Strumwasser & Woocher

1250 6th Street, Suite 205
Santa Monica, California 90401
Telephone: (310) 576-1233
Facsimile: (310) 319-0156
www.strumwooch.com

Michael J. Strumwasser
Beverly Grossman Palmer
Dale Larson
Salvador E. Pérez
Julia Michel †
Tessa Baizer
Samantha McNichols

Senior Counsel:
Fredric D. Woocher
Bryce Gee
Andrea Sheridan Ordin

† Also admitted to practice in Washington

February 13, 2026

Honorable Chief Patricia Guerrero
And Associate Justices of the California Supreme Court
350 McAllister Street
San Francisco, California 94102

RE: Request for Partial Depublication (Rules of Court, Rule 8.1125)
Supreme Court Case No. S295001
Second District, Case No. B329883 (filed and published on December 18, 2025)
California Apartment Association et al., v. City of Pasadena et al. (2025) 117 Cal.App.5th 187

To the Chief Justice and Associate Justices:

Strumwasser & Woocher LLP is counsel of record for Interveners Michelle White, Ryan Bell, and Affordable Pasadena ("Interveners") in the above-referenced matter. Interveners and the City of Pasadena ("Respondents") have separately filed Petitions for Review of the Court of Appeal's decision. Pursuant to rule 8.1124 of the California Rules of Court, Interveners, along with the City of Los Angeles and the Santa Monica Rent Control Board, respectfully request that this Court order partial depublication of Parts C 1 & 2 (pp. 49–70) of the Court of Appeal's opinion in *California Apartment Association et al., v. City of Pasadena et al.* (2025) 117 Cal.App.5th 187 ("Opinion"). This request for partial depublication is made in the alternative in the event the concurrently filed petitions for review are denied.[1]

Depublication is warranted because the Opinion will significantly expand the scope of analysis of state preemption of local laws. The Opinion applies a new standard in its preemption analysis, importing the federal doctrine of "obstacle" or "purpose" preemption. Even though the Opinion acknowledges there is no conflict between a locally adopted initiative measure that provides financial assistance to tenants displaced by excessive rent increases, and any state law, the Opinion concluded the measure was preempted based on the local law's supposed

[1] If this Court grants Interveners' or Respondents' petition for review, it should order that the Court of Appeal's opinion is not citable pending review. (See Cal. Rules of Court, rule 8.1115(e)(3).)

interference with an unstated legislative purpose. If this portion of the Opinion remains published, courts will increasingly turn to obstacle preemption in evaluating whether state law preempts a local enactment, permitting courts to conduct an analysis lacking the clear bounds of statutory text or accepted sources of legislative history. By means of this analysis, untold numbers of local laws may be deemed preempted, even though those laws do not directly prohibit what state law permits, or require what state law forbids. Efforts to address troubling societal issues at the local level, previously acceptable under state preemption analysis if such enactments do not directly conflict with a state law, may be thrown into question as a result of the preemption discussion in Parts C 1 & 2 of the Opinion. The prevailing plaintiff in this litigation has boasted that this decision "is already influencing how courts evaluate similar ordinances." (See California Apartment Association, *CAA court ruling puts L.A. Relocation mandate at risk* (Jan. 15, 2026) <https://caanet.org/caa-court-ruling-puts-l-a-relocation-mandate-at-risk/> (as of February 12, 2026).)

While there are "no fixed criteria for depublication," this Court has most often depublished opinions where the Court of Appeal's decision was "wrong on a significant point" or the opinion "was too broad and could lead to unanticipated misuse as precedent." (Eisenberg, Cal. Practice Guide: Civil Appeals and Writs (The Rutter Group 2019) ¶ 11:180.1, p. 11-74.) Moreover, if "the court does not want future courts to be influenced by the decision when addressing the same issue," depublication may be ordered. (5 Moore & Thomas, Cal. Civil Practice Procedure (2d ed. 2022) Depublication of Published Opinion, § 41:76.) All these concerns are implicated here. Depublication is warranted because the opinion is wrong in key respects and lends itself to future misuse that could open the door for hundreds, if not thousands, of local regulations being preempted based purely on the "purpose" of a state law.

