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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

SAN FRANCISCO BAYKEEPER, a  
 California non-profit corporation,

Plaintiff,

v.

CITY OF SUNNYVALE, a municipality,

Defendant.

Case No. 5:20-CV-00824-EJD

**DEFENDANTS' MOTION FOR  
 SANCTIONS FOR SPOILIATION OF  
 LABORATORY EVIDENCE**

Hearing Date: July 10, 2025  
 Time: 9:00 a.m.  
 Dept.: Courtroom 4  
 Judge: Honorable Edward J. Davila

Filed: February 4, 2020  
 Trial Date: June 10, 2025

**NOTICE OF MOTION**

TO PLAINTIFF AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT on July 10, 2025 at 9:00 a.m. or as soon as the matter may be heard, at the United States District Court for the Northern District of California, San Jose Courthouse, Courtroom 4 - 5th Floor, 280 South 1st Street, San Jose, CA 95113, before the Honorable Edward J. Davila, Defendants City of Sunnyvale and City of Mountain View (collectively, "Cities") will jointly move pursuant to Federal Rules of Civil Procedure 37 and the Court's inherent authority for an order imposing evidentiary sanctions for spoliation of laboratory evidence against Plaintiff San Francisco Baykeeper.

The Cities seek: (1) an evidentiary sanction excluding from evidence laboratory test reports, Exhibits 14-22, or, in the alternative (2) an adverse evidentiary inference that the laboratory test reports are unreliable and lack credibility, affording them little to no weight.

This motion is based upon this Notice of Motion, Memorandum of Points and Authorities, Declaration of Melissa Thorme, accompanying exhibits, the accompanying proposed order, and further written and oral argument that may be presented.

DATED: June 17, 2025

STOEL RIVES LLP

By: 

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**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION**

Whether by conscious effort or gross negligence, Plaintiff San Francisco Baykeeper’s (“Plaintiff”) failure to abide by its discovery obligations has severely prejudiced Defendants City of Sunnyvale and City of Mountain View (collectively, “Defendants” or “Cities”) and interfered with their ability defend against Plaintiff’s prosecution of its claims. Plaintiff had certain samples tested by Alpha Analytical Laboratories, Inc. (“Alpha Labs”). The underlying raw test from that lab testing and its quality assurance/quality check data, if any, underlying the test results (“QA/QC”) – testing which as the core of Plaintiff’s lawsuit – were destroyed despite the initiation of litigation and *during* the litigation of Plaintiff’s claims. The laboratory tests’ raw data and QA/QC are material to Plaintiff’s claims and directly responsive to discovery requests that Defendants issued. Plaintiff failed to preserve relevant, responsive, and material evidence after this litigation commenced and after Defendants sought the documents through discovery.

Plaintiff’s duty to preserve potentially relevant evidence arose, *at the latest*, on February 4, 2020, when Plaintiff filed this lawsuit. Despite Plaintiff’s discovery obligations, Plaintiff never issued a litigation hold to Alpha Labs, and Alpha Labs destroyed the raw data or QA/QC data underlying the test results Plaintiff now relies on in trial (specifically, the Alpha Labs Reports, Exhibits 14-22 (the “Lab Reports”).)

This destruction of evidence is willful spoliation. Plaintiff and Alpha Labs had more than the required “some notice” that the evidence was potentially relevant to the litigation. Alpha Labs’ duty to preserve and subsequent breach of that duty is imputed to Plaintiff considering the extreme prejudicial effect it has on Defendants.

Plaintiff’s spoliation of evidence highly prejudices Defendants’ defenses at trial. The laboratory testing’s raw data and QA/QC data are central to the issues of the litigation. Without the underlying raw data or QA/QC data of the Lab Reports, Defendants are deprived of the opportunity to independently examine and verify crucial evidence. Defendants respectfully request

1 that the Court exclude the Lab Reports, or, in the alternative, issue an adverse evidentiary inference  
2 regarding the lack of credibility and reliability of the Lab Reports, affording them little to no weight.

## 3 **II. RELEVANT FACTUAL BACKGROUND**

4 Plaintiff filed its initial Complaints against the Cities on February 4, 2020. (Dkt. 1.)  
5 Plaintiff failed to issue a litigation hold to Alpha Labs (Trial Transcript at 47:7-19.) In early 2021,  
6 each of the Cities propounded on Plaintiff the following document request:

7 Request for Production No. 7: Please produce all documents referring, relating, or  
8 pertaining to any environmental sampling, testing, and analysis (including soil, water, or  
9 any other solid or liquid material or substance) that refers, relates, or pertains to any  
10 discharge from the City of Sunnyvale's MS4 system, regardless of whether such sampling,  
11 testing, or analysis was conducted by you or any other person.

