



**City Council of Monterey Park  
The City Council Acting on Behalf of the Successor Agency of the Former Redevelopment  
Agency, the Housing Authority, the Monterey Park Financing Authority and the Monterey Park  
Geologic Hazard Abatement District Agenda**

**Special Meeting  
Monterey Park City Hall, Room 266  
320 W. Newmark Avenue, Monterey Park, CA 91754**

**Wednesday, March 4, 2026  
5:30 PM**

**Mission Statement**

The mission of the City of Monterey Park is to provide excellent service, foster growth and opportunity, and create a joyous and collaborative environment.

**Land Acknowledgment**

We would like to acknowledge that the land we inhabit today was once known as Tovangaar, the home of the Gabrieleño-Tongva people. We show our respect to the Gabrieleño-Tongva people, as well as all Indigenous people, past, present, and future, and honor their labor as original caretakers of this land. We commit to uplifting the Gabrieleño-Tongva people, invite you to acknowledge the history, and join us in caring for this land.

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**General Information**

Documents related to an Agenda item are available to the public in the City Clerk's Office located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and at [www.montereypark.ca.gov/agendas](http://www.montereypark.ca.gov/agendas).

Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please email City Hall at [mpclerk@montereypark.ca.gov](mailto:mpclerk@montereypark.ca.gov) or call (626) 307-1359 for reasonable accommodation at least 8 hours before a meeting. Council Chambers are wheelchair accessible.

Pursuant to Government Code § 54954.3(a), the public may address the City Council only on matters listed on this Agenda. No other public comment will be accepted. Pursuant to Rule 5 of Resolution No. 12226 (adopted February 17, 2021), speakers are limited to a total of five minutes for Public Comment. If desirable, the Mayor and City Council may change the amount of time allowed for speakers. Written Communication will be accepted up to 3 hours before the meeting by completing an online form at [www.montereypark.ca.gov/writtencomm](http://www.montereypark.ca.gov/writtencomm).

The City Council will recess into Closed Session following public comment and the Open Session items, if any. Public participation is not allowed during Closed Session.

**1. Call to Order**

Mayor

**2. Roll Call**

Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Elizabeth Yang

**3. Telecommunications Announcement, if requested**

**4. Public Communications**

**5. Closed Session**

Upon conclusion of Closed Session, the Mayor and/or City Attorney will announce any reportable actions in accordance with the Brown Act.

**5.A. Conference With Legal Counsel—Anticipated Litigation (Threat of litigation pursuant to Government Code § 54956.9(d)(2)): One matter.**

Facts and Circumstances: See attached letters dated February 4, 2026 and February 10, 2026.

**5.B. Conference with Legal Counsel, Initiation of Litigation (Government Code § 54956.9(d)(4)). Number of Potential Cases: One.**

Name of potential defendant (voluntarily disclosed): HMC Stratcap 1977 Saturn, LLC

**6. Adjournment**

**From:** [James Pugh](#)  
**To:** [Yang, Elizabeth](#); [Lo, Henry](#); [Sanchez, Jose](#); [Wong, Thomas](#); [Ngo, Vinh T.](#)  
**Cc:** [MPClerk](#); [Alvarez, Inez](#); [Hou, Timothy](#); [Berger, Karl H.](#); [Munoz, Eliana](#); [Bryan Marsh](#); [Chris Flynn](#); [Scott Rynders](#); [Kent Raygor](#); [Rocky Delgadillo](#); [Jeff Snow](#)  
**Subject:** Council Hearing Agenda Item 9.A - 1977 Saturn - Preserving Legal Issues for Record  
**Date:** Wednesday, February 4, 2026 3:34:40 PM  
**Attachments:** [1977 Saturn - Data Center Item 9.A - 2.4.26.pdf](#)  
**Importance:** High

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[EXTERNAL EMAIL]

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

City Councilmembers and City Staff,

As you know, the process around the data center project has devolved. Other members of the applicant team are working with the city and community to advance the project.

Our focus is legal. The applicant prefers not to litigate, but the city's actions are forcing the issue. We oppose a ban on data centers and request the city not take such action, in any manner.

The attached letter is for your consideration and the administrative record.