In addition to departing from well-established precedent in its novel preemption analysis, the Court of Appeal identified a broader purpose of the Costa-Hawkins Act than any prior published opinion. The Opinion concludes that a local ordinance that requires payment of relocation assistance to a tenant displaced by a large rent increase that the tenant cannot afford offends the purpose of the Costa-Hawkins Act to allow landlords to raise rents to their fair market value because it offsets the landlord's gain by requiring the relocation payment. No case before has ever gone so far in its embrace of a free market purpose for the Costa-Hawkins Act.

Parts C 1 & 2 of the Opinion reflect a novel embrace of purpose preemption and an expansive interpretation of the purpose of the Costa-Hawkins Act. The holding will engender confusion in the existing law and have an adverse impact on cities seeking to make housing more affordable amidst a statewide housing crisis. If this Court denies Interveners' petition for review, it should order Parts C 1 & 2 of the Court of Appeal's opinion depublished.

Factual Background

Voters in 2022 passed the "Pasadena Charter Amendment Initiative Petition Measure Imposing Rent Control" (also known as Measure H) to promote neighborhood and community stability, and affordability for renters in Pasadena by regulating excessive rent increases and arbitrary evictions. Measure H creates a Rental Housing Board, limits annual rent increases for multifamily rental units built before February 1, 1995, and prohibits evictions without just cause for covered residential rental units. (§§ 1804, 1806–1809, 1811.) Measure H also provides one-

time rental relocation assistance payments to low-income tenants being displaced from their rentals by excessive rent increases. (§ 1806(b)(C).)

The nation's largest statewide organization representing the rental housing industry, the California Apartment Association (along with individual Pasadena landlords), challenged Measure H on several grounds, claiming that the measure amounted to an unconstitutional "revision" of the City's charter, that the Rental Housing Board violated various provisions of the California and U.S. Constitutions, and that various provisions regulating rental relocation assistance and notice for eviction were preempted by state law. The Court of Appeal's opinion upheld the trial court's ruling that Measure H was not an unconstitutional revision of the City charter, and also rejected CAA's challenges to the composition of Board.[2] However, the opinion struck down Measure H's relocation assistance provision as preempted by the Costa-Hawkins Act based on the court's own analysis of the unstated purposes of the Costa-Hawkins Act.

Interests of Parties Requesting Depublication

Strumwasser & Woocher LLP are counsel to Michelle White, Ryan Bell, and Affordable Pasadena, who were proponents and supporters of Measure H, and sought to intervene in defense of Measure H. The Superior Court approved a stipulation permitting this intervention on January 12, 2023. (1AA201.) Since then, Interveners have participated fully, including answering Appellants' verified petition, submitting briefing, and arguing at the hearing held by the Superior Court on Appellants' motion for judgment on their writ of mandate. Their participation continued fully in the Court of Appeal, where Interveners submitted briefs (including two supplemental briefs) and presented at oral argument. Interveners have an interest in defending the provisions of Measure H, and in ensuring that its purpose of providing protections to the tenants of Pasadena is not unduly limited; they also wish to ensure that other jurisdictions can enact laws that protect tenants without concern that a law that does not directly conflict with the limitations of the Costa-Hawkins Act would be held to be preempted by it.

The City of Los Angeles is a municipal corporation operating under the Los Angeles City Charter, which grants the city "all powers possible for a charter City to have under the constitution and laws of this state . . . subject only to the limitations contained in the Charter." (Los Angeles City Charter, §101.) The City has an interest in defending local ordinances from claims of state law preemption, and in addressing the current housing crisis through eviction regulations such as relocation assistance. The City is also currently a respondent in a similar appellate case where a property owner association challenged a Los Angeles relocation fee ordinance as preempted by the Costa-Hawkins Act. (See *Apartment Assoc. of Greater Los Angeles v. City of Los Angeles*, App. Case No. B336071.)

