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Emergency Shelter Coalition

THE SUPERIOR COURT OF CALIFORNIA  
FOR THE COUNTY OF ORANGE

**Emergency Shelter Coalition,**  
a non-profit organization,

Petitioner,

v.

**City of San Clemente; City Council of  
San Clemente; and Planning  
Commission of City of San Clemente,**

Respondents.

Case No. 30-2019-01080355-CU-WM-CXC  
Hon. Randall J. Sherman

**Declaration of Brooke Weitzman In Support  
Of Petitioner Emergency Shelter Coalition's  
Ex Parte Application for an Order  
Confirming CEQA Hearing Date**

[Filed Concurrently with *Ex Parte* Application,  
the Declaration of Richard J. McNeil, and a  
[Proposed] Order]

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Date: September 20, 2019  
Time: 1:30 p.m.  
Dept.: CX105  
Action Filed: June 28, 2019

1 I, Brooke Weitzman, declare as follows:

2 1. I am an attorney at the Elder Law and Disability Rights Center. I am a member in  
3 good standing of the California State Bar and am licensed to practice before all courts of the State  
4 of California. I am an attorney of record in this action for Petitioner Emergency Shelter Coalition  
5 (“ESC”). I have personal knowledge of the facts contained herein and, if called upon to do so, I  
6 could and would testify competently thereto.

7 2. On March 19, 2019 at approximately 9:56 a.m., I provided notice of the  
8 concurrently filed *Ex Parte* Application for an Order Confirming CEQA Hearing Date to Alisha  
9 Winterswyk, who is counsel of record for Respondent City of San Clemente, Respondent City  
10 Council of San Clemente, and Respondent Planning Commission of City of San Clemente  
11 (collectively, the “City”), by calling her at her listed phone number.

12 3. I spoke to Ms. Winterswyk and informed her of where and when the application  
13 would be made.

14 4. I further informed Ms. Winterswyk that through the concurrently filed application  
15 ESC would seek an order from the Court either confirming the briefing schedule and hearing date  
16 set forth in ESC’s previously filed Application for CEQA Hearing Date, or in the alternative,  
17 setting a briefing schedule and hearing date.

18 5. I was also part of previous email communications in which counsel for ESC  
19 suggested that ESC would seek ex parte relief setting a briefing schedule and hearing date,  
20 following Ms. Winterswyk’s repeated assertions that the City would not stipulate to any briefing  
21 schedule or hearing date.

22 6. I am further aware that in ESC’s previously filed Notice of Request and Request  
23 for Hearing, ESC indicated that it would seek ex parte relief from the Court to establish a briefing  
24 schedule and hearing date.

25 7. Ms. Winterswyk informed me that the City would oppose the application, as it  
26 believes that ESC has already satisfied the statutory requirements of California Public Resource  
27 Code section 21167.4(a).

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed September 19, 2019, at Santa Ana, California.

  
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Brooke Weitzman