12 On April 9, 2021, Plaintiff served its Objections and Responses to the Cities Request for  
13 Production, Set One. Though Plaintiff responded to the request and identified certain documents,  
14 Baykeeper never produced underlying raw laboratory data nor QA/QC data. (Declaration of  
15 Melissa A. Thorne ("Thorne Decl.") Ex. A)

16 Testimony from the Technical Director of a laboratory that Plaintiff used for subsequent  
17 testing shows the critical importance of the raw laboratory data and quality assurance/quality  
18 check ("QA/QC") data that Alpha and Plaintiff failed to preserve. Daniel Johnson, Technical  
19 Director of California Laboratory Services, testified as follows:

20 Q. Aside from Exhibit 12, what other company records did you review to verify that this  
21 was an accurate representation of the original document that was produced?

22 A. I looked at all of the raw data and compared the results to the results on the report that  
23 was given to me; and I also had some printed draft reports that were in the folder that had  
24 that information correlating to this as well.

25 (Thorne Decl. Ex. B, Transcript of Trial Proceedings[1], Vol. 1, June 10, 2025 ("Trial  
26 Transcript") at 68:5-11)

27 Q. Earlier you mentioned that you went back to compare the raw data to the results in  
28 Plaintiff's Exhibit 12. Why was that necessary?

1 A. At the time, we did not have a digital version of this in our system for me to reference  
2 easily, so I had to find the folder and correlate all of the data as it was given to me to  
verify before signing any kind of declaration verifying the validity of this.

3 (Trial Transcript at 81:5-12.)

4 Mr. Johnson also explained how raw data is relied upon for conclusions regarding the  
5 reliability of the sampling process:

6 Q. And did you review any internal records that are not portrayed in Exhibit 12 that  
7 further confirm that these were all processed together?

8 A. I reviewed the raw data, and the raw data indicates that they were all processed at the  
9 same time.

10 (Trial Transcript at 72:15-19.)

11 Q. Do you know whether this specific E. coli sample was run under the MPM multiple-2  
12 method, the multiple-tube, multiple-well method, or the MF two-step or single-step  
method?

13 A. These were run by the multiple-tube method, the first one that you had listed.

14  
15 (Trial Transcript at 75:7-12.)

16 Q. And what records did you review to acquire that information?

17 A. The raw data shows that the sample was grown in a lauryl tryptose broth. Lauryl  
18 tryptose broth, I believe, is the name that it's called. . . .

19 (Trial Transcript at 75:13-17.)

20 Q. And does CLS retest samples to confirm their accuracy?

21 A. If there's a discrepancy, we will request an additional sample for a retest. For this  
22 particular sample, there would need to have been a request for a retest and an additional  
23 sample supplied, but it does not appear that a retest was performed on this based on the  
raw data in the folder.

24 (Trial Transcript at 77:12-18.)

25 Q. And looking at page 3, why do these results not indicate whether a 10× dilution was  
26 implemented?

27 A. Generally, when it comes to multi-tube testing, the dilution is chosen at the time of  
28 preparation of the samples, which would be recorded on the raw data. The initial volume



1 chosen for each test would include a 10-times dilution at that time, and the final results are  
2 then calculated from that information.

3 (Trial Transcript at 78:13-21.)

4 Q. And based on the records that you reviewed in preparation for today, did you confirm  
5 whether the raw data indicated a 10× dilution of these samples?

6 A. I did not find that there was a 10-times dilution on these samples.

7 (Trial Transcript at 78:22-79:1.)

8 Nevertheless, Alpha Labs destroyed the underlying raw data for Lab Reports, Exhibits 14-

9 22. Robbie Phillips, President of Alpha Labs, testified as follows:

10 Q. And you don't have any of the back-up test results or data related to what purports to  
11 be in Exhibits 14 through 22, do you?

12 A. Correct.

13 Q. And you don't have any documents relating to quality assurance, quality control,  
14 QA/QC procedures that may or may not have been used in connection with this testing?

15 A. Correct.

16 Q. All right. Are you familiar with something known as a litigation hold? Have you ever  
17 heard that word before?

18 A. No.

19 Q. Well, I'll represent to you that a litigation hold is often sent out when litigation starts  
20 by a party to document custodians in its company, or sometimes to third parties, saying  
21 we're in litigation, we need you to keep these records for purposes of that litigation.  
22 Okay? Do you follow me so far?

23 A. Yep.

24 Q. Did you ever get a litigation hold from Baykeeper on this important testing that you did  
25 for them?

26 A. No.

27 Q. And so you destroyed the documents that Alpha once had related to this testing?

28 A. Yeah, along with every other customer's documents past the five-year mark.

(Trial Transcript at 46:24-47:23.)

1 Finally, because of this spoliation, Alpha did not even have a copy of the documents marked  
2 as exhibits in its own files, in stark contrast to the record retention at California Laboratory Services.  
3 Mr. Johnson testified:

4 Q. And based on your review of that document, were you able to confirm that the  
5 document provided was the same as the document located in California Laboratory  
6 Services files?