The Santa Monica Rent Control Board is an independent, elected body that administers the Santa Monica Rent Control Charter Amendment, which the voters adopted in 1979 to alleviate the hardship caused by a severe housing shortage. The Board is empowered to regulate

[2] The Opinion (Part C.3) also held that a notice provision of Measure H was preempted under a standard conflict preemption analysis, but Interveners did not seek review on this issue, and Interveners do not seek depublication of this portion of the Opinion, which stands on its own without reference to the preemption discussion in Part C.1 & 2.

rental units so that rents are not increased unreasonably, require just cause for evictions, and provide effective remedies for violations of the law. The Santa Monica Rent Control Board is interested in ensuring that tenants who are displaced by sudden, exorbitant rent increases can have assistance in relocating so that these tenants do not fall into homelessness. These sudden losses of housing exacerbate the affordable housing crisis in cities like Santa Monica, and modest mitigation measures such as relocation assistance are necessary to prevent the worst outcomes.

Reasons for Depublication

I. The Opinion Eschews This Court's Test for Conflict Preemption and Instead Adopts a Federal Test that This Court Has Never Endorsed, Which Will Cause Confusion and Open the Door for Numerous Local Laws To Be Challenged as Preempted.

The test for preemption between state and local laws is well-established and, until the Opinion below, it did not allow courts to find local regulations preempted based on the "contradiction" form of preemption if the local regulation did not actually contradict or conflict with state law.[3] By ordering depublication of Parts C 1 & 2, this Court will ensure that lower courts do not drift into the confusing abyss of preempting local regulations based on unarticulated divinations of legislative purpose.

In the Court's recent opinion in *County of Monterey*, the Court repeated its understanding that "preemption based on contradiction applies when the local law is 'inimical' to state law" and that "local law is preempted as 'contradictory' when it 'cannot be reconciled with state law.'" (*County of Monterey*, 15 Cal.5th at p. 145, first quoting *Sherwin-Williams*, 4 Cal.4th at p. 898, then *O'Connell v. City of Stockton* (2007) 41 Cal.4th 1061, 1068.) It expressly "[a]ppl[ied] these definitions" to conclude the measure at issue was preempted by state law. (*Ibid*.) Indeed, as it is in all conflict preemption cases, the nature of the conflict in *County of Monterey* was direct and obvious based on the text of the state law. (*Id.* at p. 145.)

Notably, this Court's opinion in *County of Monterey* hemmed in the lower court's holding, which had found conflict preemption based on what it determined to be "frustration" of the "purpose" of the state law. (*Chevron U.S.A. Inc., v. County of Monterey* (2021) 70 Cal.App.5th 153, 172.) In other words, although it affirmed its conclusion, this Court's opinion pared back the Court of Appeal's test for preemption, restoring the traditional conflict

[3] In *Sherwin-Williams Co. v. City of Los Angeles* (1993) 4 Cal.4th 893, this Court set forth three ways in which a preempting conflict between state and local law may arise: the local legislation "[1] duplicates, [2] contradicts, or [3] enters an area fully occupied by general law, either expressly or by legislative implication." (*Id.* at p. 897.) This case concerns contradiction, also called "conflict preemption," which means that local legislation is "inimical" to general law. (*Id.* at p. 898.) "[A] local ordinance does not contradict state law 'unless the ordinance . . . prohibits what the state enactment demands," or "what the [state] statute permits or authorizes." (*Chevron U.S.A. Inc. v. County of Monterey* (2023) 15 Cal.5th 135, 148–149 (*County of Monterey*), quoting *City of Riverside v. Inland Empire Patients Health & Wellness Center, Inc.* (2013) 56 Cal.4th 729, 743, 763 (conc. opn. of Liu, J.).)

preemption analysis that finds preemption only where there is a direct conflict between the state law's prohibitions or permissions and a local law's authorizations or restrictions. Although raised by the parties in *County of Monterey*, the question of "whether and how to apply the federal 'obstacle preemption' doctrine" (*County of Monterey*, 15 Cal.5th at p. 150 & fn. 9) was expressly left open by this Court.

