

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Glenn L. Block (208017), Christopher G. Washington (307804) California Eminent Domain Law Group, APC 3429 Ocean View Blvd., Suite L Glendale, CA 91208 TELEPHONE NO.: 818-957-0477 FAX NO. (Optional): 818-957-3477 E-MAIL ADDRESS (Optional): glb@caledlaw.com ATTORNEY FOR (Name): Plaintiff Mendocino Railway</p>	<p>FOR COURT USE ONLY</p> <p>ELECTRONICALLY FILED 6/22/2022 9:37 AM Superior Court of California County of Mendocino</p> <p>By: John Lozano  Deputy Clerk</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Mendocino STREET ADDRESS: 100 North State Street MAILING ADDRESS: CITY AND ZIP CODE: Ukiah, CA 95482 BRANCH NAME:</p>	<p>CASE NUMBER: <div style="border: 1px solid black; padding: 2px; text-align: center;">SCUK-CVED-2020-74939</div> JUDICIAL OFFICER: Hon. Jeanine B. Nadel</p>
<p>PLAINTIFF/PETITIONER: Mendocino Railway DEFENDANT/RESPONDENT: John Meyer, et al.</p>	<p>DEPT.: E</p>
<p>NOTICE OF RELATED CASE</p>	

Identify, in chronological order according to date of filing, all cases related to the case referenced above.

1. a. Title: **City of Fort Bragg v. Mendocino Railway**
 b. Case number: **21CV00850**
 c. Court: same as above
 other state or federal court (name and address):
 d. Department: **Ten Mile Branch**
 e. Case type: limited civil unlimited civil probate family law other (specify):
 f. Filing date: **October 28, 2021**
 g. Has this case been designated or determined as "complex?" Yes No
 h. Relationship of this case to the case referenced above (check all that apply):
 involves the same parties and is based on the same or similar claims.
 arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.
 involves claims against, title to, possession of, or damages to the same property.
 is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
 Additional explanation is attached in attachment 1h
 i. Status of case:
 pending
 dismissed with without prejudice
 disposed of by judgment

2. a. Title:
 b. Case number:
 c. Court: same as above
 other state or federal court (name and address):
 d. Department:

PLAINTIFF/PETITIONER: Mendocino Railway	CASE NUMBER:
DEFENDANT/RESPONDENT: John Meyer, et al.	SCUK-CVED-2020-74939

2. (continued)

e. Case type: limited civil unlimited civil probate family law other (specify):

f. Filing date:

g. Has this case been designated or determined as "complex?" Yes No

h. Relationship of this case to the case referenced above (check all that apply):

- involves the same parties and is based on the same or similar claims.
- arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.
- involves claims against, title to, possession of, or damages to the same property.
- is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
- Additional explanation is attached in attachment 2h

i. Status of case:

- pending
- dismissed with without prejudice
- disposed of by judgment

3. a. Title:

b. Case number:

c. Court: same as above
 other state or federal court (name and address):

d. Department:

e. Case type: limited civil unlimited civil probate family law other (specify):

f. Filing date:

g. Has this case been designated or determined as "complex?" Yes No

h. Relationship of this case to the case referenced above (check all that apply):

- involves the same parties and is based on the same or similar claims.
- arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.
- involves claims against, title to, possession of, or damages to the same property.
- is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
- Additional explanation is attached in attachment 3h

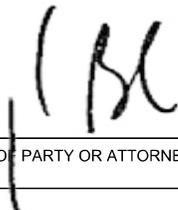
i. Status of case:

- pending
- dismissed with without prejudice
- disposed of by judgment

4. Additional related cases are described in Attachment 4. Number of pages attached: _____

Date: June 22, 2022

Glenn Block
(TYPE OR PRINT NAME OF PARTY OR ATTORNEY)


(SIGNATURE OF PARTY OR ATTORNEY)

PLAINTIFF/PETITIONER: Mendocino Railway	CASE NUMBER:
DEFENDANT/RESPONDENT: John Meyer, et al.	SCUK-CVED-2020-74939

**PROOF OF SERVICE BY FIRST-CLASS MAIL
NOTICE OF RELATED CASE**

(NOTE: You cannot serve the Notice of Related Case if you are a party in the action. The person who served the notice must complete this proof of service. The notice must be served on all known parties in each related action or proceeding.)