7 A. Yes, they were the same document.

8 (Trial Transcript at 60:24-61:2.)

9 In cross-examination, Mr. Phillips, President of Alpha Labs, conceded as follows:

10 Q. So you don't have the emails that were just marked and the test reports as Exhibits 14  
11 through 22; those did not come from Alpha's files, correct?

12 A. Correct.

13 (Trial Transcript at 46:17-20.)

14 Further, Mr. Wren, a Scientist with Plaintiff, testified that Plaintiff routinely contracts  
15 with Alpha Labs:

16 Q. Okay. And for 2017 to 2019, I guess your water year is 2018/2019, you had that testing  
17 performed by Alpha Analytical; Is that correct?

18 A. Correct.

19 Q. And how often did you use them for testing?

20 A. During all of the sampling.

21 Q. And have you used them for other matters?

22 A. Yes.

23 (Trial Transcript at 291:15-22.)

24 Yet, despite this relationship, Plaintiff did not request the underlying data or QA/QC data  
25 from Alpha Labs, even though Mr. Wren testified Alpha Labs would have provided it if he  
26 requested it:

27 Q. And do you have a legal right to get back-up information from them in order to verify  
28 the test results in their qa/qc?

1 A. I don't know my legal rights to that. I assume if I requested they would provide it  
2 though.

3 Q. And have you ever done that?

4 A. Not after the fact, no.

5 (Trial Transcript at 292:5-10.)

### 6 **III. ARGUMENT**

#### 7 **A. LEGAL STANDARD**

8 A court has “authority to sanction litigants for discovery abuses both under the Federal  
9 Rules of Civil Procedure and pursuant to the court’s inherent power to prevent abuse of the judicial  
10 process.” *Network Appliance, Inc. v. Bluearc Corp.*, 2005 WL 1513099, at \*2 (N.D. Cal. June 27,  
11 2005); *In re Yagman*, 796 F.2d 1165, 1187 (9th Cir. 1986), *as amended by* 803 F.2d 1085. This  
12 power includes the “broad discretion to make discovery and evidentiary rulings conducive to the  
13 conduct of a fair and orderly trial.” *Campbell Indus. v. M/V Gemini*, 619 F.2d 24, 27 (9th Cir. 1980);  
14 *In re Napster, Inc. Copyright Litigation*, No. C MDL-00-1369 MHP, 2006 WL 3050864 at \*3 (N.D.  
15 Cal. Oct. 25, 2006).

16 The duty to preserve relevant evidence extends beyond just the parties to litigation. Upon  
17 a finding that non-party spoliated evidence, and that the non-party’s spoliation may be imputed to  
18 the adverse party in a lawsuit, the court may issue appropriate adverse sanctions to remedy the non-  
19 party’s spoliation. *Gay v. Parsons*, No. 16-CV-05998-CRB (PHK), 2024 WL 4224893, at \*3 (N.D.  
20 Cal. Sept. 17, 2024) (citing *Pettit v. Smith*, 45 F. Supp. 3d 1099, 1105 (D. Ariz. 2014); *Ramos v.*  
21 *Swatzell*, No. EDCV121089BROSPX, 2017 WL 2857523, at \*13 (C.D. Cal. June 5,  
22 2017).) “[C]ourts have extended the affirmative duty to preserve evidence to instances when that  
23 evidence is not directly within the party's custody or control so long as the party has access to or  
24 indirect control over such evidence.” *World Courier v. Barone*, No. 063072, 2007 WL 1119196,  
25 \*1 (N.D. Cal. Apr. 16, 2007) (sanctioning spoliation caused by nonparty; citing, e.g., *Silvestri v.*  
26 *General Motors Corp.*, 271 F.3d 583 (4th Cir. 2001); *followed by Cyntegra, Inc. v. Idexx Labs.,*  
27 *Inc.*, No. 06-4170, 2007 WL 5193736, \*5 (C.D. Cal. Sept. 21, 2007) (same).

Courts in this circuit have found that an adverse inference instruction may be warranted “where the destruction was either willful or grossly negligent.” *Reinsdorf v. Skechers U.S.A., Inc.*, 296 F.R.D. 604, 627 (C.D. Cal. 2013); *In re Napster, Inc. Copyright Litig.*, 462 F. Supp. 2d 1060 at 1066 (a party’s destruction of evidence need not be in bad faith to warrant a court’s imposition of sanctions). Willful spoliation occurs if the party has “some notice that the documents were potentially relevant to the litigation before they were destroyed.” *United States v. Kitsap Physicians Serv.*, 314 F.3d 995, 1001 (9th Cir. 2002) (“*Kitsap*”) (citation and quotation omitted); *see also Glover v. BIC Corp.*, 6 F.3d 1318, 1329 (9th Cir. 1993) (holding that simple notice of “potential relevance to the litigation” may justify an adverse inference instruction) (citing *Akiona v. United States*, 938 F.2d 158, 161 (9th Cir. 1991); *In re Nat’l Security Agency Telecomm. Records Litig.*, 2007 WL 3306579, at \*1 (N.D. Cal. Nov. 6, 2007) (party’s duty to preserve includes “employees, agents, contractors”).

