

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE**

Central Justice Center  
700 W. Civic Center Drive  
Santa Ana, CA 92702

**SHORT TITLE:** Rickk Montoya vs. City of Garden Grove, California**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC  
SERVICE****CASE NUMBER:**  
**30-2015-00799522-CU-MC-CJC**

I certify that I am not a party to this cause. I certify that the following document(s), Judgment dated 02/08/16, have been transmitted electronically by Orange County Superior Court at Santa Ana, CA. The transmission originated from email address on February 10, 2016, at 2:11:25 PM PST. The electronically transmitted document(s) is in accordance with rule 2.251 of the California Rules of Court, addressed as shown above. The list of electronically served recipients are listed below:

WOODRUFF SPRADLIN & SMART  
JEGGART@WSS-LAW.COM

Clerk of the Court, by: *Stephan Coram*, Deputy

---

**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE**

1 WOODRUFF, SPRADLIN & SMART, APC  
2 OMAR SANDOVAL – State Bar No. 175050  
3 JAMES H. EGGART - State Bar No. 219951  
4 jeggart@wss-law.com  
5 555 Anton Boulevard, Suite 1200  
6 Costa Mesa, CA 92626-7670  
7 Telephone: (714) 558-7000  
8 Facsimile: (714) 835-7787

9 Attorneys for Defendant  
10 CITY OF GARDEN GROVE, a public entity

11 SHENKMAN & HUGHES PC  
12 KEVIN L. SHENKMAN – State Bar No. 223315  
13 MARY R. HUGHES – State Bar No. 222622  
14 JOHN L. JONES – State Bar No. 225411  
15 28905 Wight Road  
16 Malibu, California 90265  
17 Telephone: (310) 457-0970

18 Attorneys for Plaintiff  
19 RICKK MONTOYA

20 (Counsel for Plaintiff and Intervenor Continued on next page)

WOODRUFF, SPRADLIN  
& SMART  
ATTORNEYS AT LAW  
COSTA MESA

21 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
22 FOR THE COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

23 RICKK MONTOYA,  
24 Plaintiff,  
25 v.  
26 CITY OF GARDEN GROVE,  
27 CALIFORNIA; and DOES 1-100, inclusive,  
28 Defendants.

29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
841  
842  
843  
844  
845  
846  
847  
848  
849  
850  
851  
852  
853  
854  
855  
856  
857  
858  
859  
860  
861  
862  
863  
864  
865  
866  
867  
868  
869  
870  
871  
872  
873  
874  
875  
876  
877  
878  
879  
880  
881  
882  
883  
884  
885  
886  
887  
888  
889  
890  
891  
892  
893  
894  
895  
896  
897  
898  
899  
900  
901  
902  
903  
904  
905  
906  
907  
908  
909  
910  
911  
912  
913  
914  
915  
916  
917  
918  
919  
920  
921  
922  
923  
924  
925  
926  
927  
928  
929  
930  
931  
932  
933  
934  
935  
936  
937  
938  
939  
940  
941  
942  
943  
944  
945  
946  
947  
948  
949  
950  
951  
952  
953  
954  
955  
956  
957  
958  
959  
960  
961  
962  
963  
964  
965  
966  
967  
968  
969  
970  
971  
972  
973  
974  
975  
976  
977  
978  
979  
980  
981  
982  
983  
984  
985  
986  
987  
988  
989  
990  
991  
992  
993  
994  
995  
996  
997  
998  
999  
1000

CENTRAL GARDEN GROVE  
NEIGHBORHOOD ASSOCIATION,  
Intervenor

CASE NO.: 30-2015-00799522  
ASSIGNED FOR ALL PURPOSES TO  
THE HONORABLE FREDERICK P.  
AGUIRRE  
DEPARTMENT: C23

~~PROPOSED~~ JUDGMENT

[PROPOSED] JUDGMENT

FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER  
FEB 08 2016  
ALAN CARLSON, Clerk of the Court  
BY \_\_\_\_\_ DEPUTY

WOODRUFF, SPRAULIN  
& SMART  
ATTORNEYS AT LAW  
COSTA MESA

- 1 R. REX PARRIS LAW FIRM
- 2 R. REX PARRIS – State Bar No. 96567
- 3 JONATHAN DOUGLASS – State Bar No. 289300
- 4 43364 10<sup>th</sup> Street West
- 5 Lancaster, California 93534
- 6 Telephone: (661) 949-2595
- 7 Facsimile: (661) 949-7524
  
- 8 LAW OFFICES OF MILTON C. GRIMES
- 9 MILTON C. GRIMES – State Bar No. 59437
- 10 3774 W 54th St.
- 11 Los Angeles, California 90043
- 12 Telephone: (323) 295-3023
  
- 13 Attorneys for Plaintiff
- 14 RICKK MONTOYA
  
- 15 MARK S. ROSEN – State Bar No. 72431
- 16 Attorney at Law
- 17 600 W. Santa Ana Blvd., Suite 814
- 18 Santa Ana, California 92701
- 19 Tel: (714) 285-9838
- 20 Facsimile: (714) 285-9840
- 21 marksrosen@aol.com
  
