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11	CITY OF SAUSALITO, JILL JAMES HOFFMA ROHRBACHER, MARCIA RAINES, KENT BA			
12				
13	UNITED STATES DISTRICT COURT  NORTHERN DISTRICT OF CALIFORNIA			
14	SAUSALITO/MARIN COUNTY CHAPTER	CASE NO. 3:2		
15	OF THE CALIFORNIA HOMELESS UNION,		ON OF ARTHUR FRIEDMAN II	
16	on behalf of itself and those it represents; ROBBIE POWELSON; SHERI I. RILEY;	SUPPORT OF	DEFENDANTS' OPPOSITION	
17	ARTHUR BRUCE; MELANIE MUASOU; SUNNY JEAN YOW; NAOMI		FFS' MOTION TO SHOW DEFENDANTS SHOULD NOT	
	MONTEMAYOR; MARK JEFF; MIKE		CONTEMPT FOR VIOLATING	
18	MONTEMAYOR; MARK JEFF; MIKE NORTH; JACKIE CUTLER and MICHAEL	BE HELD IN ( THE PRELIM INJUNCTION	IINARY	
18 19	MONTEMAYOR; MARK JEFF; MIKE	THE PRELIM	IINARY	
18 19 20	MONTEMAYOR; MARK JEFF; MIKE NORTH; JACKIE CUTLER and MICHAEL ARNOLD on behalf of themselves and	THE PRELIM INJUNCTION  Date:	April 29, 2021	
18 19	MONTEMAYOR; MARK JEFF; MIKE NORTH; JACKIE CUTLER and MICHAEL ARNOLD on behalf of themselves and similarly situated homeless persons,  Plaintiffs,	THE PRELIM INJUNCTION	IINARY V	
18 19 20	MONTEMAYOR; MARK JEFF; MIKE NORTH; JACKIE CUTLER and MICHAEL ARNOLD on behalf of themselves and similarly situated homeless persons,  Plaintiffs,  v.	THE PRELIM INJUNCTION  Date: Time: Courtroom: Action Filed:	April 29, 2021 1:30 p.m. 5 – 17 <sup>th</sup> Floor February 16, 2021	
18 19 20 21	MONTEMAYOR; MARK JEFF; MIKE NORTH; JACKIE CUTLER and MICHAEL ARNOLD on behalf of themselves and similarly situated homeless persons,  Plaintiffs,  v.  CITY OF SAUSALITO; MAYOR JILL	THE PRELIM INJUNCTION  Date: Time: Courtroom:	April 29, 2021 1:30 p.m. 5 – 17 <sup>th</sup> Floor	
18 19 20 21 22	MONTEMAYOR; MARK JEFF; MIKE NORTH; JACKIE CUTLER and MICHAEL ARNOLD on behalf of themselves and similarly situated homeless persons,  Plaintiffs,  v.  CITY OF SAUSALITO; MAYOR JILL JAMES HOFFMAN; POLICE CHIEF JOHN ROHRBACHER; CITY MANAGER	THE PRELIM INJUNCTION  Date: Time: Courtroom: Action Filed: Trial Date:	April 29, 2021 1:30 p.m. 5 – 17 <sup>th</sup> Floor February 16, 2021 T.B.D.	
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18 19 20 21 22 23 24	MONTEMAYOR; MARK JEFF; MIKE NORTH; JACKIE CUTLER and MICHAEL ARNOLD on behalf of themselves and similarly situated homeless persons,  Plaintiffs,  v.  CITY OF SAUSALITO; MAYOR JILL JAMES HOFFMAN; POLICE CHIEF JOHN ROHRBACHER; CITY MANAGER MARCIA RAINES; DEPT. OF PUBLIC WORKS SUPERVISOR KENT BASSO, individually and in their respective official	THE PRELIM INJUNCTION  Date: Time: Courtroom: Action Filed: Trial Date:	April 29, 2021 1:30 p.m. 5 – 17 <sup>th</sup> Floor February 16, 2021 T.B.D.	
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18 19 20 21 22 23 24 25 26	MONTEMAYOR; MARK JEFF; MIKE NORTH; JACKIE CUTLER and MICHAEL ARNOLD on behalf of themselves and similarly situated homeless persons,  Plaintiffs,  v.  CITY OF SAUSALITO; MAYOR JILL JAMES HOFFMAN; POLICE CHIEF JOHN ROHRBACHER; CITY MANAGER MARCIA RAINES; DEPT. OF PUBLIC WORKS SUPERVISOR KENT BASSO, individually and in their respective official	THE PRELIM INJUNCTION  Date: Time: Courtroom: Action Filed: Trial Date:	April 29, 2021 1:30 p.m. 5 – 17 <sup>th</sup> Floor February 16, 2021 T.B.D.	