#### **B. RELEVANT LABORATORY EVIDENCE WAS SPOLIATED**

In *Gay v. Parsons*, the court issued adverse inference sanctions following a non-party’s spoliation of evidence which was imputed to the party to the litigation. No. 16-CV-05998-CRB (PHK), 2024 WL 4224893, at \*10. In reaching this holding, the court engaged in a three-part inquiry. *See id.* at \* 3. First, the court evaluated whether the non-party spoliated evidence. *Id.* Finding the non-party spoliated evidence, the court next evaluated whether the non-party’s spoliation may be imputed to the party in the litigation. *Id.* at \* 6. Then, upon finding the non-party’s spoliation is properly imputed to the party, the court analyzed the proper sanctions for the spoliation. *Id.* at \* 9.

To determine the whether the non-party spoliated evidence, the court looks to the non-party’s obligation to preserve relevant evidence, the relevance of the spoliated evidence, and whether the non-party was grossly negligent in failing to preserve relevant evidence. *Gay*, No. 16-CV-05998-CRB (PHK), 2024 WL 4224893, at \*3-6. All three factors are met here.

First, factors relevant to determining whether the non-party is interested include the professional and legal relationships between the party and non-party, and the extent of the non-

1 party's control over the spoliated evidence in question. *Id.* (finding an obligation to preserve  
 2 relevant evidence where a professional relationship between the non-party and party, coupled with  
 3 the non-party's custody of the evidence from the time the party provided the evidence until the  
 4 evidence was destroyed). Here, Plaintiff regularly contracted with Alpha Labs for testing of  
 5 samples that Plaintiff collected, including the samples at issue here. Alpha Labs was hired by  
 6 Plaintiff and was acting at the request of Plaintiff when it tested the samples at issue. *See Innis*  
 7 *Arden Golf Club v. Pitney Bowes, Inc.*, 257 F.R.D. 334, 340–41 (D. Conn. 2009) (Property owner  
 8 breached its duty to preserve evidence when environmental consulting firm it hired disposed of soil  
 9 samples from its property and related data and documents, and thus was subject to sanctions).

10 Second, when looking at whether the allegedly spoliated evidence was relevant, the standard  
 11 is broad and merely considers whether the missing evidence is relevant to a party's claim or  
 12 defense. "Evidence is relevant if it has "any tendency to make the existence of any fact that is of  
 13 consequence to determination of the action more probable or less probable that it would be without  
 14 the evidence." Federal Rules of Evidence, Rule 401. If document destruction has made it more  
 15 difficult for a party to prove the relevancy of the destroyed documents, the burden of proof on the  
 16 party requesting the adverse inference instruction is even lower. *Ritchie v. U. S.*, 451 F.3d 1019,  
 17 1025 (9th Cir. 2006); *Ramos*, 2017 WL 2857523, at \*6. Here, the evidence is relevant because  
 18 Plaintiff is relying on the Lab Reports to support its claims against Defendants.

19 In *Livingston v. Isuzu Motors, Ltd.*, 910 F. Supp. 1473, 1494 (D. Mont. 1995), the court  
 20 ruled that evidence that defendant auto manufacturer failed to retain raw test data regarding the  
 21 rollover rate of its sport utility vehicle was relevant and thus admissible to suggest that Isuzu  
 22 deliberately destroyed this information in bad faith and with intent to dispose of unfavorable  
 23 information. Although "summary reports" were still available, the court determined that "without  
 24 the raw data it is nearly impossible to verify the accuracy of the reports," and that evidence of the  
 25 destruction of the raw data is relevant "when considering the accuracy and thoroughness of the  
 26 summary reports." *Id.* Similarly, here, without the raw data and QA/QC data underlying the Lab  
 27 Reports, it is nearly impossible to accurately quantify the Lab Reports, including the frequency,  
 28

1 amount, source, and contents of alleged discharges and whether proper testing and QA/QC  
2 procedures were employed on these tests.

3 Third, to determine a non-party's gross negligence, the court considers any willfulness or  
4 fault by the offending party, which includes negligent and intentional acts violating a duty to  
5 preserve relevant evidence. *Id.* at \*5 (citing *Pettit*, 45 F. Supp. 3d at 1112). In *Gay*, the non-party's  
6 destruction was grossly negligent despite the alleged inadvertent destruction because the non-party  
7 was on notice of the pending litigation, failed to take appropriate steps to carry out a litigation hold  
8 or otherwise preserve the evidence despite having ample time to do so. *Id.* at \*5-6. Here, Plaintiff  
9 initiated the litigation and submitted samples for testing in anticipation of litigation. Indeed, raw  
10 data and QA/QC data were destroyed *during* litigation because Plaintiff failed to issue a litigation  
11 hold on a non-party under its control. Plaintiff is surely familiar with litigation holds, having filed  
12 more than approximately 150 federal court cases. (Thorne Decl., Ex. C.)