- 22 Attorney for Intervenor
- 23 CENTRAL GARDEN GROVE NEIGHBORHOOD ASSOCIATION
  
- 24 ///
- 25 ///
- 26 ///
- 27 ///
- 28 ///

WOODRUFF, SPRADLIN  
& SMART  
ATTORNEYS AT LAW  
COSTA MESA

1 Plaintiff RICKK MONTOYA ("Montoya" or "Plaintiff"), Defendant CITY OF  
2 GARDEN GROVE, a public entity ("City" or "Defendant"), and Intervenor CENTRAL  
3 GARDEN GROVE NEIGHBORHOOD ASSOCIATION ("GGNA" or "Intervenor"), having  
4 stipulated to all terms and conditions set forth herein, and having requested the Court to  
5 make and enter a Judgment consistent with said stipulation, the Court renders its judgment as  
6 follows:

7 **IT IS HEREBY ORDERED, JUDGED, AND DECREED AS FOLLOWS:**

8 1. Judgment is hereby entered as follows:

9 A. Establishment of "By-District" Elections System by City Council.

10 Subject to the requirements of the Ralph M. Brown Act, Government Code §§54950 *et seq.*,  
11 and Elections Code §10010, on or before May 31, 2016, the City Council of the City of  
12 Garden Grove ("City Council") shall adopt a resolution or ordinance to replace the City's  
13 existing at-large method of electing four (4) City Council members (other than the Mayor)  
14 with a district-based system in which each of six (6) City Council members (other than the  
15 Mayor) resides within, and is nominated and elected by voters within, six non-overlapping,  
16 geographically defined districts, and the Mayor continues to be elected at-large ("By-District  
17 Election System"). The ordinance or resolution shall include a map containing the six (6)  
18 electoral districts (the "Electoral District Map") and a transition plan from at-large elections  
19 to by-district elections. The first elections for members of the City Council pursuant to the  
20 By-District Election System shall be at the general municipal election held in November  
21 2016, and the ordinance or resolution shall specify four electoral districts to be filled in that  
22 election and specify that the term of office for City Council members elected from three of  
23 the districts shall be four years and that the initial term of office for the City Council member  
24 elected from one of the districts shall be two years. The City Council in its sole discretion  
25 shall determine the four electoral districts to be filled in 2016 and the one district the City  
26 Council member from which will serve an initial two year term (the "Initial Two-Year  
27 District"), except that the district with the highest proportion of Latinos by citizen-voting-  
28 age-population shall be filled in 2016. The election of City Council members from the two

1 districts not filled in the November 2016 election, along with the election of the City Council  
2 member from the Initial Two-Year District, shall be at the general municipal election held in  
3 November 2018, and the ordinance or resolution shall specify that the term of office for City  
4 Council members elected from each of these three of the districts shall be four years. The  
5 ordinance or resolution will become effective upon its adoption by the City Council (or thirty  
6 days thereafter in the case of an ordinance), without approval of the voters of the City of  
7 Garden Grove at-large. The adoption of the ordinance or resolution establishing the By-  
8 District Election System for City Council members shall not affect elections for, the tenure  
9 of, or the term of the office of Mayor of the City of Garden Grove.

10 B. Development of Electoral District Map. The Electoral District Map  
11 shall be designed in accordance with all applicable federal and State law, and the location of  
12 the residences of the existing City Council members shall not be taken into account. The  
13 process for developing the Electoral District Map shall comply at a minimum with California  
14 Elections Code §10010. City will retain Compass Demographics, or another demographics  
15 firm mutually acceptable to City and Plaintiff, to assist City to develop the Electoral District  
16 Map.

17 C. Sitting City Council Members. The members of the City Council in  
18 office on the effective date of the ordinance or resolution establishing the By-District  
19 Election System adopted pursuant to Paragraph A. above, shall continue in office until the  
20 expiration of their respective terms and until their successors are elected and qualified.  
21 Recall proceedings, if any, of such City Council members serving the remainder of an at-  
22 large elected term and an election of a successor to such City Council member to complete  
23 that term, shall be conducted at-large in accordance with applicable law.

24 D. All Future City Council Elections to be District Elections. Except as  
25 provided in Paragraph C. above, all further elections from the date of entry of judgment until  
26 the next decennial redistricting cycle in 2021, for any seats on the Garden Grove City  
27 Council other than for the office of Mayor, shall be pursuant to the By-District Election  
28 System established pursuant to the ordinance or resolution adopted pursuant to Paragraph a,


1 and City shall be permanently enjoined from imposing, applying, holding, tabulating and/or  
2 certifying any further at-large elections, and/or the results thereof, for positions on the  
3 Garden Grove City Council, other than for the office of Mayor.

4 E. Future Redistricting. Future adjustments to the boundaries of the  
5 districts established by the Electoral District Map adopted by the City Council pursuant to  
6 Paragraph A, above, shall be made in accordance with federal and state law applicable to  
7 general law cities, including, but not limited to, the provisions of California Elections Code  
8 §§ 21600 *et. seq.*

9 2. Plaintiff's claims as to the Defendants named herein as "DOES 1-100,  
10 inclusive" are hereby dismissed.

