

## OAK TO NINTH

### UNSUCCESSFUL MOTIONS BROUGHT BY PLAINTIFF

**Feb 2007:** Unsuccessful challenge to City's defense. Plaintiff filed:

1. A motion to strike the City's answer
2. A demurrer to strike some of the defenses (including paid circulator issues)
3. A motion for sanctions. These motions were unsuccessful in all material respects.

**March-April 2007:** Plaintiff's battle to prevent inspection of the referendum petitions, regarding whether paid circulators came from outside the City of Oakland. Plaintiff lost three times in court:

4. On its objections to any inspection
5. On its motion for reconsideration
6. And in a writ to the court of appeal.

**May-June 2007:**

7. Plaintiff lost its motion to "coordinate" this referendum petition case with two CEQA lawsuits and have it moved to another judge.

**Oct 2007:**

8. Plaintiff opposed discovery regarding the voter registration status of circulators (for which each circulator signed an affidavit) and lost. The deposition of the Alameda County Registrar of Voters regarding the status of several circulators went forward on November 2<sup>nd</sup> (last Friday). Two more depositions were scheduled for this coming week.

**Oct 2007:**

9. Plaintiff challenged the developer's defense regarding circulator affidavit violations, by filing a demurrer, and lost. This was the third time they attempted to block the circulator issue (see January 2007 and March-April 2007 above).

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