1 2 3 4 5	THOMAS E. MONTGOMERY, County County of San Diego By STEPHANIE KARNAVAS, Senior Deputy TIMOTHY M. BARRY, Chief Deputy (Sta 1600 Pacific Highway, Room 355 San Diego, CA 92101-2469 Telephone: (619) 531-5834 E-mail: stephanie.karnavas@sdcounty.ca.gov Exempt From Filing Fees (Gov't Code § 6103)	y (State Bar No. 255596) tte Bar No. 89019)	
6	Attorneys for Defendants		
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8	IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA		
9	IN AND FOR THE COUNTY OF SAN DIEGO, CENTRAL DIVISION		
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1	CITIZENS OVERSIGHT, INC., a Delaware non-profit corporation; RAYMOND LUTZ,	No. 37-2017-00027595-CU-MC-CTL Action Filed: July 25, 2017	
12	an individual,) NOTICE OF DEMURRER AND	
13	Plaintiffs,	DEMURRER OF DEFENDANTS MICHAEL VU AND COUNTY OF SAN	
4	V.	DIEGO TO COMPLAINT FOR DECLARATORY RELIEF AND	
15	MICHAEL VU, San Diego Registrar of Voters; SAN DIEGO COUNTY, a public) MANDAMUS FOR VIOLATION OF THE) CALIFORNIA PUBLIC RECORDS ACT	
16	entity; DOES 1-10, Defendants.) IMAGED FILE	
17	Defendants.	Date: October 13, 2017	
18) Time: 10:30 a.m.) Dept.: 66	
19) ICJ: Hon. Kenneth J. Medel	
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21	TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:		
22	Please take notice that on October 13, 2017, at 10:30 a.m., in Department No. 66, of the		
23	above entitled court located at 330 West Broadway, San Diego, California 92101,		
24	defendants/respondents Michael Vu used in his capacity as the Registrar of Voters for the		
25	County of San Diego and the County of San Diego (collectively referred to as the "County of		
26	San Diego") will and hereby do demurrer to plaintiffs/petitioners' Complaint for Declaratory		
27	Relief and Mandamus for Violation of the California Public Records Act on each of the		
28	following grounds:		
	DEFENDANTS' NOTICE OF DEMURRER AND DEMURRER TO COMPLAINT FOR DECLARATORY RELIEF		

AND MANDAMUS FOR VIOLATION OF THE CALIFORNIA PUBLIC RECORDS ACT

1	1. The complaint fails to state facts sufficient to constitute a cause of action against	
2	the County of San Diego, Code of Civ. Proc. § 430.10(e), in that the records sought by	
3	plaintiffs/petitioners are exempt from production under the California Public Records Act and	
4	plaintiffs/petitioners are not legally entitled to the relief requested.	
5	Pursuant to Code of Civil Procedure section 430.30, the grounds for this demurrer appear	
6	on the face of the first amended complaint and of matters of which the court may take judicial	
7	notice. This demurrer will be based upon this notice of demurrer and demurrer, the grounds set	
8	forth above, the accompanying memorandum of points and authorities, and upon such further	
9	oral or documentary evidence filed or presented to the court at the hearing of this matter.	
10	DATED: September 11, 2017 THOMAS E. MONTGOMERY, County Counsel	
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12	By: s/Stephanie Karnavas STEPHANIE KARNAVAS, Senior Deputy	
13	Attorneys for Defendants	
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