13 C. **PLAINTIFF HAD A DUTY TO PRESERVE THE LABORATORY**  
14 **EVIDENCE AND ALPHA LABS' SPOILIATION IS IMPUTABLE TO**  
15 **PLAINTIFF**

16 The non-party's spoliation should be imputed to the Plaintiff. *See Gay*, No. 16-CV-05998-  
17 CRB (PHK), 2024 WL 4224893, at \*6-9. Resolution of this issue depends on (1) whether the party  
18 had an obligation to preserve relevant evidence at the time of destruction and (2) whether the party  
19 acted with a culpable state of mind when failing to prevent the non-party from destroying the  
20 relevant evidence in question. *Id.* at \*6. Indisputably, a party's obligation to preserve relevant  
21 evidence generally attaches "[a]s soon as a potential claim is identified, [whereby] a litigant is  
22 [then] under a duty to preserve evidence which it knows or reasonably should know is relevant to  
23 the action." *Id.* at \*6 (citing *In re Napster, Inc. Copyright Litig.*, 462 F. Supp. 2d at 1067). In  
24 *Silvestri v. General Motors Corp.*, the court found that the spoliation of evidence was imputable to  
25 plaintiff even though the destruction of the evidence (a vehicle) was carried out by a third-party  
26 plaintiff hired because plaintiff authorized the third-party to collect data for a potential lawsuit.  
27 *Silvestri v. Gen. Motors Corp.*, 271 F.3d 583, 592 (4th Cir. 2001). Despite knowing the significance  
28 of preserving the evidence, plaintiff took no steps to ensure defendant had access to the evidence

1 or notice of his claim. *Id.* Similarly, here, Plaintiff submitted samples for testing and failed to issue  
 2 a litigation hold on the underlying data even though its Complaint was filed (in 2020) within the  
 3 retention policy period and despite discovery requests from Defendants requesting this data.  
 4 Plaintiff failed to take the necessary steps to assure Defendants equal access to the full laboratory  
 5 evidence.

6 **IV. THE PROPER SANCTION FOR THE DESTROYED LABORATORY EVIDENCE**  
 7 **IS EXCLUSION OF THE LABORATORY REPORTS OR FOR AN ADVERSE**  
 8 **EVIDENTIARY INFERENCE REGARDING THE LABORATORY REPORTS**

9 When fashioning a remedy for spoliation of evidence, a Court should consider a sanction  
 10 designed to: (1) penalize those whose conduct may be deemed to warrant such a sanction; (2) deter  
 11 parties from engaging in the sanctioned conduct; (3) place the risk of an erroneous judgment on the  
 12 party who wrongfully created the risk; and (4) restore the prejudiced party to the same position he  
 13 would have been in absent the wrongful destruction of evidence by the opposing party.  
 14 *Advantacare Health Partners v. Access IV*, No. C 03-04496 JF, 2004 WL 1837997, at \*4 (N.D.  
 15 Cal. Aug. 17, 2004) (citing *Nat'l Hockey League v. Metro. Hockey Club, Inc.*, 427 U.S. 639, 643  
 16 (1976); *Wyle v. R.J. Reynolds Indus., Inc.*, 709 F.2d 585, 589 (9th Cir. 1983)).

17 The court in *AmeriPride Services, Inc. v. Valley Indus. Service, Inc.*, 2006 WL 2308442 at  
 18 \*4 (E.D. Cal. Aug 9, 2006) addressed spoliation of evidence in the context of the migration of  
 19 contaminated groundwater from an industrial laundry facility in Sacramento. There, the then  
 20 current owner AmeriPride destroyed evidence relating to contaminated soil and piping which may  
 21 have revealed that PCE contaminated wastewater was released into the soil. *Id.* at \*8. The  
 22 destruction of the relevant evidence made analysis of the concentration of contaminants and their  
 23 source impossible to determine. *Id.* at \*3. In determining that an adverse inference was appropriate,  
 24 the Court held that AmeriPride acted with “substantial and prejudicial obduracy” when it failed to  
 25 take steps to preserve the evidence. *Id.* at \*10. The court noted, “[w]here one party wrongfully  
 26 denies another the evidence necessary to establish a fact in dispute, the court must draw the  
 27 strongest allowable inferences in favor of the aggrieved party.” *Id.* at \*5. It stated that the rationale  
 28 of such an inference is based on the fact that a “party who is on notice that evidence is relevant and



