

Electronically FILED by Superior Court of California, County of Riverside on 11/27/2024 02:17 PM

Case Number CVRI2406191 J0000058910346 - Jason B. Galkin, Executive Officer/Clerk of the Court By K. Rahlwes, Clerk

DALE K. LARSON (SBN 266165)
BEVERLY GROSSMAN PALMER (SBN 234004)
STRUMWASSER & WOOCHEER LLP
1250 6th Street, Suite 205
Santa Monica, California 90401
Tel: (310) 576-1233 • Fax: (310) 319-0156
bpalmer@strumwooch.com
dlarson@strumwooch.com

*Attorneys for Petitioner Imperial County
Board of Supervisors*

**IN THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE – HISTORIC COURTHOUSE**

IMPERIAL COUNTY BOARD OF
SUPERVISORS and COACHELLA
VALLEY UNIFIED SCHOOL DISTRICT
Petitioners and Plaintiffs,

v.

ART TINOCO, in his official capacity as
Registrar of Voters for County of Riverside,
LINSEY DALE, in her official capacity as
Registrar of Voters for the County of Imperial,

Respondents and Defendants,

AGUSTIN ARREOLA, TRINIDAD “TRINI”
ARREDONDO, ALTRENA SANTILLANES,
JESUS GONZALEZ, ADRIAN
RODRIGUEZ, JOCELYN VARGAS,

Real Parties in Interest

Case No. **CVRI 2406191**

**STIPULATION AND ~~PROPOSED~~
JUDGMENT**

**Calendar Preference Required By Statute
(Elec. Code, § 13314(a)(3))**

[Code of Civil Procedure §§ 525, 1085]

Complaint filed: November 5, 2024

Electronically RECEIVED by Superior Court of California, County of Riverside on 11/25/2024 05:14 PM - Jason B. Galkin, Executive Officer/Clerk of the Court By Kristen King, Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STIPULATION

This stipulation is entered into by Petitioners and Plaintiffs Imperial County Board of Supervisors and Coachella Valley Unified School District (“CVUSD”); Respondents and Defendants Art Tinoco, in his official capacity as Registrar of Voters for the County of Riverside, and Linsey Dale, in her official capacity as Registrar of Voters for the County of Imperial; and Real Parties in Interest Agustin Arreola, Trinidad “Trini” Arredondo, Altrena Santillanes, Jesus Gonzalez, Adrian Rodriguez, and Jocelyn Vargas (collectively, the “Parties”), either on their own behalf or by and through their attorneys as specified below.

WHEREAS a portion of CVUSD is located in Riverside County and another portion is located in Imperial County;

WHEREAS California held a statewide general election on November 5, 2024 (the “Election”);

WHEREAS Trustee Areas 1, 2, and 4 of the CVUSD Board of Education each had contested elections for Board of Education in that Election;

WHEREAS, pursuant to Education Code section 5019 and 5030, subdivision (c), CVUSD currently elects its Members to its Board of Education at large by all electors in the CVUSD, but the Members must reside in their respective trustee areas;

WHEREAS, as a result of a clerical error, the elections for Trustee Areas 1, 2, and 4 of the CVUSD Board of Education were listed on ballots for electors residing within CVUSD and within Riverside County but not for electors residing within CVUSD and within Imperial County;

WHEREAS, one basis for an election challenge is that “eligible voters who attempted to vote in accordance with the laws of the state were denied their right to vote,” requiring that all eligible voters have the opportunity to vote in an election;

WHEREAS, on Tuesday, November 5, 2024, Petitioners filed this Writ Petition and applied for a Temporary Restraining Order prohibiting the Riverside County Registrar of Voters from releasing the partial CVUSD election results in Riverside County so that the release of results would not bias those Imperial County voters who had yet had an opportunity to vote;

WHEREAS the Court granted the Temporary Restraining Order that same day;

WHEREAS the Riverside County Registrar of Voters has complied with that Order;

1 WHEREAS Elections Code, division 3, chapter 1, authorizes voting by mail and directs
2 elections officials to make mail ballots available to any registered voter;

3 WHEREAS there are nine precincts in CVUSD in Imperial County;

4 WHEREAS eight of those nine precincts were “mail ballot only” precincts with no physical in-
5 person voting location in the November 5, 2024, election;

