

1 **IT IS HEREBY ORDERED** that:

2 (a) **The City of San Diego is ordered to appear** on _____, 2005 at _____ a.m./p.m.
3 before the above-named court in Department 66, located at 330 West Broadway, San Diego,
4 California to show cause, if any, why the City of San Diego should not be adjudged guilty of
5 contempt of court, and punished accordingly, for the willful disobedience of the Court's:
6 Temporary Restraining Order; Preliminary Injunction; orders to preserve the *status quo* issued
7 during hearings held on November 25, 2003, December 19, 2003, and November 8, 2004; and the
8 Court's February 22, 2005 Stay Order—as provided in section 1209(a)(5) of the California Code of
9 Civil Procedure, and as more fully described in the attached Declaration of Peter A. Zamoyski,
10 which by this reference, is incorporated as though fully set forth—and why attorneys' fees, costs,
11 monetary sanctions, or any other relief deemed appropriate should not be awarded under California
12 Code of Civil Procedure section 1218(a).

13 (b) Plaintiff shall file and serve any additional papers, including evidentiary support for an
14 award of attorneys' fees and costs that were incurred as a result of the City of San Diego's alleged
15 willful violations of the Court's: Temporary Restraining Order; Preliminary Injunction; orders to
16 preserve the *status quo* issued during hearings held on November 25, 2003, December 19, 2003,
17 and November 8, 2004; and the Court's February 22, 2005 Stay Order, no later than _____,
18 2005. Defendant shall file and serve any opposition papers no later than _____, 2005. Plaintiff's
19 reply papers, if any, shall be filed and served no later than _____, 2005.

20
21 **IT IS SO ORDERED.**

22
23 Date: _____

JUDGE OF THE SUPERIOR COURT