1 then destroys that evidence is “more likely to have been threatened” by that evidence,” in addition  
 2 to acting as a “deterrent.” *Id.* at \*10. After contemplating dismissal, the court awarded the “lesser  
 3 sanction” and instructed the jury “that the removed pipes leaked PCE-contaminated wastewater  
 4 into the soil and groundwater and that this contamination was a cause of the contamination on the  
 5 Huhtamaki property” and prohibited Ameripride “from presenting any evidence which denies that  
 6 AmeriPride contributed to the soil and groundwater contamination.” *Id.*

7 Since the physical evidence no longer exists, and there is no alternative means for  
 8 Defendants to independently investigate the underlying raw data and QA/QC data, the narrowest  
 9 possible sanction to remedy the prejudice to Defendants is to exclude from the evidence the Lab  
 10 Reports or for an evidentiary inference regarding the lack of reliability and credibility of the Lab  
 11 Reports, affording them little to no weight.

## 12 **V. MONETARY SANCTIONS ARE PROPER**

13 Plaintiff’s spoliation of evidence necessitated the filing of this motion seeking relief.  
 14 Accordingly, Defendants’ counsel’s “reasonable expenses, including attorney’s fees” incurred in  
 15 bringing this motion must be borne by Plaintiff. *See In re Napster*, 462 F. Supp. 2d at 1078  
 16 (awarding plaintiff attorneys’ fees associated with bringing the motion for sanctions for spoliation  
 17 of evidence and with the meet and confer process); *Optrics Inc. v. Barracuda Networks Inc.*, 2021  
 18 WL 411349, at \*10 (N.D. Cal. Feb. 4, 2021) (awarding attorney’s fees for successful motion for  
 19 sanctions); *Greenlight Sys., LLC v. Breckenfelder*, 2020 WL 7240196, at \*2 (N.D. Cal. Dec. 9,  
 20 2020) (same).

21 Plaintiff’s willful spoliation (imputed from Alpha Labs’ spoliation) of raw data and QA/QC  
 22 data warrants a monetary sanction against Plaintiff in the amount of Defendants’ costs and  
 23 attorneys’ fees associated with bringing this motion.

## 24 **VI. CONCLUSION**

25 The whole crux of this case is the Lab Reports, which is impossible to verify when the  
 26 underlying raw data and QA/QC data are lost. The narrowest possible sanction to remedy  
 27 Plaintiff’s failure to preserve relevant evidence is the exclusion of the Lab Reports, or, in the  
 28



1 alternative, an adverse evidentiary inference regarding the lack of reliability and credibility of the  
2 Lab Reports, affording them little to no weight.

3  
4  
5 DATED: June 17, 2025

STOEL RIVES LLP

6  
7 By:



MELISSA A. THORME

EDWARD C. DUCKERS

BAO M. VU

ANDREW D. PEREZ

Attorneys for Defendants,

10  
11 CITY OF SUNNYVALE and  
12 CITY OF MOUNTAIN VIEW  
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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

SAN FRANCISCO BAYKEEPER, California  
 non-profit corporation,

Plaintiff,

v.

CITY OF SUNNYVALE, a municipality;

Defendant,

and

CITY OF MOUNTAIN VIEW, a municipality,

Defendant.

Case No. 5:20-cv-00824-EJD  
*(Cons. With Case No. 5:20-cv-00826-EJD)*

**DECLARATION OF MELISSA A.  
 THORME IN SUPPORT OF  
 DEFENDANTS' MOTION FOR  
 SANCTIONS FOR SPOILIATION OF  
 LABORATORY EVIDENCE**

Hearing Date: July 10 , 2025  
 Time: 9:00 a.m.  
 Dept.: Courtroom 4  
 Judge: Honorable Edward J. Davila

Filed: February 4, 2020  
 Trial Date: June 10, 2025

1 I, Melissa A. Thorme, declare as follows:

2 1. I am an attorney duly licensed to practice law in the State of California and attorney  
3 of record in this action for Defendants City of Sunnyvale and City of Mountain View (“Defendants”  
4 or “Cities”). I submit this Declaration in support of the Defendants’ Motion for Sanctions for  
5 Spoliation of Laboratory Evidence, submitted concurrently herewith. I have personal knowledge of  
6 the facts stated in this Declaration, and, if called as a witness, I could and would testify competently  
7 to these facts.

8 2. On January 27, 2021, each of the Cities propounded Request for Production of  
9 Documents, Set One on Plaintiff, San Francisco Baykeeper (“Baykeeper”). Baykeeper served its  
10 objections and responses to the Cities on April 9, 2021. True and correct copies of excerpts of  
11 Baykeeper’s responses are collectively attached hereto as **Exhibit A**.

12 3. Baykeeper’s responses included a response to Request for Production No. 7, which  
13 sought “all documents referring, relating, or pertaining to any environmental sampling, testing, and  
14 analysis (including soil, water, or any other solid or liquid material or substance) that refers, relates,  
15 or pertains to any discharge from the City of Sunnyvale’s MS4 system, regardless of whether such  
16 sampling, testing, or analysis was conducted by you or any other person.” Though Baykeeper  
17 responded to Request for Production No. 7, and identified and produced certain responsive  
18 documents, Baykeeper never produced underlying raw laboratory data nor quality assurance or  
19 quality control data.