The Court of Appeal in this case, relying on the appellate opinion in *County of Monterey*, failed to heed this Court's caution in applying "obstacle preemption," and used an unstated legislative purpose to decide that the relocation assistance provision was preempted due to supposed frustration of that purpose. Had the Opinion followed this Court's instruction in *County of Monterey*, it would have stopped its analysis after concluding that "the relocation assistance requirement does not directly conflict with the right to raise rents, because nothing in section 1806(b)(C) constrains landlords from setting the rent on exempt units whenever they want and at whatever rate they choose." (Op., p. 60.) Instead, the Opinion has injected confusion about what the proper test is for conflict preemption: courts are now free, as the Court of Appeal did, to articulate their own "purpose" of a state law and then conclude local laws that incidentally impede that purpose are preempted.

It is particularly troubling that the Court of Appeal adopted, *sub silentio*, so-called obstacle preemption, because this issue was not briefed by any party in the case. The parties focused their briefing on the standard test for preemption and did not discuss the benefits and drawbacks of adopting the federal "obstacle" preemption doctrine. Depublication would ensure that this pathway towards adoption of purpose preemption is halted for the time being.

"Obstacle" preemption at the federal level has been criticized by U.S. Supreme Court justices across the political spectrum for being "potentially boundless" and "inadequately considered." (*Geier v. Am. Honda Motor Co.* (2000) 529 U.S. 861, 907 (Stevens, J. dissenting).) Obstacle preemption allows preemption even when the preemptive "purpose" is not express; it can be conjured from whole cloth by reviewing jurists without any regard for what the Legislature itself articulated or deliberately left unsaid. It is no surprise that multiple U.S. Supreme Court justices have explicitly called for its abandonment in federal jurisprudence. (E.g, *Kansas v. Garcia* (2020) 589 U.S. 191, 213 (Thomas, J., concurring).[4])

Because obstacle preemption can be found much more easily—the inquiry "wander[s] far from the statutory text" (*Wyeth v. Levine* (2009) 555 U.S. 555, 583 (Thomas, J., dissenting))—it means opening the door for hundreds, if not thousands, of local laws to be preempted based on unarticulated "purposes" of state law. And while the legitimacy of "obstacle" preemption is the Supremacy Clause, which expressly characterizes federal laws as "the supreme Law of the Land," (U.S. Const., Art. VI, cl. 2) no identical doctrine applies as between state and local laws. Indeed, state constitutional provisions offer charter cities like Pasadena a "home rule" authority with the power to "make and enforce all ordinance and regulations in respect to municipal

[4] Justice Gorsuch also authored an opinion joined by Justices Thomas and Kavanaugh in which he rejected the proposition that implied preemption analysis should apply to "abstract and unenacted legislative desires" not reflected in a statute's text. (*Virginia Uranium, Inc. v. Warren* (2019) 587 U.S. 761, 778.)

affairs." (Cal. Const., Art. XI, sec. 5.) It makes little sense for the Court of Appeal to have borrowed the "obstacle preemption" test and applied it in California without any analysis, but now that it is present in a published opinion, litigants will be free to rely on it as a correct statement of California law. Parts C 1 & 2 of the Opinion should be depublished to prevent an unexamined embrace of obstacle or purpose preemption taking root in California jurisprudence.

II. The Opinion Wrongly Pronounces a Purpose of the Costa-Hawkins Act to be Eliminating Laws that Incidentally Reduce a Landlord's Profit on Exempt Units.