SMRH:4813-6534-5763.1

FRIEDMAN DECLARATION

## **DECLARATION OF ARTHUR FRIEDMAN**

I, Arthur Friedman, declare as follows:

- 1. I am an attorney duly admitted to practice law in California. I am a partner at the law firm of Sheppard, Mullin, Richter & Hampton LLP, attorney of record for Defendants City Of Sausalito, Jill James Hoffman, John Rohrbacher, Marcia Raines and Kent Basso (collectively "Defendants"). If called and sworn as a witness, I could and would competently testify to all facts within my personal knowledge except where stated upon information and belief. This Declaration is submitted in support of Defendants' Opposition to Plaintiffs' Motion to Show Cause Why Defendants Should Not Be Held In Contempt for Violating the Preliminary Injunction.
- 2. On the morning of March 25, 2021 at approximately 10:00 a.m., I received a call from Plaintiffs' counsel Anthony Prince alleging that the Sausalito Police Department was threatening to arrest persons at Dunphy Park for trespass, threatening to separate mothers from their children, and demanding that the Sausalito Police Department "stand down immediately" or Plaintiffs would move for contempt sanctions for violation of the Preliminary Injunction issued by this Court.
- 3. In response to Mr. Prince's phone call, I immediately consulted with city officials to investigate Mr. Prince's claims who informed me that Mr. Prince's stated version of events was inaccurate. The details of the events of March 25, 2021, as I learned them, are attested to in the Declaration of John Rohrbacher submitted in conjunction herewith.
- 4. After consulting with city officials, I immediately called Mr. Prince back at approximately 11:00 a.m. to share the information I had learned. In response, Mr. Prince proclaimed that he was "uninterested" in hearing the information I was trying to provide him and would seek sanctions against the City for violating the Preliminary Injunction issued by this Court.
- 5. Following our 11:00 a.m. phone call, I sent Mr. Prince an email summarizing our calls that day and providing the information I had learned from city officials. A true and correct copy of my March 25, 2021 email to Mr. Prince is attached to Defendants' Index of Exhibits as **Exhibit 6**. In my email, I informed Mr. Prince that the City would not abate the floating home in question until resolution of the dispute among the interested parties. I further informed Mr. Prince

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1	that the City had not in any way violated the terms of the Court's Preliminary Injunction had		
2	instead volunteered in this case to de-escalate a problem not of its making, which was brought to		
3	Sausalito and exacerbated by his client's unlawful actions.		
4	6. Mr. Prince did not respond to my March 25, 2021 or endeavor to further discuss the		
5	issue and/or resolution of the issue in any way, and instead relayed his own version of events in		
6	the Joint Case Management Conference Statement submitted to this Court and his intent to seek		
7	sanctions against Plaintiffs.		
8			
9	I declare under penalty of perjury under the laws of the United States of America that the		
10	foregoing is true and correct.		
11			
12	Executed on this 9th day of April, 2021 in Mill Valley, California.		
13	DODO		
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15	Arthur Friedman		
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