

1 Kristen S. Steinke (SBN 256931)  
2 City Attorney for the City of Lemon Grove  
3 [ksteinke@bwsllaw.com](mailto:ksteinke@bwsllaw.com)  
4 Mark J. Austin (SBN 208880)  
5 [maustin@bwsllaw.com](mailto:maustin@bwsllaw.com)  
6 BURKE, WILLIAMS & SORENSEN, LLP  
7 501 West Broadway, Suite 1600  
8 San Diego, California 92101-8474  
9 Tel: 619.814.5800 Fax: 619.814.6799

FILING FEE EXEMPT PURSUANT TO  
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**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego

**03/29/2024** at 12:37:00 PM  
Clerk of the Superior Court  
By Mariejo Guyot, Deputy Clerk

6 Attorneys for Defendant and Respondent  
7 CITY OF LEMON GROVE

8  
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 COUNTY OF SAN DIEGO, CENTRAL DIVISION

11 CHRISTOPHER WILLIAMS,  
12  
13 Plaintiff and Petitioner,  
14  
15 v.  
16 CITY OF LEMON GROVE; and DOES 1  
17 through 100,  
18  
19 Defendants and Respondents.

Case No. 37-2024-00008590-CU-WM-CTL

Assigned for All Purposes to:  
Hon. Robert Longstreth, Dept. C-65

**CITY OF LEMON GROVE'S ANSWER  
TO PLAINTIFF'S VERIFIED  
COMPLAINT FOR DECLARATORY  
AND INJUNCTIVE RELIEF AND  
PETITION FOR WRIT OF MANDATE  
UNDER THE CALIFORNIA PUBLIC  
RECORDS ACT AND OTHER LAWS**

IMAGED FILE

Action Filed: February 23, 2024  
Trial Date: None Set

1 Defendant CITY OF LEMON GROVE (“Defendant”) hereby answers the “Verified  
2 Complaint for Declaratory and Injunctive Relief and Petition for Writ of Mandate Under the  
3 California Public Records Act and Other Law” (“Complaint”), filed in this matter by Plaintiff  
4 CHRISTOPHER WILLIAMS (“Plaintiff”), as follows:

5 **RESPONSE TO “Introductory Statement”**

6 1. Answering Paragraph 1 of the Complaint, Defendant admits that Plaintiff has  
7 brought this lawsuit under the California Public Records Act, Government Code section 6250 *et*  
8 *seq.* (the “CPRA”). Defendant denies any and all other allegations of Paragraph 1 both generally  
9 and specifically.

10 **RESPONSE TO “Parties”**

11 2. Answering Paragraph 2 of the Complaint, Defendants lacks sufficient knowledge  
12 or information to admit or deny the allegations contained therein, and therefore it denies such  
13 allegations both generally and specifically.

14 3. Answering Paragraph 3 of the Complaint, Defendant admits that it is a “local  
15 agency” within the meaning of Government Code section 7920.525. Defendant denies any and all  
16 other allegations of Paragraph 3 both generally and specifically.

17 4. Answering Paragraph 4 of the Complaint, Defendants lacks sufficient knowledge  
18 or information to admit or deny the allegations contained therein, and therefore it denies such  
19 allegations both generally and specifically.

20 5. Answering Paragraph 5 of the Complaint, Defendants lacks sufficient knowledge  
21 or information to admit or deny the allegations contained therein, and therefore it denies such  
22 allegations both generally and specifically.

23 **RESPONSE TO “Jurisdiction and Venue”**

24 6. Answering Paragraph 6 of the Complaint, Defendant admits that this Court has  
25 jurisdiction over this matter pursuant to the appropriate provisions of the CPRA, including  
26 Government Code sections 7923.000. Defendant denies any and all other allegations of Paragraph  
27 6 both generally and specifically.

28 7. Answering Paragraph 7 of the Complaint, Defendant admits that venue is proper in

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1 this Court. Defendant denies any and all other allegations of Paragraph 7 both generally and  
2 specifically.