Regards,

**James E. Pugh** | Partner  
**SheppardMullin** | Costa Mesa  
+1 714-424-2854 | ext. 12854  
+1 949-877-4891 | mobile

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**From:** James Pugh  
**Sent:** Tuesday, December 2, 2025 8:54 AM  
**To:** 'eyang@montereypark.ca.gov' <eyang@montereypark.ca.gov>; 'hlo@montereypark.ca.gov' <hlo@montereypark.ca.gov>; 'josanchez@montereypark.ca.gov' <josanchez@montereypark.ca.gov>; 'twong@montereypark.ca.gov' <twong@montereypark.ca.gov>; 'vngo@montereypark.ca.gov' <vngo@montereypark.ca.gov>  
**Cc:** 'MPClerk' <MPClerk@MontereyPark.ca.gov>; 'ialvarez@montereypark.ca.gov' <ialvarez@montereypark.ca.gov>; 'thou@montereypark.ca.gov' <thou@montereypark.ca.gov>; 'kberger@bwslaw.com' <kberger@bwslaw.com>; 'emunoz@montereypark.ca.gov' <emunoz@montereypark.ca.gov>; 'Bryan Marsh' <bmarsh@stratcap.com>; Chris Flynn <cflynn@stratcap.com>; Scott Rynders <scott@rynderscorp.com>  
**Subject:** 1977 Saturn - Litigation Risk Letter  
**Importance:** High

Dear Honorable Mayor and City Council Members,

Attached is an important letter that summarizes key information about the 1977 Saturn project. We prepared this letter for the City to provide simple answers to recent questions and provide facts about the project. We respectfully ask that you review it before the City Council hearing on December 3, 2025 to facilitate informed decision making.

Thank you,

**James E. Pugh** | Partner  
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[JPugh@sheppardmullin.com](mailto:JPugh@sheppardmullin.com) | [Bio](#)

## SheppardMullin

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**Attention:** This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

February 4, 2026

File Number: 89AF-371175

**VIA E-MAIL**

City Council  
City of Monterey Park  
320 W. Newmark Avenue  
Monterey Park, CA 91754  
Email: c/o City Clerk,  
[MPCLerk@montereypark.ca.gov](mailto:MPCLerk@montereypark.ca.gov)

Re: 1977 Saturn Data Center Project – Agenda Item 9.A on City Council Agenda

Dear Mayor and City Councilmembers,

We represent HMC StratCap 1977 Saturn, LLC (“Applicant”) regarding its data center project (“Project”) located at 1977 Saturn Street (“Project Site”) in the City of Monterey Park (“City”). It is clear to us that the City’s actions against the Project, especially lately, have become hostile. Item 9.A on the agenda for the February 4, 2026 city council meeting is yet another step evidencing the City’s ill will and bias against the Project and/or Applicant. We oppose and object to Item 9.A and request that the City not impose a data center ban in any manner. The City’s actions are subjecting it to potential litigation risks and financial liability as discussed below.

The Applicant’s preferred path for the Project is to work with the City to responsibly permit the Project and engage the community in a reasonable manner. However, since early December 2025, the city council has essentially reversed its position on the Project in a manner that amounts to an abuse of discretion and is contrary to evidence in the record. As we have previously noted, as recently as November 19, 2025, the City issued a staff report for the Project finding that it would not create significant impacts on the environment. That finding was backed by the City’s own environmental review pursuant to the California Environmental Quality Act (“CEQA”). The City hired an independent CEQA consultant to ensure that the City’s Initial Study/Mitigated Negative Declaration (“IS/MND”) adequately analyzed impacts. Similarly, the City prepared a draft ordinance (for potential approval of the Project) stating that, based on the evidence presented to the city council, the City need not prepare further environmental review. Nonetheless, the City has now flipped its position (regarding environmental review and a potential ban on data centers) and appears to have crossed the line into advocacy against the Project. The City’s flip was tied directly to, and may be in concert with, certain project opponents, and was not based on credible evidence. Those actions are unlawful and demonstrate that councilmembers are no longer neutral and unbiased.

With nearly every step in the administrative process, the City has established roadblocks, created delay, used administrative tools to undercut the Project, and generally abused its

discretion. Similarly, the councilmembers' statements to the press, coordination with opponents, and public deliberations on the data center matter demonstrate that there is an unacceptable probability of bias, and likely actual bias, on the part of a municipal decisionmaker. The Project contains quasi-adjudicatory and quasi-legislative actions combined, which triggers strict legal protocols. Accordingly, we must preserve issues for the administrative record and intend to further demonstrate the City's unlawful actions. At this time, we merely preserve certain issues for the record as the City considers a data center ban, and a potential ballot measure, to accomplish the same. We see the City's actions as politically-motivated steps, unsupported by evidence or law, intentionally designed to strip the Applicant's legal rights.

