



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

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Nov-07-2012 5:03 pm

Case Number: CPF-12-511978

Filing Date: Nov-07-2012 4:55

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JUDGMENT FOR DEFENDANT

**SAVE THE PLASTIC BAG COALITION, VS. CITY AND COUNTY OF SAN
FRANCISCO et al (CEQA Case)**

001C03833624

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OCT 29 2012

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FILED
Superior Court of California
County of San Francisco

NOV - 7 2012

CLERK OF THE COURT
BY: Audrey Johnson
Deputy Clerk

7 Attorneys for Respondents
8 CITY AND COUNTY OF SAN FRANCISCO, et al.

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SAN FRANCISCO
12 UNLIMITED JURISDICTION

13 SAVE THE PLASTIC BAG COALITION,
an unincorporated association,
14
15 Petitioner,
16 vs.

Case No. CPF-12-511978
^(al)
~~PROPOSED~~ JUDGMENT
Date Action Filed: February 29, 2012
Trial Date: August 27, 2012

17 CITY AND COUNTY OF SAN
FRANCISCO, a political subdivision of the
State of California and a municipal
18 corporation; SAN FRANCISCO PLANNING
DEPARTMENT, an agency of the City and
19 County of San Francisco; SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT,
20 an agency of the City and County of San
Francisco; and DOES 1-100, inclusive,
21
22 Respondents.

23 A hearing was held in the above captioned case on August 27 and August 28, 2012, in
24 Department 503 of the San Francisco Superior Court, the Honorable Teri L. Jackson presiding.
25 Stephen Joseph appeared on behalf of Petitioner/Plaintiff Save the Plastic Bag Coalition. Deputy City
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1 Attorneys Jim Emery, Wayne Snodgrass and Marlana Byrne appeared for Respondent/Defendant the
2 City and County of San Francisco.

3 The combined Petition/Complaint in this action included two Causes of Action. The First
4 Cause of Action asserted that San Francisco violated CEQA when it enacted its Checkout Bag
5 Ordinance. The Second Cause of Action asserted that California's Retail Food Code preempts San
6 Francisco's Checkout Bag Ordinance. The Court has considered each of Petitioner/Plaintiff's claims,
7 has reviewed the record of the administrative proceedings in this action, the parties' briefs, Requests
8 for Judicial Notice and oral argument presented at the hearing. On September 20, 2012, this Court
9 entered its Order Denying the Petition for Writ of Mandate and Complaint Alleging Preemption.

10 Accordingly, good cause appearing, IT IS ORDERED, ADJUDGED AND DECREED that:

- 11 1. This Court adopts its September 20, 2012 Order as its final ruling in this matter;
- 12 2. The combined Petition/Complaint is DENIED in its entirety, and Plaintiff/Petitioner
13 shall take nothing by means of its combined Petition/Complaint;
- 14 3. Judgment shall be entered in favor of the City and against Petitioner/Plaintiff; and
- 15 4. Defendant/Respondent City and County of San Francisco is awarded its costs in an
16 amount according to proof.

17 Dated: 11/7/12

18 
19 HON. TERI L. JACKSON
20 JUDGE OF THE SUPERIOR COURT

21 Approved as to form:

22
23 _____
24 Stephen L. Joseph, Esq.
25 Attorney for Plaintiff/Petitioner Save the Plastic Bag Coalition
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