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19 *Attorneys for Petitioners*
20 Aaron Agenbroad, Jaime Rojas,
21 Thomas L. Robinson, and Lori Ballard Hupp

22 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
23 IN AND FOR THE COUNTY OF SACRAMENTO

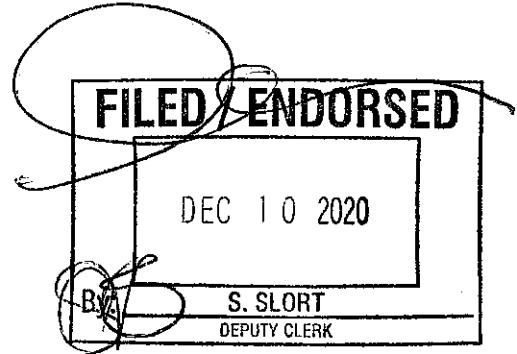
24 AARON AGENBROAD; JAIME ROJAS;
25 THOMAS L. ROBINSON; and LORI BALLARD
26 HUPP,

27 Petitioners,

28 vs.

ALEX PADILLA, in his official capacity as
Secretary of State of the State of California;
XAVIER BECERRA, in his official capacity as
Attorney General of the State of California; and
DOES 1-100,

Respondents.



Case No. 34-2020-80003542

Action Filed: December 1, 2020

**JOINT STIPULATION FOR
ORDER AND JUDGMENT AND
~~PROPOSED~~ ORDER AND
JUDGMENT**

STATEWIDE ELECTION MATTER --
IMMEDIATE ACTION REQUESTED

1 Petitioners Aaron Agenbroad, Jaime Rojas, Thomas L. Robinson, and Lori Ballard Hupp
2 (collectively "Petitioners"), and Respondents Secretary of State Alex Padilla and Attorney General
3 Xavier Becerra (collectively "Respondents"), by and through their respective counsel, hereby
4 stipulate as follows:

5 WHEREAS, on August 28, 2020, Respondent Secretary of State chaptered Senate Bill 793
6 as Statutes 2020, Chapter 34 (hereinafter "SB 793");

7 WHEREAS, absent a referendum filed against it, SB 793 would ordinarily take effect on
8 January 1, 2021 (Cal. Const. art IV, § 8, subd. (c)(2));

9 WHEREAS, on or before November 24, 2020, a referendum petition was timely filed with
10 county elections officials seeking to place SB 793 on the statewide ballot for approval or rejection
11 by the voters;

12 WHEREAS, if the proponents of the SB 793 referendum present petitions certified to
13 include at least 623,212 valid signatures, Respondent Secretary of State will submit the measure at
14 the next general election held at least 31 days after it qualifies or at a special statewide election
15 held prior to that general election (see Cal. Const. art II, § 9, subds. (b), (c));

16 WHEREAS, on December 7, 2020, Respondent Secretary of State notified county
17 elections officials that the proponents of the SB 793 referendum have filed petitions containing
18 more than 623,212 signatures, and directed county officials to proceed with the signature
19 verification process (Elec. Code, § 9030);

20 WHEREAS, Petitioners and Respondents agree the Secretary of State's notification that
21 the proponents of SB 793 referendum petition have filed with county elections officials petitions
22 containing more than 623,212 signatures suspended the effective date of SB 793 until either the
23 referendum petition is determined by the Secretary of State to contain an insufficient number of
24 valid signatures; or if the referendum petition is verified as containing a sufficient number of valid
25 signatures to qualify for the ballot, until SB 793 is approved by voters;

26 **IT IS THEREFORE AGREED AND STIPULATED** as follows:

27 1. SB 793 shall not take effect on January 1, 2021.
28

1 2. SB 793 shall remain ineffective and unenforceable until the occurrence of either of
2 the following:

- 3 a. The referendum petition filed against SB 793 is determined by the Secretary of
4 State to contain an insufficient number of valid signatures pursuant to the
5 procedures set forth in Division 9 (commencing with Section 9000) of the
6 Elections Code.
- 7 b. The voters of California approve SB 793 at a statewide election and the statute
8 takes effect pursuant to subdivision (a) of Section 10 of Article II of the California
9 Constitution.