The City's effort to enact a city-wide ban of data centers also would result in an unconstitutional taking in violation of the California and United States Constitutions. In addition, the City's use of long-duration moratoriums, that are unsupported by evidence, alone can lead to liability for an unconstitutional taking. The City knows, and a court of law ultimately would understand, that the City's actions here are focused on the Applicant's property and Project. There is no hiding that fact regardless of the City's attempts to cloak the truth by claiming its actions are generally applicable to data center uses. The Applicant's project is the one and only proposed data center in the City – and the City's actions are clearly targeted at just the Applicant and this Project. The City has toggled between moratoriums, permanent bans, and other regulatory constraints that when viewed holistically demonstrate the City's unlawful acts. We reserve all rights to pursue a takings claim against the City.

The City also is violating the Applicant's substantive and procedural due process rights. Land use decisions, like all government actions, are subject to the substantive requirements of the federal and state due process clauses. Substantive due process guards against arbitrary and capricious government action, even when the decision to take that action is made through procedures that are in themselves constitutionally adequate. The City's flip-flopping based purely on public opposition and political pressure is not a basis for the city council to arbitrarily and capriciously implement measures to kill the Project, especially in the face of strong evidentiary support for the Project. Likewise, the law requires procedural due process, including but not limited to, the provision of adequate notice and an opportunity to be heard before a governmental deprivation of an individual's life, liberty, or property. Such procedural due process requires a fair hearing and administrative process. Here, the City has been anything but fair. Instead, the City has, in bad faith, repeatedly coerced and baited the Applicant into certain private decisionmaking while flaunting applicable legal procedures during public decisionmaking. We reserve all rights to pursue due process claims against the City.

The City also is violating equal protection laws. When a land use action is motivated by ill will or subjective action wholly unrelated to any legitimate state objective, an equal protection claim may be sustained as establishing that the government action is irrational. Of course, an equal protection claim can rest on additional legal constructs, which also apply in this matter. The City's actions of late have been reactionary, and based on public pressure, that the councilmembers perceive as politically threatening. As a result, the councilmembers have exhibited vindictive action and illegitimate animus toward the Applicant and the Project, which is not based on fact or evidence. Moreover, it seems clear from council hearings, and independent actions of certain city staff and elected officials, that the City is acting on improper motive and

February 4, 2026

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shirking the duties of legitimate informed decisionmaking. Even if a government action has a rational basis on its face, an equal protection challenge to the action can be based on a claim that the proffered rationale for the action is pretextual. Similarly, the City's actions on their face apply to the Project alone, as evidenced by councilmembers' own deliberations, and because the Applicant's project is the only data center proposed in the City. Examining the record in this matter, especially the recent actions of the City, demonstrates pretext for denial of the Project. All of this is within the context of the City deviating from its own rules wherein the data center is consistent with the general plan land use designation and permitted uses in the municipal code. These issues and other evidence of unlawful acts will be exposed in the disclosure of public records and communications, discovery, and depositions. We reserve all rights to pursue equal protection claims against the City.

In conclusion, the Applicant prefers not to litigate this matter, but the City's actions are forcing the issue. While we believe there are workable solutions to revitalize the chronic vacancy plaguing Saturn Park, we cannot sit idly by while the City tramples the Applicant's legal rights. The City's actions also appear shortsighted, and based primarily on a vocal contingent of people that are lying loudly about the characteristics of the Project. Recall, some of those same people have threatened you with political and physical violence; and are rage-baiting an uninformed mob to pressure your decisionmaking. There is an opportunity here to cut through the noise – and work with the genuinely concerned residents of the City – to find a mutually acceptable solution for the City, Applicant, and interested residents. However, no parties can embrace that opportunity if the City continues its onslaught of unlawful and reactionary actions against the Project. This Project would be an economic engine for the City and can be constructed and operated in an environmentally sensitive manner. The Project would provide the City with recurring revenue to address the City's most pressing social and structural issues, all without stressing the City's tax base or its fire and life safety services. That would be a direct benefit for the City's residents and businesses. Moreover, the Applicant has demonstrated its willingness to prove the environmental soundness of the Project and provide the community with tangible benefits that improve neighborhood connectivity and establish new open space that can be enjoyed by all. The City is on the verge of squandering those opportunities in exchange for litigation risk and economic damages.