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*):

3429 Ocean View Blvd., Suite L, Glendale, CA 91208

2. I served a copy of the *Notice of Related Case* by enclosing it in a sealed envelope with first-class postage fully prepaid and (*check one*):

- a. deposited the sealed envelope with the United States Postal Service.
- b. placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Related Case* was mailed:

- a. on (*date*): June 22, 2022
- b. from (*city and state*): Glendale, CA

4. The envelope was addressed and mailed as follows:

- | | |
|---|---|
| <p>a. Name of person served:
Stephen Johson/Mannon, King, et al.
Street address: 200 N. School St. #304
City: Ukiah PO Box 419
State and zip code: CA 95482</p> | <p>c. Name of person served:
Maryellen Sheppard
Street address: 27200 North Highway 1
City: Fort Bragg
State and zip code: CA 95437</p> |
| <p>b. Name of person served:
Brina Blanton/County Counsel
Street address: 501 Low Gap Road,
City: Ukiah Room 1030
State and zip code: CA 95482</p> | <p>d. Name of person served:
Krista MacNevin Jee, Esq./Jones Mayer
Street address: 3777 North Harbor Blvd.
City: Fullerton
State and zip code: CA 92835</p> |

Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: June 22, 2022

Debi Carbon

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

Attachment 1h
Mendocino Railway v. John Meyer, et al.
SCUK-CVED-2020-74939

Mendocino Railway v. John Meyer (“the Meyer case”) is related to the later-filed case of *City of Fort Bragg v. Mendocino Railway* (“the Fort Bragg case”), the latter of which is pending in the Ten Mile Branch of the Mendocino County Superior Court.

Both cases concern Mendocino Railway’s rights as a **public utility** regulated by the California Public Utilities Commission. In the *Meyer* case, Mendocino Railway is asserting its right as a public utility to condemn private property pursuant to Public Utilities Code section 611. In Meyer’s Amended Answer, filed on May 27, 2022, his defense turns, in large part, on the allegation that Mendocino Railway is not a public utility.

In the *Fort Bragg* case, the City of Fort Bragg has sued Mendocino Railway with respect to the same issue. The City seeks a court declaration that Mendocino Railway is no longer a public utility.

Thus, both cases share the same party (Mendocino Railway). And, in both cases, the railroad’s opponents raise the same substantial question. To conserve judicial resources and avoid potentially conflicting rulings from the same Court, the cases should be related, so that the later-filed case (the *Fort Bragg* case) is transferred to Judge Nadel, who is presiding over the earlier-filed *Meyer* case.

PROOF OF SERVICE

Mendocino Railway v. John Meyer, et al.
Mendocino Superior Court Case No.: SCUK-CVED-20-74939

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 3429 Ocean View Boulevard, Suite L, Glendale, CA 91208. On June 22, 2022, I served the within document(s):

NOTICE OF RELATED CASE

- ELECTRONIC MAIL:** By transmitting via e-mail the document listed above to the e-mail address set forth below.
- BY MAIL:** By placing a true copy of the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Glendale, California addressed as set forth in the attached service list
- OVERNIGHT DELIVERY:** By overnight delivery, I placed such document(s) listed above in a sealed envelope, for deposit in the designated box or other facility regularly maintained by United Parcel Service for overnight delivery and caused such envelope to be delivered to the office of the addressee via overnight delivery pursuant to C.C.P. §1013(c), with delivery fees fully prepaid or provided for.
- PERSONAL SERVICE:** By personally delivering the document(s) listed above to the person(s) listed below at the address indicated.

I am readily familiar with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 22, 2022, in Glendale, California.


Debi Carbon

SERVICE LIST

Mendocino Railway v. John Meyer, et al.
Mendocino Superior Court Case No.: SCUK-CVED-20-74939

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Attorneys for Plaintiff City of Fort
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