3 **RESPONSE TO “Background Allegations”**

4 8. Defendant answers Paragraph 8 of the Complaint as follows:

5 A. Answering Paragraph 8.A of the Complaint, Defendant admits the  
6 allegations contained therein.

7 B. Answering Paragraph 8.B of the Complaint, Defendant admits the  
8 allegations contained therein.

9 C. Answering Paragraph 8.C of the Complaint, Defendant admits that a copy  
10 of the CPRA request that was submitted by Plaintiff on or about November 29, 2023, is attached  
11 to the Complaint as Exhibit “A.”

12 D. Answering Paragraph 8.D of the Complaint, Defendant denies the  
13 allegations contained therein both generally and specifically.

14 E. Answering Paragraph 8.E of the Complaint, Defendant admits the  
15 allegations contained therein.

16 F. Answering Paragraph 8.F of the Complaint, Defendant admits the  
17 allegations contained therein.

18 G. Answering Paragraph 8.G of the Complaint, Defendant admits that a copy  
19 of the CPRA request that was submitted by Plaintiff on or about January 25, 2024, at 87:00 a.m.,  
20 is attached to the Complaint as Exhibit “E.”

21 H. Answering Paragraph 8.H of the Complaint, Defendant denies the  
22 allegations contained therein both generally and specifically.

23 I. Answering Paragraph 8.I of the Complaint, Defendant admits the  
24 allegations contained therein.

25 J. Answering Paragraph 8.J of the Complaint, Defendant admits the  
26 allegations contained therein.

27 K. Answering Paragraph 8.K of the Complaint, Defendant admits that a copy  
28 of the CPRA request that was submitted by Plaintiff on or about January 25, 2024, at 7:00 a.m., is  
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1 attached to the Complaint as Exhibit “C.”

2 L. Answering Paragraph 8.L of the Complaint, Defendant denies the  
3 allegations contained therein both generally and specifically.

4 M. Answering Paragraph 8.M of the Complaint, Defendant responds as  
5 follows:

6 1. Answering Paragraph 8.M.1 of the Complaint, Defendant denies the  
7 allegations contained therein both generally and specifically.

8 2. Answering Paragraph 8.M.2 of the Complaint, Defendant denies the  
9 allegations contained therein both generally and specifically.

10 3. Answering Paragraph 8.M.3 of the Complaint, Defendant denies the  
11 allegations contained therein both generally and specifically.

12 4. Answering Paragraph 8.M.4 of the Complaint, Defendant denies the  
13 allegations contained therein both generally and specifically.

14 5. Answering Paragraph 8.M.5 of the Complaint, Defendant denies the  
15 allegations contained therein both generally and specifically.

16 9. Answering Paragraph 9 of the Complaint, Defendant denies all allegations  
17 contained therein both generally and specifically.

18 **ANSWER TO “FIRST CAUSE OF ACTION: Violation of Government Code Section**  
19 **7922.525 (Against All Defendants/Respondents)”**

20 10. Answering Paragraph 10 of the Complaint, Defendant incorporates all prior  
21 admissions, allegations, and denials of this Answer in this paragraph.

22 11. Answering Paragraph 11 of the Complaint, Defendant denies all allegations  
23 contained therein both generally and specifically.

24 **ANSWER TO “SECOND CAUSE OF ACTION: Violation of Government Code Section**  
25 **7822.530(a) (Against All Defendants/Respondents)”**

26 12. Answering Paragraph 12 of the Complaint, Defendant incorporates all prior  
27 admissions, allegations, and denials of this Answer in this paragraph.

28 13. Answering Paragraph 13 of the Complaint, Defendant denies all allegations

1 contained therein both generally and specifically.

2 **ANSWER TO “THIRD CAUSE OF ACTION: Violation of Government Code Section**  
3 **7822.535(a) (Against All Defendants/Respondents)”**

4 14. Answering Paragraph 14 of the Complaint, Defendant incorporates all prior  
5 admissions, allegations, and denials of this Answer in this paragraph.

6 15. Answering Paragraph 15 of the Complaint, Defendant denies all allegations  
7 contained therein both generally and specifically.

