client. (Dec. of Herum, Exhibit H [June 18, 2020].) If  
8 Petitioner was not trying to mislead counsel and this Court as to the identity and  
9 participation of the true client, there would be no need for Petitioner's counsel to continue  
10 to redact the information or references to the true client. (See also, Declaration of Sheri  
11 L. Damon, filed herewith at ¶ 4).

12 Now, for the first time in Petitioner's opposition papers, and *more than a month after*  
13 *the disclosure*, Petitioner's counsel asserts his client's identity is protected by the First  
14 Amendment, which only serves to muddy the waters even more. As described in the  
15 moving papers, this Motion raises the issue of whether the identity of a lawyer's actual  
16 client in litigation is privileged by the attorney-client privilege such that the lawyer's  
17 inadvertent disclosure of who he really represents is something that the receiving party  
18 has a duty not to use or further disclose. As discussed below, it appears that Petitioner,  
19 having attempted to withdraw the claim of privilege, is now asserting the information may  
20 not be relied upon because of a Constitutional privacy right to bring redress as an  
21 unincorporated association. (Opp. pp. 4-6.)

22 However, in so asserting, Petitioner's opposition completely ignores the precedent  
23 cited by the City that (1) his client's identity is not a protected interest (*United States v.*

24  
25 lawsuit. As noted above, the City has evidence that this is the ninth matter in which Mr.  
26 Herum has represented this private economic interest. Furthermore, there are numerous  
27 false statements made within this petition which evince the fact that it was not read by the  
28 "resident." For example, the Petition seeks a declaration that the project is in violation of  
"the Tracy General Plan, the Tracy Zoning Code," referencing the City of Tracy on three  
separate occasions. (Petition, ¶¶ 3 and Introduction.)

REPLY IN SUPPORT OF MOTION

1 *Hodge and Zweig* (9th Cir. 1977) 548 F.2d 27 1347, 1353; *Willis v. Superior Court* (1980)  
2 112 Cal.App.3d 277, 291), and (2) that CEQA cases involve discovery into the identity of  
3 Petitioner's client. (*CREED-21 v. City of Wildomar* (2017) 18 23 Cal.App.5th 690 [Court  
4 upholding discovery sanctions against a CEQA Petitioner for refusal to comply with  
5 discovery order relating to client's identity]; *Save Open Space Santa Monica v. Superior*  
6 *Court* (2000) 84 Cal.App.4th 235 [Discovery authorized for entity's member as it relates to  
7 attorney's fee request under 1021.5 in a land use matter].

8 **III. PETITIONER'S LATE ASSERTION OF A FIRST AMENDMENT RIGHT**  
9 **TO PRIVACY IS WAIVED AND UNSUPPORTED**

10 Petitioner's eleventh-hour attempt to assert a privacy right, made more than a  
11 month after the disclosure, should be summarily rejected as waived. When specifically  
12 asked about the basis for withholding the identity of his client, Petitioner's response  
13 claimed attorney client privilege, *and nothing else*. (Declaration of Sheri L. Damon, filed  
14 June 8, 2020, Exhibit E, June 2, 2020; Evid. Code § 912.)

15 Furthermore, this issue was addressed at length in the authority cited by the City,  
16 i.e. *Save Open Space Santa Monica v. Superior Court* (2000) 84 Cal.App.4th 235. In that  
17 case, the alleged privacy right also pertained to the client's identity in a case involving  
18 attorney's fees in a land use matter under 1021.5. That Court expressly noted that "the  
19 right of associational privacy is not absolute." (*Id.* at 253.) That court further noted that  
20 "the filing of a lawsuit may implicitly bring about a partial waiver of one's constitutional  
21 right of associational privacy." (Internal quotes omitted; *Id.* at 253) "Real parties...have a  
22 legitimate interest in ensuring that attorney fees are not awarded where the statutory  
23 requirements set forth in section 1021.5 are not met...Equally as important as these  
24 interests is the state's compelling interest, as reflected in its broad discovery statutes in  
25 facilitating the ascertainment of truth in connection with legal proceedings." (Internal  
26 quotes omitted; *Id.* at 254.) "To deny those opposing a fee request and, in turn, a trial  
27 court, the means to discover whether an organization is litigating a case to further private



1 interests would open the door for abuse of the private attorney general statute." (*Id.* at  
2 254.)