A second reason to depublish Parts C 1 & 2 of the Opinion is their embrace of an excessively broad interpretation of the purpose of the Costa-Hawkins Act, an issue relevant throughout California as local governments attempt to devise solutions to the housing crisis and ensure that tenants are not improperly displaced without means of finding new housing. The provision of Measure H that was held preempted requires landlords to pay relocation assistance to a residential tenant who is displaced as a result of the inability to pay a rent increase above a specific threshold well in excess of the increase in cost of living.[5] Despite acknowledging that "the relocation assistance requirement does not directly conflict with the right to raise rents, because nothing in [Measure H] constrains landlords from setting the rent on exempt units whenever they want and at whatever rate they choose" (Op., p. 60), the Court of Appeal nevertheless concluded that the challenged provision obstructed the *purpose* of the Costa-Hawkins Act and was therefore preempted. As the court saw it, even though Measure H does not directly restrict a landlord's ability to set rent, "the money a landlord must pay in relocation assistance reduces the amount of income the landlord receives from the rental property." (Op., p. 62.) The appellate court concluded that such reduction in a landlord's profits was an improper interference with the purpose of the Costa-Hawkins Act, which it characterized as "allowing landlords to raise the rents on exempt units to their fair market value." (Op., p. 62.)

That articulation of the purpose of the Costa-Hawkins Act—that the purpose of the Costa-Hawkins Act is to give landlords the right "to raise the rents on exempt units to their fair market value" (Op., p. 62)—supposes a legislative embrace of the free market that is not grounded in any legislative history or any prior caselaw interpreting the Costa-Hawkins Act.[6] Indeed, the Court of Appeal considered it to be a problem that rental relocation assistance

[5] The threshold is a rent increase in excess of 5 percent plus the most recently announced annual general adjustment for rent controlled units, which is 75 percent of the Consumer Price Index for the prior 12-month period. (§§ 1806(b)(C) & 1808(b)(1).)

[6] On February 5, 2026, the same appellate division (Division Seven of the Second Appellate District) held arguments in a preemption challenge to a City of Los Angeles ordinance requiring tenant relocation payments that is in most relevant respects identical to the provision of Measure H held preempted in the Opinion. The Los Angeles ordinance was also upheld by the Superior Court under a standard conflict preemption analysis. (*Apartment Association of Greater Los Angeles County v. City of Los Angeles* (B336071).) Having already chosen to publish the Opinion, there is a strong likelihood that the fate of the Los Angeles ordinance will be identical to the Pasadena measure if review of the Opinion is not granted.

"protect[s] tenants, at landlords' expense, from the free market." (Op., p. 62.) That is precisely the opposite of what this Court recognized the Act was designed to do: offer tenants some protection from a fully free-market approach to landlord-tenant transactions. (*Action Apartment Assn., Inc. v. City of Santa Monica* (2007) 41 Cal.4th 1232 (*Action Apartment*).) The Court of Appeal's rewriting of the purpose of the Costa-Hawkins Act cannot be left published. Allowed to stand, the Opinion will engender confusion by creating two lines of precedent: one from this Court and other courts of appeal recognizing limits to the free market approach in landlord-tenant transactions, and one from the Court of Appeal here, which struck down even a one-time, incidental reduction of landlords' profit. (See, e.g., *San Francisco Apartment Assoc. v. City and County of San Francisco* (2022) 74 Cal.App.5th 288 [holding that relocation assistance following bad faith rent increase is not preempted by Costa-Hawkins]; *Mak v. City of Berkeley Rent Stabilization Bd.* (2015) 240 Cal.App.4th 60 [upholding regulation requiring rent of new tenant to be set at same level as prior tenant displaced by owner move-in termination notice].)

The Opinion cites two decisions in support of its statements regarding the purpose of Costa-Hawkins (Op., p. 62), but neither opinion contains the full-throated embrace of the free market that is reflected in the Opinion's statement of Costa-Hawkins' purpose. *NCR Properties, LLC v. City of Berkeley* (2023) 89 Cal.App.5th 39 (*NCR Properties*) primarily focuses on the history of exemptions to Costa-Hawkins for separately alienable units. In explaining the Costa-Hawkins Act, *NCR Properties* stated that the legislative purpose of the original enactment was "to moderate what it considered the excesses of local rent control." (*Id.*, at p. 47.) It also observed that Costa-Hawkins "gives California landlords the right to set the rent on a vacant unit at whatever price they choose." (*Ibid.*) That case does not address in any way whether a local ordinance that requires payment of a fee by a landlord is impermissible if that fee reduces the landlord's profitability from renting the unit.