10 3. The Court is requested to enter an Order and Judgment in this action on behalf of
11 Petitioners pursuant to this Stipulation as set forth herein, and the Parties agree that this Stipulated
12 Order and Judgment shall fully and finally resolve this lawsuit.


13 4. The respective Parties shall each bear their own costs and fees.

14 5. This Stipulation may be signed in counterpart originals, and facsimile or scanned PDF
15 signatures shall be deemed to be original signatures.

16 6. Service of the Order and Judgment herein, and any notice of the entry thereof, may be
17 effected by facsimile or e-mail upon the Parties' counsel.

18 DATED: December 9, 2020

CALIFORNIA DEPARTMENT OF JUSTICE

19
20 By: 

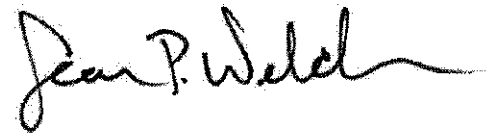
21 BENJAMIN GLICKMAN
22 NATASHA SAGGAR SHETH

23 Attorneys for Respondents
24 SECRETARY OF STATE PADILLA and
25 ATTORNEY GENERAL BECERRA
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DATED: December 9, 2020

NIELSEN, MERKSAMER, PARRINELLO GROSS &
LEONI, LLP



By: _____
SEAN P. WELCH

Attorneys for Petitioners
AARON AGENBROAD, JAIME ROJAS, THOMAS L.
ROBINSON, and LORI BALLARD HUPP

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~~PROPOSED~~ ORDER AND JUDGMENT

The Court has reviewed the foregoing Stipulation for Order and Judgment submitted by the Parties and, good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Stipulation for Order and Judgment be, and hereby is, the Order and Judgment of this Court.

DATED: December 10, 2020



[Handwritten Signature]
HON. SHELLEYANNE W.L. CHANG
JUDGE OF THE SUPERIOR COURT

JAMES P. ARGUELLES

1 **PROOF OF SERVICE**

2 I, the undersigned, declare under penalty of perjury that:

3 I am a citizen of the United States employed in the County of Marin. I am over the age of
4 18 and not a party to the within cause of action. My business address is 2350 Kerner Blvd., Suite
5 250, San Rafael, CA 94901. I am readily familiar with my employer's practices for collection and
processing of correspondence for mailing with the United States Postal Service.

6 On December 9, 2020 I served a true copy of the foregoing **JOINT STIPULATION
AND [PROPOSED] ORDER** on the following parties in said action, by serving:

7
8 Benjamin Glickman
9 Natasha Saggar Sheth
10 Deputy Attorneys General
11 California Department of Justice
1300 "I" Street
Sacramento, CA

Benjamin.Glickman@doj.ca.gov
Natasha.Sheth@doj.ca.gov

*Attorneys for Respondents
Secretary of State Alex Padilla and Attorney
General Xavier Becerra*

12 X BY U.S. MAIL: By following ordinary business practices and placing for collection and
13 mailing at 2350 Kerner Blvd., Suite 250, San Rafael, CA 94901, a true copy of the above-
14 referenced document(s), enclosed in a sealed envelope; in the ordinary course of business,
15 the above documents would have been deposited for first-class delivery with the United
States Postal Service the same day they were placed for deposit, with postage thereon fully
prepaid.

16
17 X BY ELECTRONIC SERVICE: By transmitting by email to the above
party(ies) at the above email addresses.

18 Executed in San Rafael, California, on December 9, 2020.

19 I declare under penalty of perjury, that the foregoing is true and correct.

20
21 *Paula Scott*

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Paula Scott