6 WHEREAS there was a single in-person voting location in the ninth precinct, which is precinct
7 number 483021;

8 WHEREAS the Parties agree that the Imperial County Registrar of Voters should use the same
9 voting methods to allow the CVUSD electors in Imperial County to vote in the CVUSD Board of
10 Education elections as was used in the November 5, 2024, election;

11 WHEREAS it will take the Imperial County Registrar of Voters approximately two weeks to
12 finalize with its vendor a new ballot for the Election;

13 WHEREAS it will take an additional three-to-five weeks to finalize mail envelopes and to mail
14 out the ballots;

15 WHEREAS Elections Code section 3114 requires that ballots be mailed to military or overseas
16 voters at least 45 days before the Election;

17 WHEREAS Elections Code section 3001 requires that ballots be mailed to regular voters at
18 least 29 days before the Election;

19 WHEREAS Government Code section 1302 states, “Every officer whose term has expired shall
20 continue to discharge the duties of his office until his successor has qualified.”;

21 WHEREAS pursuant to Government Code section 1302, those Board of Education Members
22 whose terms are set to expire in 2024 shall remain in office until the results of the November 5, 2024,
23 CVUSD election have been certified in Riverside and Imperial Counties;

24 WHEREAS the Parties agree that the Verified Petition for Peremptory Writ of Mandate and
25 Complaint for Injunctive Relief, the Joint Application for a Temporary Restraining Order, this
26 Stipulation, the [Proposed] Judgment, and the proposed Writ of Mandate articulate the appropriate
27 remedy for this matter;

28

1 NOW, THEREFORE, the Parties hereby stipulate and respectfully request that the Court order
2 as follows:

- 3 1. The Court shall grant the Petition for Writ of Mandate;
- 4 2. Judgment shall be entered in favor of Petitioners and Plaintiffs Imperial County Board
5 of Supervisors and Coachella Valley Unified School District, with all parties bearing
6 their own costs and fees in this litigation;
- 7 3. A Writ of Mandate shall issue in the form attached hereto as **Exhibit A**.
- 8 4. The Court shall retain jurisdiction over this matter and the Parties to enforce its
9 Judgment and Writ of Mandate until there is full performance of the terms thereof.

10 Dated: November __20__, 2024

Respectfully submitted,

11 STRUMWASSER & WOOCHEER LLP
12 Beverly Grossman Palmer
13 Dale K. Larson


14 By: 
15 _____
16 Dale K. Larson

17 *Attorneys for Petitioner and Plaintiff*
18 *Imperial County Board of Supervisors*

19 Dated: November 21, 2024

Respectfully submitted,

20 LARSON LLP
21 A. Alexander Lowder

22 By: 
23 _____
24 A. Alexander Lowder

25 *Attorneys for Petitioner and Plaintiff*
26 *Coachella Valley Unified School District*

1 Dated: November 20, 2024

Respectfully submitted,

2 OFFICE OF THE COUNTY COUNSEL
3 FOR THE COUNTY OF IMPERIAL
4 Eric Havens, County Counsel

5 By: Eric Havens
6 Eric Havens

7 *Attorneys for Respondent and Defendant*
8 *Linsey Dale, in her official capacity as*
9 *Registrar of Voters for the County of*
10 *Imperial*

11 Dated: November _____, 2024

Respectfully submitted,

12 OFFICE OF THE COUNTY COUNSEL
13 FOR THE COUNTY OF RIVERSIDE
14 Minh Tran, County Counsel
15 G. Ross Trindle, III, Chief Assistant
16 County Counsel

17 By: _____
18 G. Ross Trindle, III

19 *Attorneys for Respondent and Defendant*
20 *Art Tinoco, in his official capacity as*
21 *Registrar of Voters for the County of*
22 *Riverside*

23 Dated: November _____, 2024

Respectfully submitted,

24 REED & DAVIDSON, LLP
25 Stuart L. Leviton

26 By: _____
27 Stuart L. Leviton

28 *Attorneys for Real Parties in Interest*
Trinidad Arredondo, Adrian Rodriguez, and
Altrena Santillanes