20 4. Trial commenced in this matter on June 10, 2025. True and correct copy of excerpts  
21 of the Trial Transcript are attached hereto as **Exhibit B**.

22 5. On June 17, 2025, I directed my staff to run a report for all cases in which San  
23 Francisco Baykeeper is listed as a Plaintiff. A true and correct copy of a LexisNexis report is  
24 attached hereto as **Exhibit C**.

25  
26  
27  
28

1 I declare under penalty of perjury under the laws of the State of California that the foregoing  
2 is true and correct. Executed this 17th day of June 2025 in San Jose, California.

3  
4   
5 \_\_\_\_\_  
6 Melissa A. Thorme  
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# EXHIBIT A

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14

**Attorneys for Plaintiff**

15 SAN FRANCISCO BAYKEEPER

16 **UNITED STATES DISTRICT COURT**  
17 **NORTHERN DISTRICT OF CALIFORNIA**  
18 **SAN JOSE DIVISION**

19 SAN FRANCISCO BAYKEEPER, a California  
non-profit corporation,

20 Plaintiff,

21 v.

22 CITY OF SUNNYVALE, a municipality,

23 Defendant, and.

24 CITY OF MOUNTAIN VIEW, a municipality,

25 Defendant.

Lead Case No.: 5:20-cv-00824-EJD

*Consolidated Case No.: 5:20-cv-00826-EJD*

**PLAINTIFF'S OBJECTIONS AND  
RESPONSES TO DEFENDANT CITY OF  
MOUNTAIN VIEW'S REQUESTS FOR  
PRODUCTION, SET ONE**

Judge: Hon. Edward J. Davila

Action Filed: 2/4/2020

1 REQUEST FOR PRODUCTION NO. 6:

2 Please produce each and every DOCUMENT that REFERS, RELATES, OR PERTAINS TO  
3 any COMMUNICATION regarding the City of Mountain View with any employee, agent,  
4 representative, member, or PERSON affiliated with the State Water Resources Control Board and/or  
5 the Regional Water Quality Control Board, San Francisco Region, on or between January 1, 2014 and  
6 the present.

7 RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

8 Defendant has not limited this Request to communications that relate to this action; therefore,  
9 Plaintiff objects to this Request to the extent it seeks documents that are not relevant to Plaintiff's  
10 claims or the City's defenses. Subject to and without waiving this objection, Plaintiff produces the  
11 documents listed in Exhibit A in response to this Request.

12 REQUEST FOR PRODUCTION NO. 7:

13 Please produce each and every DOCUMENT that Refers, Relates or Pertains to any  
14 ENVIRONMENTAL sampling, testing, and/or analysis (including soil, water, or any other solid or  
15 liquid material or substance) that REFERS, RELATES, OR PERTAINS TO any discharge from the  
16 City of Mountain View's MS4 system, regardless of whether such ENVIRONMENTAL sampling,  
17 testing, and/or analysis was taken by YOU or any other PERSON

18 RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

19 Plaintiff objects to this Request to the extent it seeks documents that are confidential,  
20 privileged exchanges between Plaintiff and Plaintiff's staff, members, and directors and counsel,  
21 attorney work product, and/or protected by another applicable privilege, and Plaintiff is not producing  
22 such documents. Plaintiff further objects to the extent that it seeks documents that have been  
23 produced to Plaintiff by Defendant, and Plaintiff is not producing such documents, as the burden of  
24 producing such documents outweighs any benefit to Defendant from the production. Baykeeper  
25 further objects to the extent it seeks documents that are not relevant to the claims or defenses at issue  
26 in this action.

27 Subject to and without waiving these objections, Plaintiff refers Defendant to the following  
28

documents that may be responsive to this Request: P-SVMV 001077-001621. Plaintiff further produces the documents listed in Exhibit D that may be responsive to this Request.

REQUEST FOR PRODUCTION NO. 8:

Please produce each and every map depicting or purporting to depict the City of Mountain View MS4, any portion thereof, or any discharge point thereof, including but not limited to any photographs, maps, drawings, or other media.

REQUEST FOR PRODUCTION NO. 8:

Plaintiff objects to this Request because it is ambiguous as to what it is seeking; it seeks all “*maps* depicting or purporting to depict the City of Mountain View MS4 . . .,” yet the Request appears to define photographs as a type of map. Photographs are not maps, and thus, Defendant’s Request is unclear. Plaintiff interprets this Request to seek maps, not photographs which may show parts of the City’s MS4 (such photographs have been produced pursuant to other requests or as part of the Initial Disclosures). Plaintiff further objects to the extent that Defendant seeks documents that Defendant has under its custody or control, since it is less burden for Defendant to refer to maps depicting its own MS4, than it is for Plaintiff to produce such documents. Accordingly, Plaintiff is not producing all documents that are responsive to this Request that Defendant produced to Plaintiff and/or that were prepared by Defendant, as the burden of producing such documents outweighs any benefit to Defendant from the production. Subject to and without waiving these objections, Plaintiff refers Defendant to the following documents that may be responsive to this Request: P-SVMV 1077-1085 and P-MV 1339-1426.

