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UNITED WALNUT TAXPAYERS

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**COUNTY OF LOS ANGELES– CENTRAL DISTRICT**

UNITED WALNUT TAXPAYERS, a  
California Nonprofit Fictitious Business  
Entity,

Plaintiff and Petitioner,

v.

MT. SAN ANTONIO COMMUNITY  
COLLEGE DISTRICT; WILLIAM  
SCROGGINS, in his official capacity as  
President and CEO of Mt. San Antonio  
Community College, and DOES ONE  
through TEN, inclusive,

Defendants and Respondents,

TILDEN-COIL CONSTRUCTORS, INC.  
and DOES ELEVEN through TWENTY,  
inclusive,

Real Parties in Interest.

**Case No.: BC 576587**

[Action Filed: March 24, 2015]

**[PROPOSED] TEMPORARY  
RESTRAINING ORDER AND  
ORDER TO SHOW CAUSE WHY  
PRELIMINARY INJUNCTION  
SHOULD NOT ISSUE**

[Cal. Rules of Court, 3.1150, 3.1200]

Hearing Date: March 30, 2015  
Time: 8:30 a.m.  
Dept.: 71  
Judge: Hon. Suzanne G. Bruguera

The Court has read plaintiff and petitioner United Walnut Taxpayers' ("United Walnut")  
*Verified Complaint for Declaratory and Injunctive Relief; Petition for Writ of Mandate, Ex-  
Parte Application for Temporary Restraining Order and Order to Show Cause re: Preliminary  
Injunction, and Declarations of Dennis G. Majors and Craig A. Sherman* filed concurrently in  
this action. It appears to the satisfaction of the Court that this is a proper case for granting a

1 temporary restraining order as the Court finds the applicant United Walnut is likely to prevail  
2 on the merits, and that unless the temporary restraining order prayed for in this ex parte  
3 application is granted, irreparable injury will result to United Walnut and the general public  
4 before the matter can be heard on noticed motion.

5  
6 IT IS THEREFORE ORDERED that defendant/respondents Mt. San Antonio  
7 Community College District and its president and CEO William Scroggins, as well as real party  
8 in interest Tilden-Coil Constructors, Inc. (collectively, “Defendants”) appear before this Court  
9 in the courtroom of Department 71 [or Department \_\_\_\_], before the Hon. Judge Suzanne G.  
10 Bruguera [or Hon. Judge \_\_\_\_\_], located at 111 North Hill Street, in the City  
11 of Los Angeles, County of Los Angeles, State of California, on \_\_\_\_\_, 2015 at  
12 \_\_\_\_\_a.m./p.m.. At that time said Defendants must show cause, if any, why Defendants  
13 and their agents, representatives, employees or designated trustees should not be enjoined  
14 during the pendency of this action from performing or conducting any construction or dirt  
15 removal activities on the proposed and subject 2,300 space Parking Garage Structure located at  
16 the northwest portion of the college campus (“Project”).

17  
18 IT IS FURTHER ORDERED that, pending hearing of this order to show cause,  
19 Defendants and their agents and employees are hereby enjoined from performing or conducting  
20 any construction or dirt removal activities at or on the proposed Project site.

21  
22 IT IS FURTHER ORDERED that, pending hearing of this order to show cause,  
23 Defendants and their agents and employees are hereby enjoined from spending any Measure RR  
24 funds on any aspect of the Project.

25  
26 IT IS FURTHER ORDERED that a copy of the Verified Complaint and all of United  
27 Walnut’s ex parte moving papers and declarations shall be served on Defendants not later than  
28 \_\_\_\_ days from the date of this Order, if they have not already been served, and regardless,

1 United Walnut shall file a proof of service therefore with this Court no later than  
2 \_\_\_\_\_, 2015 at 4:30 p.m.

3  
4 IT IS FURTHER ORDERED that, \_\_\_\_\_

5 \_\_\_\_\_  
6 \_\_\_\_\_  
7  
8 IT IS FURTHER ORDERED that should there be any written opposition to this Order to  
9 Show Cause re Preliminary Injunction, the following briefing schedule shall apply:

- 10 a) United Walnut's moving papers for the ex parte application and request for a  
11 TRO and OSC re Preliminary Injunction, shall be deemed its moving papers in  
12 support of the OSC hearing on the Preliminary Injunction and shall be served on  
13 Defendants and opposing parties in accordance with the above order;
- 14 b) Any opposition papers to the OSC re Preliminary Injunction shall be filed with  
15 this Court no later than 4:30 p.m. on \_\_\_\_\_, 2015 and shall be served  
16 on opposing parties by both email and overnight mail that same day; and
- 17 c) Any reply papers filed by United Walnut shall be filed with this Court no later  
18 than 4:30 p.m. on \_\_\_\_\_, 2015 and shall be served on opposing parties  
19 by both email and overnight mail that same day.

20 IT IS SO ORDERED.

21 Dated: \_\_\_\_\_

22  
23 By: \_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

## Proof of Service

*United Walnut Taxpayers v. Mt. San Antonio Community College District, et al.*  
Los Angeles Superior Court Case No.: BC 576587

I, the undersigned, declare under the penalty of perjury that I am over the age of eighteen years, my place of business is in the County of San Diego, located at 1901 First Avenue, San Diego, CA; and I served the below-named person(s) the following document(s):

### **[PROPOSED] TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE WHY PRELIMINARY INJUNCTION SHOULD NOT ISSUE**

on March 29, 2015 on the following person(s) in a sealed envelope or package, addressed as follows:

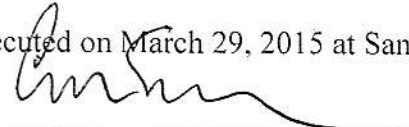
Dr. William Scroggins, President and CEO Mt. San Antonio Community College District 1100 North Grand Avenue Walnut, CA 91789 <a href="mailto:bscroggins@mtsac.edu">bscroggins@mtsac.edu</a>	Stan Barankiewicz, Esq. Jessica E. Ehrlich, Esq. ORBACH, HUFF, SUAREZ, & HENDERSON 1901 Avenue of the Stars, Suite 575 Los Angeles, CA 90067 <a href="mailto:jehrlich@ohshlaw.com">jehrlich@ohshlaw.com</a> <a href="mailto:dbarankiewicz@ohshlaw.com">dbarankiewicz@ohshlaw.com</a>
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in the following manner:

- 1) ☐ By personally delivering copies to one or more of the person(s) served (at the March 30, 2015 hearing).
- 2) ☐ By placing a copy in a separate envelope, with postage fully pre-paid, for each person and address named above and depositing each with an overnight carrier at San Diego, CA.
- 3) ☐ By faxing copies to the above person and printing confirmation of the success of said transmission and retaining a copy of said successful transmission
- 4) ☒ By sending to each person named above via electronic delivery to each of the the above email address(es).

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

Executed on March 29, 2015 at San Diego, California.

  
Craig Sherman