Regards,



James E. Pugh  
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

February 4, 2026

Page 4

cc:

[mpclerk@montereypark.ca.gov](mailto:mpclerk@montereypark.ca.gov)

Inez Alvarez, City Manager, [ialvarez@montereypark.ca.gov](mailto:ialvarez@montereypark.ca.gov)

Timothy Hou, Director of Community Development, [thou@montereypark.ca.gov](mailto:thou@montereypark.ca.gov)

Karl Berger, City Attorney, [kberger@bwslaw.com](mailto:kberger@bwslaw.com)

Bryan Marsh, StratCap

Chris Flynn, StratCap

Scott Rynders, The Rynders Corporation

Kent R. Raygor, Sheppard Mullin

Rockard J. Delgadillo, Sheppard Mullin

SMRH:4890-6474-8275.2



February 10, 2026

**VIA E-MAIL**

City Council  
City of Monterey Park  
320 W. Newmark Avenue  
Monterey Park, CA 91754  
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Kent R. Raygor  
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File Number: 89AF-371175

Re: Notice Of Duty To Preserve Evidence

Dear City of Monterey Park and City Councilmembers:

As you know, we represent HMC StratCap 1977 Saturn, LLC ("**Applicant**") regarding the proposed data center project ("**Project**") at 1977 Saturn Street ("**Project Site**") in the City of Monterey Park. The City of Monterey Park has an existing and continuing obligation under state and federal law to preserve all evidence relating to the Project.

Please take immediate steps to ensure that the City of Monterey Park, its City Council (including Councilmembers Thomas Wong, Elizabeth Yang, Jose Sanchez, Henry Lo, Vinh T. Ngo, and any other individuals who have served at any time on the City of Monterey Park City Council since January 1, 2023), its City Manager (Inez Alvarez), its Director of Community Development (Timothy Hou), its City Attorney (Karl Berger), and its (prior since January 1, 2023 and current) employees, its staff, and all persons and entities who are in active concert or participation with the City of Monterey Park or who are associated or affiliated with the City of Monterey Park (collectively, the "**City**"), and any special consultants to the City, including but not limited to, Talbot Consulting Group (Paul Talbot) and Willdan (Jeffery Anderson) preserve and maintain, and do not alter or modify in any manner, the following documents, communications, information, electronically-stored information ("**ESI**"), data, devices, and materials<sup>1</sup>:

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<sup>1</sup> As used in these enumerated items:

- "**ESI**" includes information stored on digital systems, networks, and devices. Digital systems, networks, and devices include systems, networks, and devices that are currently in use and that are no longer in use. Digital systems networks, and devices also include systems, networks, and devices to which the City does not have immediate proximity, but over which it has agency. Examples include, without limitation, servers, computers, laptops, smartphones and tablets, messaging systems, digital devices, and cloud and other repositories.

The term "ESI" should be afforded the broadest possible definition. It includes, by way of example and not limitation, potentially relevant information stored electronically, magnetically, or optically as digital communications (e.g., e-mail, groupware, voicemail, and text, direct or private messages), word-processed documents and drafts, spreadsheets and tables and worksheets, sound recordings (e.g., .WAV and .MP3 files), databases, calendar and diary application data (e.g., Outlook PST), and backup and archival files.

ESI resides within electronic, cloud-based, magnetic, and optical storage media. Some ESI might reside in areas the City deems reasonably accessible. Some ESI might reside in areas the City