3 Petitioner's counsel asserts that its membership is a "distracting shining penny" and  
4 that the City's arguments are "unhinged by controlling decisional case law," because his  
5 client allegedly has standing. (Opp. p. 6.) Ironically, it is Petitioner's opposition that is  
6 unhinged, having ignored nearly every single legal authority cited in the City's motion,  
7 and ignoring the fact that this issue is not only relevant to standing, it is also relevant to:

8 (1) evaluating the credibility of Petitioner and Petitioner's comments in the  
9 administrative record (*Joshua Tree Downtown Business Alliance v. County of San*  
10 *Bernardino* (2016) 1 Cal.App.5th 677, 692 [If there are "legitimate issues regarding  
11 the credibility" of a commenter's opinions, then an agency can "deem them not  
12 substantial evidence."]);

13 (2) the City's affirmative defenses, including bad faith and unclean hands for  
14 affirmatively advocating for approval of the project and then suing the City under a  
15 false name (Declaration of Sheri L. Damon filed herewith Paragraph 2);

16 (3) bonding requirements under Code of Civ. Proc § 529.2 [which requires evidence  
17 of that Petition was brought in bad faith, vexatiously, and for the purpose of delay];  
18 and

19 (4) Petitioner's request for attorney's fees under Code of Civ. Proc. § 1021.5.

20  
21 This matter is neither moot nor unripe. At a minimum, the Court should find that any  
22 disclosure of the actual client's name is not protected by attorney-client privilege and that  
23 any First Amendment privacy rights have been waived and that the redacted information  
24 may be used as evidence of his client's identity. Further, given the contradictory  
25 assertions of Petitioner's counsel, the Court should be prepared to authorize discovery  
26 into the true membership in this "Committee." As outlined in the City's moving papers,  
27 both the defendants and the Court have an interest in ensuring transparency. Given


1 this late assertion, the City has submitted a [REVISED][Proposed] Order for the court's  
2 consideration.

3 **IV. CONCLUSION**

4 The matter is ripe for adjudication at this time and is not moot. Moreover, the Court  
5 has authority under its power to oversee these proceedings and should authorize  
6 disclosure of the information holding there is no attorney client privilege and that any First  
7 Amendment privacy right has been waived attached to the use of the information.

8 As stated in City's moving papers, the widespread abuse of CEQA suits for  
9 purposes other than environmental protection is a major factor in driving up the cost of  
10 housing in California, contributing to lost opportunities for the most vulnerable and  
11 perpetuating cycles of poverty. Conduct and legal gamesmanship such as this only  
12 serves to undermine the CEQA process, the judicial process and the public confidence in  
13 these proceedings. The City respectfully requests the Court make a determination that  
14 the City, the public, and this Court, are entitled to know the real petitioner who is behind  
15 this action, and find that counsel's admission of the real petitioner's identity is relevant  
16 evidence of that identity.

17  
18 DATE: June 29<sup>th</sup>, 2020

19  
20 By:   
21 SHERI L. DAMON, CITY ATTORNEY  
22 Attorneys for THE CITY OF SEASIDE  
23  
24  
25  
26  
27

28 REPLY IN SUPPORT OF MOTION

ELECTRONICALLY FILED BY  
Superior Court of California,  
County of Monterey  
On 6/29/2020 2:49 PM  
By: Erika Ramirez, Deputy

1 CITY OF SEASIDE  
2 OFFICE OF THE CITY ATTORNEY  
3 SHERI L. DAMON, City Attorney (SBN#166427)  
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5 Seaside, CA 93955  
6 Tel: (831) 899-6890 Fax: (831) 718-8602  
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EXEMPT FROM FILING FEES  
(GOVERNMENT CODE §6103)

8 THE SOHAGI LAW GROUP, PLC  
9 R. TYSON SOHAGI, State Bar No. 254235  
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13 Facsimile: (310) 475-5707  
14 Email: [TSohagi@sohagi.com](mailto:TSohagi@sohagi.com)

15 ATTORNEYS FOR RESPONDENT,  
16 CITY OF SEASIDE

17 SUPERIOR COURT OF CALIFORNIA

18 COUNTY OF MONTEREY

19 COMMITTEE FOR SOUND WATER AND  
20 LAND DEVELOPMENT OF FORT ORD,

21 Petitioner,

22 vs.

