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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

12 LOS ANGELES POLICE PROTECTIVE)
13 LEAGUE,)
14 Plaintiff,)

Case No. BC 483052
(Consolidated with Case No. BC484190)
[Assigned to Hon. Terry Green, Dept. 14]

15 v.

16 CITY OF LOS ANGELES, a municipal)
17 corporation, CHARLES BECK, Chief of)
18 Police, City of Los Angeles, and DOES1)
19 through 20, inclusive,)
20 Defendants.)

NOTICE OF ENTRY OF JUDGMENT

21 HAROLD P. STURGEON,)
22 Plaintiff,)

23 v.

24 CITY OF LOS ANGELES, et al.)

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

25 **NOTICE IS HEREBY GIVEN** that the Judgment in the above-entitled matters was
26 entered by the Honorable Terry Green on September 23, 2013 in Department 14 of the Los
27 Angeles County Superior Court. Judgment was entered in favor of Plaintiff Los Angeles
28 Police Protective League and Harold P. Sturgeon and against Defendants City of Los Angeles

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and Charles Beck and Interveners LA Voice and Coalition for Humane Immigrants Rights Los Angeles. A true and correct copy of said Judgment is attached hereto.

Dated: _____, 2013 SILVER, HADDEN, SILVER, WEXLER & LEVINE

By: _____
RICHARD A. LEVINE
Attorneys for Plaintiff
Los Angeles Police Protective League

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Superior Court of California
County of Los Angeles

SEP 23 2013

Sharrl R. Carter, Executive Officer/Clerk
By Jeannine Lorenz, Deputy

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AUG 19 2013
DEPT. 14

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

LOS ANGELES POLICE PROTECTIVE
LEAGUE,

Plaintiff,

v.

CITY OF LOS ANGELES, a municipal
corporation, CHARLES BECK, Chief of
Police, City of Los Angeles, and DOES1
through 20, inclusive,

Defendants.

Case No. BC 483052
(Consolidated with Case No. BC484190)

[Assigned to Hon. Terry Green, Dept. 14]

~~[PROPOSED]~~ JUDGMENT

HAROLD P. STURGEON,

Plaintiff,

v.

CITY OF LOS ANGELES, et al.

Defendants.

The Motions for Summary Judgment in the above-entitled matter came on regularly for hearing on August 12, 2013 at 8:45 a.m. in Department 14 before the Honorable Terry Green. The Motions for Summary Judgment were filed by Plaintiff Los Angeles Police Protective League, Plaintiff Harold P. Sturgeon, Defendants City of Los Angeles and Charlie Beck, and

1 Interveners LA Voice and Coalition for Humane Immigrants Rights Los Angeles. Richard A.
2 Levine Esq. of Silver, Hadden, Silver, Wexler & Levine appeared for Plaintiff Los Angeles
3 Police Protective League. Paul J. Orfanedes appeared for Plaintiff Harold P. Sturgeon. Gerald
4 Sato, Deputy City Attorney appeared for Defendants City of Los Angeles and Charlie Beck,
5 Chief of Police for the City of Los Angeles. Michael Kaufman appeared for Interveners LA
6 Voice and Coalition for Humane Immigrants Rights Los Angeles.

7 The Court, having considered the Motions for Summary Judgment, pertinent legal
8 authorities, those matters of which the Court may take judicial notice, and argument of counsel,
9 granted the Motions for Summary Judgment of Plaintiffs Los Angeles Police Protective League
10 and Harold P. Sturgeon and denied the Motions for Summary Judgment of Defendants City of
11 Los Angeles and Charlie Beck and Interveners LA Voice and Coalition for Humane Immigrants
12 Rights Los Angeles.

13 IT IS THEREFORE ADJUDGED THAT:

14 1. Pursuant to the Court's order granting Plaintiff Los Angeles Police Protective
15 League's Motion for Summary Judgment, Plaintiff Los Angeles Police Protective League is
16 entitled to judgment on the First Cause of Action in Plaintiff's First Amended Complaint for
17 Declaratory Relief. Specifically, the Court hereby judicially determines and declares:

18 a. Special Order No. 7 is preempted by Vehicle Code Section 21 and
19 frustrates the legislative objective of uniform statewide impoundment regulations respecting
20 vehicles driven by unlicensed drivers;

21 b. Special Order No. 7 contravenes the statutory authorization and
22 legislative intent vesting the authority of a peace officer to impound a vehicle driven by
23 specified categories of unlicensed drivers; and

24 c. The discretionary authority of an officer to impound a vehicle under
25 Section 14602.6 is not interchangeable with provisions of Section 22651(p).

26 2. Pursuant to the Court's order granting Plaintiff Los Angeles Police
27 Protective League's Motion for Summary Judgment, Plaintiff Los Angeles Police Protective
28 League is entitled to judgment on the Second Cause of Action in Plaintiff's First Amended

1 Complaint for Injunctive Relief. This Court therefore issues a Permanent Injunction ordering,
2 restraining and enjoining Defendants and their agents, servants and employees and
3 representatives from enforcing Special Order No. 7.


4 3. Pursuant to the Court's order granting Plaintiff Harold P. Sturgeon's Motion
5 for Summary Judgment, Plaintiff Harold P. Sturgeon is entitled to judgment on the First
6 Cause of Action in Plaintiff Sturgeon's Complaint for Declaratory and Injunctive Relief.
7 Specifically, the Court hereby judicially determines and declares that Special Order No. 7
8 conflicts with the provisions of the California Vehicle Code, including California Vehicle
9 Code Sections 14602.6 and 14607.6, governing the impounding of vehicles driven by
10 unlicensed drivers and therefore is *ultra vires* under Vehicle Code Section 21, is preempted by
11 the Vehicle Code, and is unlawful and void.

12 4. Pursuant to the Court's order granting Plaintiff Harold P. Sturgeon's Motion
13 for Summary Judgment, Plaintiff Harold P. Sturgeon is entitled to judgment on the Second
14 Cause of Action in Plaintiff's Complaint for Injunctive Relief. This Court therefore issues a
15 Permanent Injunction ordering, restraining and enjoining Defendants and their agents,
16 servants and employees and representatives from expending taxpayer funds or taxpayer-
17 financed resources, including their own time or the time of other LAPD officers, employees,
18 or officials, to enforce, maintain, or otherwise carry out Special Order No. 7.

19 5. Plaintiffs Los Angeles Police Protective League and Harold P. Sturgeon may
20 file Motions for Attorney's Fees against Defendants City of Los Angeles and Charlie Beck,
21 Chief of Police pursuant to a duly noticed Motion.

22 6. As the prevailing parties, Plaintiffs Los Angeles Police Protective League and
23 Harold P. Sturgeon are entitled to costs incurred in prosecuting this action pursuant to a
24 memorandum of costs.

25
26 Dated: 9/23/13


Honorable Terry Green
Judge of the Superior Court