1. All mobile phones, smartphones, wearable technology devices, computers, tablets, laptops, and handheld wireless devices belonging to or used by the City and its special consultants since January 1, 2023, as well as all cloud-based, computer, and other data backup and archival systems or accounts used to back up or archive data in such devices and tangible things. ***Note that, if it becomes necessary, we intend to have such devices and tangible items delivered to and inspected by a third-party data recovery and forensic expert/analyst pursuant to CALIFORNIA CODE OF CIVIL PROCEDURE §§ 2031.030(1) and (4) so please make sure that all devices and all data and communications on such devices are preserved.***
2. All Documents, ESI, Social Media Messaging, and Tangible Things that reflect, concern, mention, or relate to: (a) all entities associated with the Applicant; (b) applications for the Project; (c) the Project and its entitlements; (d) data centers and similar permitted uses; (e) the property located at 1977 Saturn Street; (f) McCaslin Park; (g) Saturn Park; (h) the Saturn Park Advisory Review Committee ("SPARC"); (i) the Saturn Park Innovation/Technology Zone ("SPITZ"); (j) all data center and project-related ordinances, moratoriums, and city actions; (k) staff reports; (l) environmental review documents; (m) related communications with California State Legislators; (n) related communications with teachers' unions and other union groups; (o) related communications with activist groups and their

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deems not reasonably accessible. ESI stored in both areas must be preserved so as not to deny the Applicant's right to examine such evidence or impact the City's obligation to secure the evidence or a court's ability to adjudicate any issues if necessary.

- **"Tangible Things"** includes, but is not limited to, all work-related, home or personal computers, tablets, laptops and servers, handheld wireless devices, wearable technology devices (e.g., smartwatches), mobile phones and smartphones, PDAs, electronic archives, computer hard drives, removable data storage devices, back-up tapes, thumb drives or other back-up storage media, video content, audiovisual content, photographs, and calendars.
- **"Documents"** is used herein in the broadest sense possible and shall mean and include, without any limitation, any and all "writings" as that term is defined by CALIFORNIA EVIDENCE CODE § 250, papers, correspondence, notes, letters, facsimiles, transmittals, bulletins, policies, binders, file folders, printed matter, notebooks, minutes, agenda, memoranda, calendars, calendar entries, files, studies, forecasts, surveys, appraisals, invoices, statements, notes of meetings or interviews or telephone conversations, press releases, recordings of meetings or conversations or interviews either in writing or made upon any mechanical, electronic or electrical recording device, computer inputs or outputs, or any other written, graphic, or recorded representations or communications whatsoever, and any other form of communication or representation including letters, records, pictures, film, videotape, sounds, symbols, or communications thereof. The term "documents" also shall include all (a) communications (whether written, oral or electronic), including all letters, telefaxes, emails, text, direct or private messages, snapshots, letters, notes, minutes, correspondence, conferences, conversations, meetings, telephone calls, discussions, negotiations, acts, events, transactions, telegrams, handwritten transcriptions, and computer transcriptions; (b) content on websites, blogs, vlogs, and social media platforms; and (c) any and all drafts or "work-in-progress" versions of the foregoing.
- **"Social Media Messaging"** includes SMS texts, MMS messages, posts, tweets, direct messages DMs, private messages (PMs), videos, snaps, or messages on any social media platform, including, but not limited to: WhatsApp; WeChat; Instagram; YouTube; Twitter; X; TikTok; Slack; Pinterest; Facebook; Snapchat; LinkedIn; Viber; Telegram; Google Hangouts; Voxer; HeyTell; Talkatone; and Silent Phone.

members, including but not limited to, San Gabriel Valley Progressive Action; (p) related communications with teachers unions; and (q) related communications with media and press.

3. All Documents, ESI, Social Media Messaging, and Tangible Things reflecting any communications (whether written, oral or electronic, including, but not limited to, communications and content through Google, Yelp, Twitter/X, Instagram, and YouTube) that reflect, concern, mention, or relate any of the items listed in paragraph 2, above.

All of the foregoing is collectively referred to hereinafter as the “**Written And Electronic Information To Be Preserved**”.

Note that the obligation to preserve and maintain, and not alter or modify in any manner, such Written And Electronic Information To Be Preserved extends to all persons and entities with whom the City has had any communications or meetings. The City should reach out to all such persons and entities and ensure that they are on notice to preserve and maintain, and not alter, destroy, delete or modify in any manner, all such Written And Electronic Information To Be Preserved.