23 CITY OF SEASIDE AND DOES 1-XXXX,

24 Respondent(s).

25 KB BAKEWELL SEASIDE VENTURE II, a  
26 Delaware limited liability company; and DOES  
27 XXXI-XXXXX, inclusive.

28 Real Parties in Interest.

Case No.: 20 CV 001203

DECLARATION OF SHERI L.  
DAMON IN SUPPORT OF REPLY  
TO OPPOSITION TO MOTION TO  
DETERMINE WHETHER IDENTITY  
OF CLIENT IS PRIVILEGED

HEARING INFORMATION:

DATE: JULY 7, 2020

TIME: 8:30A.M.

DEPT: 13

HONORABLE JUDGE VILLAREAL  
ASSIGNED

COMPLAINT FILED: APRIL 6, 2020

TRIAL DATE: NONE SET

DECLARATION OF SHERI L. DAMON IN  
SUPPORT OF REPLY TO OPPOSITION TO  
MOTION TO DETERMINE WHETHER  
IDENTITY OF CLIENT IS PRIVILEGED

- 1 -

COMMITTEE FOR SOUND WATER AND  
LAND DEVELOPMENT OF FORT ORD v.  
CITY OF SEASIDE, et al. .  
CASE NO: 20 CV 001203

1 I, SHERI L. DAMON, declare under penalty of perjury as follows:

2  
3 1. I am an attorney-at-law licensed to practice in the State of California. I make this  
4 declaration in support of the City's reply to opposition to motion to determine whether  
5 the identity of the real client in this matter is privileged or not.

6  
7 2. I have reviewed the administrative record. Petitioner's comment letter on the Draft  
8 EIR in August 2019 includes a client file number of 2891 and matter number 009. The  
9 City has evidence that Mr. Herum has previously represented the redacted entity. The  
10 City has evidence that the redacted entity's private economic interests may be affected  
11 depending upon the outcome of this case. Further, the Administrative Record contains  
12 evidence that the redacted entity advocated before the City Council for approval of the  
13 project and certification of the EIR.

14  
15 3. On or about June 22, 2020, I received an e-mail from Mr. Herum responding to my  
16 email to him of June 18, 2020 (attached as Exhibit H, to the Declaration of Steven A.  
17 Herum) stating that the "Committee" held the privilege and that he was waiving on  
18 behalf of the "Committee". On the same date, I sent a response to Mr. Herum's June  
19 22, 2020 email, again reiterating that the Committee cannot withdraw a privilege  
20 asserted on behalf of another entity. A true and correct copy of that email exchange is  
21 attached as Exhibit A.

22  
23 4. Even though Petitioner's counsel has purported to withdraw the claim of privilege,  
24 which should allow me to recite the redacted entity's name publicly, I have continued to  
25 to redact the name out of respect for the judicial process and out of concern that Mr.  
26 Herum's withdrawal of the privilege claim was made on behalf of a different entity than  
27

1 the assertion of the original claim of privilege. Because he has not admitted that the  
2 party on whose behalf he asserted the privilege has withdrawn the claim of privilege,  
3 have proceeded with caution.  
4

5  
6 Executed this 29<sup>th</sup> day of June, 2020.

7  
8   
9 SHERI L. DAMON

Sheri Damon - Re: Committee v. Seaside

---

From: Sheri Damon  
To: Steve Herum  
Date: 6/22/2020 5:36 PM  
Subject: Re: Committee v. Seaside

---

Thank you for your email. however, your June 2 letter asserted attorney client privilege on behalf of [REDACTED]. The Committee cannot waive the privilege on behalf of [REDACTED] and therefore, the "Committee's" withdrawal of that June 2 assertion and your subsequent email of today's date that the "Committee" both held the purported privilege and waived it do not render the motion moot. Therefore, I am not removing the July 7 Motion at this time.

The City's administrative record costs are \$19,257.26, not including costs incurred by the City's attorneys while preparing the record. The City reserves the right to recover costs for attorney's fees and any additional costs. Please make a check payable to the City of Seaside, with a notation that the check is for "Administrative Record Costs for Case No. 20CV001203." sent to my attention at the City Attorney's office. Upon receipt of payment, the City shall send an electronic copy of the administrative record.

Sincerely,  
Sheri L. Damon

Sheri L. Damon  
City Attorney



PH: 831-899-6890

>>> Steve Herum <sherum@herumcrabtree.com> 6/22/2020 9:05 AM >>>

Responding to your June 18 email: 1) the claim is held by the committee; and, 2) the committee has waived the claim.

**Steve Herum**

209.472.7700 [www.herumcrabtree.com](http://www.herumcrabtree.com)

Connect to Us: LinkedIn

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