1 Dated: November _____, 2024

Respectfully submitted,

2 OFFICE OF THE COUNTY COUNSEL
3 FOR THE COUNTY OF IMPERIAL
4 Eric Havens, County Counsel

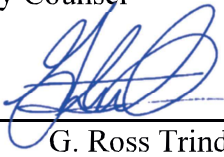
5 By: _____
6 Eric Havens

7 *Attorneys for Respondent and Defendant*
8 *Linsey Dale, in her official capacity as*
9 *Registrar of Voters for the County of*
10 *Imperial*

11 Dated: November 21, 2024

Respectfully submitted,

12 OFFICE OF THE COUNTY COUNSEL
13 FOR THE COUNTY OF RIVERSIDE
14 Minh Tran, County Counsel
15 G. Ross Trindle, III, Chief Assistant
16 County Counsel

17 By:  _____
18 G. Ross Trindle, III

19 *Attorneys for Respondent and Defendant*
20 *Art Tinoco, in his official capacity as*
21 *Registrar of Voters for the County of*
22 *Riverside*

23 Dated: November _____, 2024

Respectfully submitted,

24 REED & DAVIDSON, LLP
25 Stuart L. Leviton

26 By: _____
27 Stuart L. Leviton

28 *Attorneys for Real Parties in Interest*
Trinidad Arredondo, Adrian Rodriguez, and
Altrena Santillanes

1 Dated: November _____, 2024

Respectfully submitted,

2 OFFICE OF THE COUNTY COUNSEL
3 FOR THE COUNTY OF IMPERIAL
4 Eric Havens, County Counsel

5 By: _____
6 Eric Havens

7 *Attorneys for Respondent and Defendant*
8 *Linsey Dale, in her official capacity as*
9 *Registrar of Voters for the County of*
10 *Imperial*

11 Dated: November _____, 2024

Respectfully submitted,

12 OFFICE OF THE COUNTY COUNSEL
13 FOR THE COUNTY OF RIVERSIDE
14 Minh Tran, County Counsel
15 G. Ross Trindle, III, Chief Assistant
16 County Counsel

17 By: _____
18 G. Ross Trindle, III

19 *Attorneys for Respondent and Defendant*
20 *Art Tinoco, in his official capacity as*
21 *Registrar of Voters for the County of*
22 *Riverside*

23 Dated: November 20, 2024

Respectfully submitted,

24 REED & DAVIDSON, LLP
25 Stuart L. Leviton

26 By: *Stuart L. Leviton*
27 _____
28 Stuart L. Leviton

Attorneys for Real Parties in Interest
Trinidad Arredondo, Adrian Rodriguez, and
Altrena Santillanes

11/23/2024

Dated: November _____, 2024

Respectfully submitted,

AGUSTÍN ARREOLA

By: 
219F9F1670D6467...
Agustin Arreola

Real Party in Interest

11/22/2024

Dated: November _____, 2024

Respectfully submitted,

JESUS R. GONZALEZ

By: 
B1370F36D2E54F8...
Jesus R. Gonzalez

Real Party in Interest

11/21/2024

Dated: November _____, 2024

Respectfully submitted,

JOCELYN VARGAS

By: 
50AC58D942D941E...
Jocelyn Vargas

Real Party in Interest

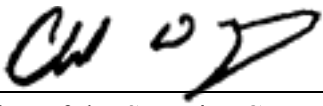
~~PROPOSED~~ JUDGMENT

The Court having considered the Verified Petition for Peremptory Writ of Mandate and Complaint for Injunctive Relief, the Joint Application for a Temporary Restraining Order, and the Stipulation above, and good cause appearing, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. The Verified Petition for Peremptory Writ of Mandate and Complaint for Injunctive Relief filed in this matter on November 5, 2024, is hereby granted;
2. Judgment is hereby entered in favor of Petitioners Imperial County Board of Supervisors and Coachella Valley Unified School District;
3. A Writ of Mandate shall issue in the form attached hereto as **Exhibit A**.
4. The Court shall retain jurisdiction over this matter and the parties to it to enforce its Judgment and Writ of Mandate until there is full performance of the terms thereof.
5. All parties shall bear their own costs and fees for this litigation.

IT IS SO ORDERED.