Please ensure that the City maintains all such Written And Electronic Information To Be Preserved and prevents any alteration, destruction, deletion, or modification of it—intentional or unintentional. The City must put a document and data retention policy in place that preserves at least the following:

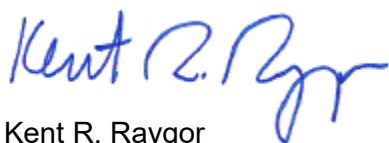
- All e-mails, texts, ESI, and Social Media Messaging concerning, reflecting, or containing Written And Electronic Information To Be Preserved. ***The City must not delete any e-mails, texts, ESI, Social Media Messaging, or other communications, whether maintained in servers or text accounts belonging to, or used by, the City.***
- All electronic databases, files and file fragments, including, but not limited to, word processing files and files from electronic calendars and scheduling programs, work-related, home or personal computers, tablets, laptops and servers, handheld wireless devices, wearable technology devices, mobile phones and smartphones, PDAs, electronic archives, computer hard drives, removable data storage devices, back-up tapes, thumb drives or other back-up storage media, and other devices upon which Written And Electronic Information To Be Preserved is or might have been stored.
- All systems and computer hard drives, removable data storage devices, back-up tapes or other back-up or archival storage media, including those no longer in use, that might be storing or might at one time have stored files or file fragments concerning, related to, or containing Written And Electronic Information To Be Preserved.
- Any other electronic data concerning, reflecting, or containing Written And Electronic Information To Be Preserved—***including, but not limited to, any and all metadata associated with such Written And Electronic Information To Be Preserved.***

The City must immediately stop any activity, including, but not limited to, deletion, rotation, destruction, disposal, replacement, overwriting and erasure, in whole or in part, that might result in the loss, deletion or alteration of any Written And Electronic Information To Be Preserved. To the extent any changes are made to electronic data processing or storage devices or systems, the City must maintain an activity log documenting such changes. With respect to fixed drives on stand-alone personal computers and networked workstations, the City must not alter or erase Written And Electronic Information To Be Preserved, and must not perform other procedures (such as data compression or disk re-fragmentation or optimization routines) that might affect or impact the Written And Electronic Information To Be Preserved stored therein, unless a true and correct copy has been made of all active files and file fragments, and all directory listings, including hidden files, for all directories and subdirectories containing such files, and arrangements have been made to preserve such copies during the pendency of this matter.

Finally, please note that, if the City fails to fully preserve and maintain all such materials, this failure could constitute spoliation of evidence and could subject the City to serious additional liability. See *Golden Door Properties, LLC v. Superior Court*, 53 Cal. App. 5th 733, 746 (2020) (“a lead agency may not destroy, but rather must retain, writings [that Public Resources Code] section 21167.6 mandates for inclusion in the record of proceedings”); *Wm. T. Thompson Co. v. General Nutrition Corp.*, 593 F. Supp. 1443, 1455 (C.D. Cal. 1984); *Kronisch v. United States*, 150 F.3d 112, 130 (2<sup>nd</sup> Cir. 1998); *Sensonics, Inc. v. Aerosonic Corp.*, 81 F.3d 1566, 1575 (Fed. Cir. 1996); *Mathias v. Jacobs*, 197 F.R.D. 29, 37 (S.D.N.Y. 2000); *Bayoil, S.A. v. Polembros Shipping Ltd.*, 196 F.R.D. 479, 482 (S.D. Tex. 2000); *Silvestri v. General Motors Corp.*, 271 F.3d 583, 591 (4<sup>th</sup> Cir. 2001); *Residential Funding Corp. v. DeGeorge Financial Shipping Ltd.*, 306 F.3d 99, 107 (2<sup>nd</sup> Cir. 2002); *Cedars-Sinai Medical Center v. Superior Court of Los Angeles County*, 18 Cal. 4th 1 (1998); CALIFORNIA EVIDENCE CODE § 413; CALIFORNIA PENAL CODE § 135; CALIFORNIA PUBLIC RESOURCES CODE § 21167.6.

The statements in this letter do not constitute a full and complete statement of the facts of, or our client’s rights or defenses with regard to, this matter, nor do such statements constitute a waiver of any of our client’s legal or equitable rights or defenses, all of which are expressly reserved.

Very truly yours,



Kent R. Raygor  
for SHEPPARD MULLIN RICHTER & HAMPTON LLP

cc: Karl H. Berger, City Attorney, [kberger@bwslaw.com](mailto:kberger@bwslaw.com)  
James E. Pugh, Sheppard  
Jack H. Rubens, Sheppard  
Rockard J. Delgadillo, Sheppard

SMRH:4932-6022-4909.1