The second case cited in the Opinion is *Apartment Assn. of Los Angeles County, Inc. v. City of Los Angeles* (2009) 173 Cal.App.4th 13 (*AALAC*), which primarily focuses on the interplay between the Ellis Act and Costa-Hawkins. That case observed that "Costa-Hawkins . . . was enacted to relieve *landlords* from some of the burdens of 'strict' and 'extreme' rent control, which the proponents of Costa-Hawkins contended unduly and unfairly interfered with the free market." (*Id.* at p. 30, emphasis added.) While the Opinion's focus on the free market finds some support in this statement, reading this statement without any supporting context extends it well beyond its reasonable reach. What prior decisions have made clear is that the central purpose of Costa-Hawkins was to restore the free market dynamic to the initial setting of rents, allowing landlords to establish an initial rent at the start of a tenancy as well as subsequent increases for specific property types. However, no prior opinion has couched that intent in the framework of preserving the *income* a landlord might receive from renting a residential unit at a rent set by the landlord. Left published, this new articulation will hand a weapon to opponents of rental regulation to wield against all localities who seek solutions to California's housing crisis that might involve costs applied to a landlord that might reduce the landlord's profits over a fully free-market rent level.

Indeed, other published decisions have emphasized Costa-Hawkins' "narrow and well-defined purpose, which is to prohibit the *strictest type* of rent control that sets the maximum rental rate for a unit and maintains that rate after vacancy." (*Mosser Companies v. San Francisco*

Rent Stabilization & Arbitration Bd. (2015) 233 Cal.App.4th 505, 514, emphasis added.) Indeed, far from embracing the "free market" approach, this Court in *Action Apartment* expressly acknowledged the legislative intent to offer tenants protection from a fully free-market approach to landlord-tenant transactions. The Court explained that Costa-Hawkins established "'vacancy decontrol,' declaring that '[n]otwithstanding any other provision of law,' all residential landlords may, except in specified situations, 'establish the initial rental rate for a dwelling or unit.'" (41 Cal.4th at p. 1237.) While "[t]he effect of this provision was to permit landlords 'to impose whatever rent they choose at the commencement of a tenancy,'" (*ibid.*, quoting *Cobb v. San Francisco Residential Rent Stabilization and Arbitration Bd.* (2002) 98 Cal.App.4th 345, 351), the Legislature did not intend to leave tenants entirely subject to the forces of the free market. "The Legislature was well aware, however, that such vacancy decontrol gave landlords an incentive to evict tenants that were paying rents below market rates. Accordingly, the statute expressly preserves the authority of local governments 'to regulate or monitor the grounds for eviction.'" (*Action Apartment*, 41 Cal.4th at pp. 1237–1238.)

When the statement in *AALAC* that Costa-Hawkins was intended to remove interference with the free market is viewed in the context of prior precedent, it is clear that this statement applies to establishment of a rental price — a process with which section 1806(b)(C) does not interfere, as the Opinion acknowledges. (Op., p. 60.) The courts have consistently explained that the Legislature's intent in enacting Costa-Hawkins was to allow freedom in establishing initial rent levels at all units, but no court has previously gone so far as to contend that the Legislature's purpose in enacting Costa-Hawkins was to require an entirely market-based approach to landlord-tenant relations. This Court should grant depublication to ensure that this broad language is not misapplied in future cases.

Conclusion

For the foregoing reasons, if this Court does not grant either of the petitions for review, this Court should order Parts C 1&2 of the Court of Appeal's opinion depublished. If review is granted, this Court should order that the opinion is not citable pending review. (See Cal. Rules of Court, rule 8.1115(e)(3).)