Dated: 11/27/2024

By: 
Judge of the Superior Court
Honorable Chad Firetag

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A

DALE K. LARSON (SBN 266165)
BEVERLY GROSSMAN PALMER (SBN 234004)
STRUMWASSER & WOOCHELL LLP
1250 6th Street, Suite 205
Santa Monica, California 90401
Tel: (310) 576-1233 • Fax: (310) 319-0156
bpalmer@strumwooch.com
dlarson@strumwooch.com

Attorneys for Petitioner Imperial County Board of Supervisors

**IN THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE – HISTORIC COURTHOUSE**

IMPERIAL COUNTY BOARD OF
SUPERVISORS and COACHELLA
VALLEY UNIFIED SCHOOL DISTRICT
Petitioners and Plaintiffs,

v.

ART TINOCO, in his official capacity as
Registrar of Voters for County of Riverside,
LINSEY DALE, in her official capacity as
Registrar of Voters for the County of Imperial,

Respondents and Defendants,

AGUSTIN ARREOLA, TRINIDAD “TRINI”
ARREDONDO, ALTRENA SANTILLANES,
JESUS GONZALEZ, ADRIAN
RODRIGUEZ, JOCELYN VARGAS,

Real Parties in Interest

Case No. **CVRI 2406191**

WRIT OF MANDATE

**Calendar Preference Required By Statute
(Elec. Code, § 13314(a)(3))**

[Code of Civil Procedure §§ 525, 1085]

Complaint filed: November 5, 2024

1 Whereas, judgment having been entered _____, 2024, in this action,
2 ordering that a peremptory writ of mandate be issued from this Court,

3 **To Respondent Registrar of Voters for the County of Imperial:**

4 **YOU ARE HEREBY COMMANDED AS FOLLOWS:**

- 5 1. You shall take all actions necessary to ensure that all voters eligible to participate in the
6 November 2024 election for the Coachella Valley Unified School District (“District”)
7 Board of Education (the “Election”) are allowed to vote in that election. This includes,
8 but is not limited to, (1) issuing mail ballots to all eligible District voters in Imperial
9 County, and accepting returned ballots from those voters within a reasonable time that is
10 consistent with regular vote-by-mail requirements; and (2) opening an in-person polling
11 location for one election day in Precinct Number 483021 for those voters in that precinct
12 who choose to vote in person. These steps shall be completed not later than March 4,
13 2025, and you shall prepare a certified statement of the results of the election and submit
14 it no later than March 18, 2025.
- 15 2. You shall work with any and all relevant parties, including all parties to this litigation, to
16 complete the actions ordered in paragraph 1 and to promptly finalize the Election. All
17 deadlines associated with finalizing the Election are hereby suspended or tolled until you
18 complete the actions ordered in paragraph 1.

19
20 **To Respondent Registrar of Voters for the County of Riverside:**

21 **YOU ARE HEREBY COMMANDED AS FOLLOWS:**

- 22 3. You shall not release the results of the portion of the Election that took place in
23 Riverside County for the November 5, 2024, election until Imperial County has
24 completed the actions ordered in paragraph 1 above.
- 25 4. You shall work with any and all relevant parties, including all parties to this litigation, to
26 promptly finalize the Election once Imperial County has completed the actions ordered
27 in paragraph 1 above by combining the tabulated results from Imperial County with the
28 previously tabulated results from Riverside County for the November 5, 2024 to produce

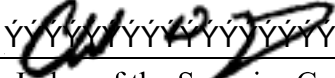
the vote totals for the Election. All deadlines associated with finalizing the Election are hereby suspended or tolled until Imperial County has completed the actions ordered in paragraph 1. This does not prohibit the timely and regular certification of all other contests in Riverside County other than the November 2024 election for the Coachella Valley Unified School District.

BOTH RESPONDENTS AND DEFENDANTS ARE FURTHER COMMANDED to file an initial return to this writ no later than ~~120~~ ¹⁰ days after this writ is served, setting forth what you have done to comply with the writ. You shall file further supplemental returns every 30 days thereafter until the writ is discharged.

PETITIONERS ARE COMMANDED to send a copy of this Writ to counsel for the Secretary of State within seven days of the Writ being issued.

LET THE WRIT OF MANDATE ISSUE.

Dated: 11/27/2024

By: 
Judge of the Superior Court

Honorable Chad Firetag