8 **ANSWER TO “FOURTH CAUSE OF ACTION: Violation of Government Code Section**  
9 **7822.600(a) (Against All Defendants/Respondents)”**

10 16. Answering Paragraph 16 of the Complaint, Defendant incorporates all prior  
11 admissions, allegations, and denials of this Answer in this paragraph.

12 17. Answering Paragraph 17 of the Complaint, Defendant denies all allegations  
13 contained therein both generally and specifically.

14 **ANSWER TO “FIFTH CAUSE OF ACTION: Declaratory Relief under Code of Civil**  
15 **Procedure Section 1060 et seq. (Against All Defendants/Respondents)”**

16 18. Answering Paragraph 18 of the Complaint, Defendant incorporates all prior  
17 admissions, allegations, and denials of this Answer in this paragraph.

18 19. Answering Paragraph 19 of the Complaint, Defendant denies all allegations  
19 contained therein both generally and specifically.

20 20. Answering Paragraph 20 of the Complaint, Defendant denies all allegations  
21 contained therein both generally and specifically.

22 **AFFIRMATIVE DEFENSES**

23 In addition to the specific denials, admissions, qualified admissions and affirmative  
24 allegations asserted above, Defendant asserts the following affirmative defenses as separate and  
25 distinct affirmative defenses to the Complaint and to the alleged claims, and each of them.

26 **FIRST AFFIRMATIVE DEFENSE**  
27 **(Failure to Name and/or Join Indispensable Parties)**

28 1. Plaintiff has failed to name and/or join indispensable parties, and, as a result, its

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1 special proceeding and complaint is barred and should be dismissed.

2 **SECOND AFFIRMATIVE DEFENSE**

3 **(Failure to State a Claim)**

4 2. The Complaint, and each cause of action therein, fails to state facts sufficient to  
5 constitute a cause of action or a claim for relief.

6 **THIRD AFFIRMATIVE DEFENSE**

7 **(Lack of Standing)**

8 3. Plaintiff lacks standing and the legal capacity to pursue these matters or obtain  
9 relief herein, and, as a result, the Complaint is barred and the special proceeding/action should be  
10 dismissed.

11 **FOURTH AFFIRMATIVE DEFENSE**

12 **(Failure to Exhaust Administrative Remedies)**

13 4. Plaintiff failed to exhaust administrative remedies or to properly raise, in the  
14 administrative process, the issues set forth in the Complaint and, as a result, this Court lacks  
15 jurisdiction over the Complaint and this action is barred and should be dismissed.

16 **FIFTH AFFIRMATIVE DEFENSE**

17 **(Estoppel/Waiver/Unclean Hands)**

18 5. Plaintiff's Complaint is barred by the equitable doctrines of estoppel, estoppel by  
19 deed, waiver, and/or unclean hands, and the action must therefore be dismissed.

20 **SIXTH AFFIRMATIVE DEFENSE**

21 **(Laches)**

22 6. The Complaint, and each cause of action therein, is barred by the doctrine of  
23 laches and the special proceeding/action should be dismissed.

24 **SEVENTH AFFIRMATIVE DEFENSE**

25 **(No Right to Equitable/Injunctive Relief)**

26 7. Plaintiff has no right to injunctive, equitable, or any other relief whatsoever.

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**EIGHTH AFFIRMATIVE DEFENSE**

**(Proper Exercise of Discretion)**

8. The Complaint, and each cause of action therein, is barred and should be dismissed because, with respect to all actions referred to therein, Defendant did not act arbitrarily, capriciously, or without evidentiary support, and did not abuse its discretion.

**NINTH AFFIRMATIVE DEFENSE**

**(City’s Actions Were Lawful)**

9. The Complaint, and each cause of action therein, is barred and should be dismissed because Defendant proceeded in the manner required by law. At all times referenced in the Complaint, Defendant in a manner that was proper, reasonable, lawful, and in the exercise of good faith.

