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ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
02/18/2020 at 10:25:00 AM
Clerk of the Superior Court
By Carolina Miranda, Deputy Clerk

6 Attorneys for Proposed Intervenor
KIM Investments, LLC

7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **COUNTY OF SAN DIEGO- CENTRAL DIVISION**

9
10 CITRUS ST PARTNERS, LLC;
11
12 Petitioner,
13
14 vs.
15 CITY OF LEMON GROVE; CITY
16 COUNCIL OF THE CITY OF LEMON
17 GROVE; AND DOES 1-10,
18
19 Respondents.

20
21 DOES 11-20
22
23 Real Parties in Interest and
24 Defendants.

25
26 KIM INVESTMENTS, LLC,
27
28 Real Party In Interest and
Intervenor.

CASE NO. 37-2019-00064690-CU-MC-CTL

**DECLARATION OF RICHARD
ANDREWS REGARDING EX PARTE
NOTICE OF PROPOSED INTERVENOR
KIM INVESTMENTS, LLC'S EX PARTE
APPLICATION TO INTERVENE OR IN
THE ALTERNATIVE, FOR AN ORDER
SHORTENING TIME ON MOTION IFOR
LEAVE TO INTERVENE**

[Imaged File]

Judge: Hon. Richard S. Whitney
Dept: C-68
Date: February 19, 2020
Time: 8:45 a.m.

Petition Filed: December 5, 2019

1 I, Richard Andrews, declare as follows:


2 1. I am over the age of 18 and I have personal knowledge of the facts stated in this
3 declaration, except as to those facts stated upon information and belief, which facts I believe to
4 be true. If called as a witness, I would testify competently thereto.

5 2. On February 14, 2020 at 1:30 p.m., I e-mailed ex parte notice (A true and correct
6 copy of my e-mail and letter giving ex parte notice is attached as Exhibit A and incorporated by
7 reference) to the following attorneys of record in this matter:

- 8 • Suzanne R. Varco
- 9 • Grant R. Olsson
- 10 • Kristen S. Steinke
- 11 • Alena Shamos

12 I declare under penalty of perjury under California state law that the foregoing is true and
13 correct.

14 Dated: February 18, 2020


Richard L. Andrews, Jr.

AUSTIN LEGAL GROUP, APC
3990 Old Town Ave, Ste A-101
San Diego, CA 92110

EXHIBIT A

ALG Admin

From: Andrews, Richard
Sent: February 18, 2020 8:55 AM
To: ALG Admin
Subject: Fwd: Ex Parte Notice for Feb. 19, 2020
Attachments: 20-0214 Ex Parte Notice.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Andrews, Richard" <richard@austinlegalgroup.com>
Date: February 14, 2020 at 1:30:00 PM PST
To: "svarco@envirolawyer.com" <svarco@envirolawyer.com>, "golsson@envirolawyer.com" <golsson@envirolawyer.com>, "kss@lfap.com" <kss@lfap.com>, "aso@lfap.com" <aso@lfap.com>
Cc: "Leetham, Tamara" <tamara@austinlegalgroup.com>, "Austin, Gina" <gaustin@austinlegalgroup.com>
Subject: Ex Parte Notice for Feb. 19, 2020

Counsel:

Please see the attached notice regarding our ex parte hearing next week and let us know if you will be opposing and/or appearing.

Best,

Richard L. Andrews Jr., Esq.

Austin Legal Group, APC
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Austin Legal Group, APC

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Writer's Email:
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February 14, 2020

Via E-Mail Only

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Kristen S. Steinke
Alena Shamos
Lounsbury Ferguson Altona & Peak LLP
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Escondido, CA 92025-3870
kss@lfap.com
aso@lfap.com

**Re: Ex Parte Notice- February 19, 2020
Case No. 37-2019-00064690-CU-MC-CTL
Citrus St Partners LLC v. City of Lemon Grove**


Counsel:

This letter constitutes notice that proposed intervenor KIM Investments, LLC will be appearing ex parte for an order to intervene in the above-titled case, or in the alternative, an order shortening time on its noticed motion for intervention set for May 1, 2020. The ex parte will be heard February 19, 2020 at 8:45 a.m. in Department C-68 of the San Diego County Superior Court located at 330 W. Broadway, San Diego, California 92101 before the Honorable Richard S. Whitney.

Please let us know whether you will be appearing and/or opposing our ex parte application.

Sincerely,

AUSTIN LEGAL GROUP, APC



Richard L. Andrews, Jr.