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10 KIM Investments, LLC

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
01/28/2020 at 10:14:00 AM
Clerk of the Superior Court
By Adriana Ive Anzalone, Deputy Clerk

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN DIEGO – CENTRAL DIVISION

CITRUS ST PARTNERS, LLC,

Petitioner

v.

CITY OF LEMON GROVE; CITY
COUNCIL OF THE CITY OF LEMON
GROVE; AND DOES 1-10,

Respondents,

Does 11-20,

Real Parties In Interest.

KIM Investments, LLC,

Real Party In Interest-
Intervenor.

Case No: 37-2019-0064690-CU-MC-CTL

**PROPOSED INTERVENOR'S NOTICE
OF MOTION AND MOTION TO
INTERVENE**

[Imaged File]

Judge: Hon. Kenneth Medel
Dept: C-66
Date: February 14, 2020
Time: 10:00 a.m.

Petition Filed: December 5, 2019

NOTICE OF MOTION AND MOTION TO INTERVENE

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Notice is hereby given that on February 14, 2020 at 10:00 a.m. before the Honorable Kenneth Medel in Department C-66 of the San Diego County Superior Court, located at 330 W. Broadway, San Diego, California, proposed intervenor KIM Investments, LLC will, and hereby does, move to intervene in this action pursuant to Code of Civil Procedure section 387.

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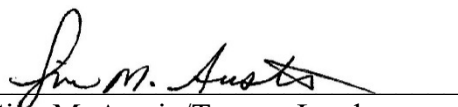
Proposed intervenor KIM Investments, LLC is entitled to intervene as a right under Code of Civil Procedure section 387(d)(1)(b) as Proposed Intervenor has an interest in the land use entitlement that petitioner Citrus St Partners, LLC is attempting to enjoin through its motion for a preliminary injunction against the City, and proposed intervenor KIM Investments will be directly affected by the result of this motion.

Alternatively, Proposed Intervenor asks the Court to grant permissive intervention under Code of Civil Procedure section 387(d)(2).

KIM Investment’s motion to intervene is based on this Notice of Motion and Motion to Intervene, the Verified [Proposed] Answer in Intervention, the Memorandum of Points and Authorities In Support of the Motion to Intervene, the Declaration of Gina Austin In Support of the Motion to Intervene, the pleadings and records on file herein, and such other oral and documentary evidence as may be presented at the hearing.

Dated: January 28, 2020

AUSTIN LEGAL GROUP, APC

By: 
Gina M. Austin/Tamara Leetham,
Attorneys for Proposed Intervenor KIM
Investments, LLC