11 3. Pursuant to agreement of the Parties, City will pay Plaintiff the amount of Two  
12 Hundred and Ninety Thousand Dollars (\$290,000) for his attorneys' fees and costs, and City  
13 will pay Intervenor the amount of Eighteen Thousand Dollars (\$18,000) for its attorneys'  
14 fees and costs. Other than as provided herein, or in a written settlement agreement between  
15 the Parties, the Parties shall each bear their own costs and expenses, attorney fees and  
16 interest in this action.

17  
18  
19  
20 DATED: 2/8/16

By:   
HONORABLE FREDERICK P.  
AGUIRRE JUDGE OF THE ORANGE  
COUNTY SUPERIOR COURT

WOODRUFF SPRADLIN  
& SMART  
ATTORNEYS AT LAW  
COSTA MESA

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF ORANGE

3 I am over the age of 18 and not a party to the within action; I am employed by  
4 WOODRUFF, SPRADLIN & SMART in the County of Orange at 555 Anton Boulevard,  
Suite 1200, Costa Mesa, CA 92626-7670.

5 On January 27, 2016, I served the foregoing document(s) described as [PROPOSED]  
6 JUDGMENT

7  by placing the true copies thereof enclosed in sealed envelopes addressed as stated on  
the attached mailing list;

8  (BY ELECTRONIC SERVICE) I caused the above-referenced document to be  
9 transmitted to the interested parties via electronic mail as stated on the attached  
Service List.

10  (BY MAIL) I placed said envelope(s) for collection and mailing, following ordinary  
11 business practices, at the business offices of WOODRUFF, SPRADLIN & SMART,  
and addressed as shown on the attached service list, for deposit in the United States  
12 Postal Service. I am readily familiar with the practice of WOODRUFF, SPRADLIN  
& SMART for collection and processing correspondence for mailing with the United  
13 States Postal Service, and said envelope(s) will be deposited with the United States  
Postal Service on said date in the ordinary course of business.

14  (BY ELECTRONIC SERVICE) by causing the foregoing document(s) to be  
15 electronically filed using the Court's Electronic Filing System which constitutes  
service of the filed document(s) on the individual(s) listed on the attached mailing list.

16  (BY OVERNIGHT DELIVERY) I placed said documents in envelope(s) for  
17 collection following ordinary business practices, at the business offices of  
WOODRUFF, SPRADLIN & SMART, and addressed as shown on the attached  
18 service list, for collection and delivery to a courier authorized by  
to receive said documents, with delivery fees  
19 provided for. I am readily familiar with the practices of WOODRUFF, SPRADLIN  
& SMART for collection and processing of documents for overnight delivery, and  
20 said envelope(s) will be deposited for receipt by \_\_\_\_\_ on  
said date in the ordinary course of business.

21  (BY PERSONAL SERVICE) I delivered such envelope(s) by hand to the offices of  
22 the addressee(s).

23  (State) I declare under penalty of perjury under the laws of the State of California  
that the above is true and correct.

24  (Federal) I declare that I am employed in the office of a member of the bar of this  
25 court at whose direction the service was made. I declare under penalty of  
perjury that the above is true and correct.

26 Executed on January 27, 2016 at Costa Mesa, California.

27 Marina M. Ortega  
28 Marina M. Ortega

WOODRUFF, SPRADLIN  
& SMART  
ATTORNEYS AT LAW  
COSTA MESA

1 SERVICE LIST  
2 MONTOYA v. CITY OF GARDEN GROVE, et al.  
OCSC CASE NO.: 30-2015-00799522

3 Kevin L. Shenkman, Esq. Attorneys for Plaintiff RICKK  
4 Mary R. Hughes, Esq. MONTOYA  
5 JOHN L. JONES, Esq.  
SHENKMAN & HUGHES  
6 28905 Wight Road  
Malibu, CA 90265  
Tel: (310) 457-0970  
Email: kishenkman@shenkmanhughes.com

7 R. Rex Parris, Esq. Attorneys for Plaintiff RICKK  
8 Jonathan Douglass, Esq. MONTOYA  
9 R. REX PARRIS LAW FIRM  
43364 10<sup>th</sup> Street West  
Lancaster, CA 93534  
10 Tel: (661) 949-2595  
Fax: (661) 949-7524  
11 Email: rrparris@rexparris.com

12 Milton Grimes, Esq. Attorneys for Plaintiff RICKK  
13 LAW OFFICES OF MILTON C. GRIMES MONTOYA  
3774 W. 54<sup>th</sup> Street  
Los Angeles, CA 90043  
14 Tel: (323) 295-3023  
Email: milterim@aol.com

15 Mark S. Rosen, Esq. Attorneys for (Proposed) Intervenor  
16 600 W. Santa Ana Boulevard CENTRAL GARDEN  
Suite 814 GROVE NEIGHBORHOOD  
Santa Ana, CA 92701 ASSOCIATION  
17 Telephone: (714) 285-9838  
Facsimile: (714) 285-9840  
18 Email: markrosen@markrosenlaw.com

WOODRUFF SPRADLIN  
& SMART  
ATTORNEYS AT LAW  
COSTA MESA