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7 Attorneys for Defendant
CARDIFF SCHOOL DISTRICT

8
9 UNITED STATES DISTRICT COURT
10 FOR THE SOUTHERN DISTRICT OF CALIFORNIA
11

12 SAVE THE PARK AND BUILD THE
SCHOOL,

13 Plaintiff,

14 v.

15 NATIONAL PARK SERVICE; DAVID
16 L. BERNHARDT, in his official
capacity as Secretary of the United
17 States Department of the Interior;
DAVID VELA, in his official capacity
18 as Director of the National Park Service;
LISA MANGAT, in her official capacity
19 as Director of the California Department
of Parks and Recreation; and CARDIFF
20 SCHOOL DISTRICT,

21 Defendants.
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Case No. 20-cv-1080-LAB-AHG
Judge: Hon. Larry Alan Burns

EX PARTE APPLICATION FOR
LEAVE TO FILE MOTION TO
RECONSIDER AMENDED ORDER
OF PRELIMINARY INJUNCTION
[Doc. 21]

Complaint Filed: June 12, 2020

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW
655 WEST BROADWAY, 15TH FLOOR
SAN DIEGO, CALIFORNIA 92101

1 Defendant Cardiff School District hereby applies *ex parte* for an order
2 granting leave to file a motion to reconsider the Court’s Amended Order of
3 Preliminary Injunction filed July 24, 2020, as Document 21, pursuant to Section
4 3.e. of the Court’s Standing Order in Civil Cases.

5 This application is made on the grounds that there is new evidence regarding
6 the balancing of the equities and public interest factors that militate against granting
7 an injunction, and the Court committed clear error in evaluating the likelihood of
8 success on the merits and irreparable injury factors.

9 This application will be based on the Memorandum of Points and
10 Authorities, Declaration of Tyree K. Dorward, and on the records and files herein
11 and such evidence as may be presented at the hearing of the application.

12 Dated: August 17, 2020

BEST BEST & KRIEGER LLP

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14 By: /s/ Tyree K. Dorward
15 TYREE K. DORWARD
16 MATTHEW L. GREEN
17 LINDSAY D. PUCKETT
18 Attorneys for Defendant
19 CARDIFF SCHOOL DISTRICT
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1 Save the Park, et al. v. National Park Service, et al.
2 United States District Court, Southern District of California,
3 Case No. 20-cv-1080 –LAB-AHG

4 **PROOF OF SERVICE**

5 I, Lisa Atwood, declare:

6 I am a citizen of the United States and employed in San Diego County,
7 California. I am over the age of eighteen years and not a party to the within-entitled
8 action. My business address is 655 West Broadway, 15th Floor, San Diego,
9 California 92101. On August 17, 2020, I served a copy of the within document(s):

10 *EX PARTE* APPLICATION FOR LEAVE TO FILE MOTION TO
11 RECONSIDER AMENDED ORDER OF PRELIMINARY
12 INJUNCTION [Doc. 21];

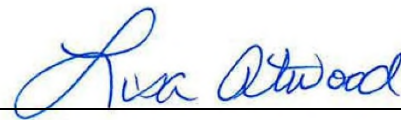
13 MEMORANDUM POINTS AND AUTHORITIES IN SUPPORT OF
14 *EX PARTE* APPLICATION FOR LEAVE TO FILE MOTION TO
15 RECONSIDER AMENDED ORDER OF PRELIMINARY
16 INJUNCTION;

17 DECLARATION OF TYREE K. DORWARD IN SUPPORT OF *EX*
18 *PARTE* APPLICATION FOR LEAVE TO FILE MOTION TO
19 RECONSIDER AMENDED ORDER OF PRELIMINARY
20 INJUNCTION

21 **By Electronic Service.** Pursuant to CM/ECF System, registration as a
22 CM/ECF user constitutes consent to electronic service through the
23 Court’s transmission facilities. The Court’s CM/ECF system sends an e-
24 mail notification of the filing to the parties and counsel of record who
25 are registered with the Court’s EC/ECF system.

26 I declare that I am employed in the office of a member of the bar of this court
27 at whose direction the service was made.

28 Executed on August 17, 2020, at San Diego, California.



Lisa Atwood

LAW OFFICES OF
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