**TENTH AFFIRMATIVE DEFENSE**

**(Interference With Lawful Discretion/Public Interest)**

10. The Complaint, and each cause of action therein, is barred and should be dismissed because it seeks relief which, if granted, would improperly interfere with Defendant’s lawful exercise of its discretion and the relief sought is not in the public interest.

**ELEVENTH AFFIRMATIVE DEFENSE**

**(No Attorneys’ Fees)**

11. Plaintiff’s claim for attorneys’ fees is barred and should be dismissed because Plaintiff cannot make a showing sufficient under any doctrine or statute, including without limitation Government Code section 6259 and/or Code of Civil Procedure section 1021.5, that would entitle Plaintiff to recover any fees from Defendant.

**TWELFTH AFFIRMATIVE DEFENSE**

**(Statute Of Limitations)**

12. The Complaint is barred by the applicable statute of limitations.

**THIRTEENTH AFFIRMATIVE DEFENSE**

**(Mootness)**

13. The Complaint has become moot by events that occurred subsequent to the filing

1 of the Complaint.

2 **FOURTEENTH AFFIRMATIVE DEFENSE**

3 **(Public Records Act Defenses)**

4 14. The Complaint's claims and causes of action purporting to allege violations of the  
5 CPRA fail to state a cause of action, and are barred, as follows:

6 • Certain aspects of Plaintiff's request(s) for records under the CPRA are  
7 unclear and/or overly broad, and Defendant has failed, refused, and/or been unable to identify  
8 additional responsive records despite the City's requests for clarification directed to Plaintiff.

9 • Certain records sought by Plaintiff through its CPRA request(s) are exempt  
10 from disclosure pursuant to the CPRA, including but not limited to Government Code sections  
11 6254 and 6255. Any redactions within records provided to Plaintiff are appropriate, authorized,  
12 and/or exempted from disclosure pursuant to the CPRA.

13 • Defendant undertook a reasonable search for records and has met each of  
14 its obligations under the CPRA with respect to each of Plaintiff's CPRA requests.

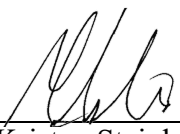
15 **PRAYER FOR RELIEF**

16 **WHEREFORE**, Defendant denies that any relief for or on behalf of Plaintiff is  
17 appropriate and pray as follows:

- 18 1. For the denial and dismissal of the Complaint in full;  
19 2. That Plaintiff take nothing by way of the Complaint, and that judgment be entered  
20 in favor of Defendant;  
21 3. For costs and attorneys' fees to be awarded to Defendant; and  
22 4. For such other and further relief as the Court may deem appropriate.

23 Dated: March 29, 2024

BURKE, WILLIAMS & SORENSEN, LLP

24  
25 By:   
26 Kristen Steinke  
27 Mark J. Austin  
28 Attorneys for Defendant  
CITY OF LEMON GROVE



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**PROOF OF SERVICE**

**Christopher Williams v. City of Lemon Grove, et al.  
Case No. 37-2024-00008590-CU-WM-CTL**

**STATE OF CALIFORNIA, COUNTY OF ORANGE**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 18300 Von Karman Avenue, Suite 650, Irvine, CA 92612-1032.

On March 29, 2024, I served true copies of the following document(s) described as **CITY OF LEMON GROVE’S ANSWER TO PLAINTIFF’S VERIFIED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION FOR WRIT OF MANDATE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND OTHER LAWS:** on the interested parties in this action as follows:

<p>Cory J. Briggs, Esq. BRIGGS LAW CORPORATION 99 East “C” Street, Suite 203 Upland, CA 91786-8332 Email: cory@briggslawcorp.com</p> <p>Tel.: (909) 949-7115 Fax: (909) 949-7121</p>	<p>Attorneys for Plaintiff/Petitioner Christopher Williams</p>
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**BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to be sent from e-mail address bantle@bwslaw.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

**BY ELECTRONIC SERVICE:** I electronically transmitted the above document(s) to the person(s) at the e-mail address(es) listed in the Service List via One Legal.

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

Executed on March 29, 2024, at Irvine, California.

  
\_\_\_\_\_  
Bernadette C. Antle