Respectfully submitted,

Beverly Grossman Palmer

PROOF OF SERVICE

STATE OF CALIFORNIA

Re: *California Apartment Association, et al. v. City of Pasadena, et al.*, Case No. S295001, 2DCA No. B329883, L.A.S.C. Case No. 22STCP04376

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1250 Sixth Street, Suite 205, Santa Monica, California 90401. My electronic mail address is jthomson@strumwooch.com.

On **February 13, 2026**, I served the foregoing document(s) described as **REQUEST FOR PARTIAL DEPUBLICATION** on all appropriate parties in this action, as listed on the attached Service List, by the method stated:

☒ If Electronic Filing Service (EFS) is indicated, I electronically filed the document(s) with the Clerk of the Court by causing the documents to be sent to Truefiling, the Court's Electronic Filing Services Provider for electronic filing and service. Electronic service will be effected by Truefiling's case-filing system at the electronic mail addresses indicated on the attached Service List.

☒ If U.S. Mail service is indicated, by placing this date for collection for mailing true copies in sealed envelopes, first-class postage prepaid, addressed to each person as indicated, pursuant to Code of Civil Procedure section 1013a(3). I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing contained in the affidavit. I am a resident or employed in the count where the mailing occurred. The envelope or package was placed in the mail at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this is executed on **February 13, 2026**, at Los Angeles, California.

Jeff Thomson

SERVICE LIST

California Apartment Association, et al. v. City of Pasadena, et al.,
Case No. S295001, 2DCA No. B329883, L.A.S.C. Case No. 22STCP04376

Via EFS Christopher E. Skinnell Hilary J. Gibson Nielsen Merksamer Parrinello Gross & Leoni LLP 2350 Kerner Boulevard, Suite 250 San Rafael, California 94901 Tel: 415-389-6800 • Fax: 415-388-6874 Email: cskinnell@nmgovlaw.com hgibson@nmgovlaw.com *Attorneys for Petitioners and Appellants California Apartment Association; Margaret Morgan; Ahni Dodge; Danielle Moskowitz; Simon Gibbons; and Tyler Werrin*	*Via EFS* Michele Beal Bagneris Javan N. Rad Dion J. O'Connell Office of the City Attorney 100 N. Garfield Avenue, Rm N-210 Pasadena, California 91101 Tel: 626-744-4141 Email: jrad@cityofpasadena.net doconnell@cityofpasadena.net mbagneris@cityofpasadena.net Robin B. Johansen Kristen Mah Rogers Margaret R. Prinzing Olson Remcho, LLP 1901 Harrison Street, Suite 1550 Oakland, California 94612 Tel: 510-346-6200 Email: rjohansen@olsonremcho.com krogers@olsonremcho.com mprinzing@olsonremcho.com *Attorneys for Defendants and Respondents City of Pasadena, and Pasadena City Council*
Via EFS Matt Brown General Counsel Berkeley Rent Stabilization Board 2000 Center Street, Suite 400, Berkeley CA 94704 Email: Mbrown@berkeleyca.gov *Attorney for Amicus Curiae*	*Via EFS* Alison G. Regan Romy Ganschow General Counsel SANTA MONICA RENT CONTROL BOARD 1685 Main Street, Room 202 Santa Monica, CA 90401 Phone: (310) 458-8921 Email: alison.regan@santamonica.gov romy.ganschow@santamonica.gov *Attorneys for Amicus Curiae*

Via EFS Merete Rietveld Deputy City Attorney Office of Los Angeles City Attorney 200 N. Spring St., 14th Fl., Los Angeles, CA 90012 Email: merete.rietveld@lacity.org *Attorney for Amicus Curiae*	
Via U.S. Mail Clerk of the Court Los Angeles Superior Court 11 North Hill Street, Dept. 82 Los Angeles, California 90012	*Via EFS* Clerk of the Court of Appeal Second District Court of Appeal Division Seven 300 S. Spring Street 2nd Floor, North Tower Los Angeles, California 90013