REQUEST FOR PRODUCTION NO. 9:

Please produce each and every COMMUNICATION YOU have had regarding the matters alleged in the FIRST AMENDED COMPLAINT with any PERSON or entity excepting only the Regional Water Quality Control Board, San Francisco Region, and any employee of the City of Mountain View.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

Plaintiff objects to this Request to the extent it seeks communications that are confidential,



000405.

REQUEST FOR PRODUCTION NO. 64:

Please produce each and every DOCUMENT that REFERS, RELATES, OR PERTAINS TO adverse health outcomes (including but not limited to gastrointestinal symptoms and upper respiratory issues) or economic loss from bacteria-polluted water within ten miles of the City of Mountain View.

RESPONSE TO REQUEST FOR PRODUCTION NO. 64:

Plaintiff objects to the Request as it is not relevant to any of Plaintiff's claims or to Defendant's asserted or available defenses. Plaintiff further objects to the extent this Request requires the premature disclosure of expert witnesses' opinions and testimony, and such documents are not produced. Subject to and without waiving these objections, Plaintiff is not aware of any documents that are responsive to this Request.

DATED: April 9, 2021

  
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Attorneys for Plaintiff  
SAN FRANCISCO BAYKEEPER

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**Attorneys for Plaintiff**

15 SAN FRANCISCO BAYKEEPER

16 **UNITED STATES DISTRICT COURT**  
17 **NORTHERN DISTRICT OF CALIFORNIA**  
18 **SAN JOSE DIVISION**

19 SAN FRANCISCO BAYKEEPER, a California  
non-profit corporation,

20 Plaintiff,

21 v.

22 CITY OF SUNNYVALE, a municipality,

23 Defendant, and.

24 CITY OF MOUNTAIN VIEW, a municipality,

25 Defendant.

Lead Case No.: 5:20-cv-00824-EJD

*Consolidated Case No.: 5:20-cv-00826-EJD*

**PLAINTIFF'S OBJECTIONS AND  
RESPONSES TO DEFENDANT CITY OF  
SUNNYVALE'S REQUESTS FOR  
PRODUCTION, SET ONE**

Judge: Hon. Edward J. Davila

Action Filed: 2/4/2020

1 REQUEST FOR PRODUCTION NO. 6:

2 Please produce each and every DOCUMENT that REFERS, RELATES, OR PERTAINS TO  
3 any COMMUNICATION regarding the City of Sunnyvale with any employee, agent, representative,  
4 member, or PERSON affiliated with the State Water Resources Control Board and/or the Regional  
5 Water Quality Control Board, San Francisco Region, on or between January 1, 2014 and the present.

6 RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

7 Defendant has not limited this Request to communications that relate to this action; therefore,  
8 Plaintiff objects to this Request to the extent it seeks documents that are not relevant to Plaintiff's  
9 claims or the City's defenses. Subject to and without waiving this objection, Plaintiff produces the  
10 documents listed in Exhibit A in response to this Request.

11 REQUEST FOR PRODUCTION NO. 7:

12 Please produce each and every DOCUMENT that Refers, Relates or Pertains to any  
13 ENVIRONMENTAL sampling, testing, and/or analysis (including soil, water, or any other solid or  
14 liquid material or substance) that REFERS, RELATES, OR PERTAINS TO any discharge from the  
15 City of Sunnyvale's MS4 system, regardless of whether such ENVIRONMENTAL sampling, testing,  
16 and/or analysis was taken by YOU or any other PERSON

17 RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

18 Plaintiff objects to this Request to the extent it seeks documents that are confidential,  
19 privileged exchanges between Plaintiff and Plaintiff's staff, members, and directors and counsel,  
20 attorney work product, and/or protected by another applicable privilege, and Plaintiff is not producing  
21 such documents. Plaintiff further objects to the extent that it seeks documents that have been  
22 produced to Plaintiff by Defendant, and Plaintiff is not producing such documents, as the burden of  
23 producing such documents outweighs any benefit to Defendant from the production. Baykeeper  
24 further objects to the extent it seeks documents that are not relevant to the claims or defenses at issue  
25 in this action.

26 Subject to and without waiving these objections, Plaintiff refers Defendant to the following  
27 Bates range of documents that may be responsive to this Request: P-SVMV 001077-001621. Plaintiff  
28

1 further produces the documents listed in Exhibit D that may be responsive to this Request.

2 REQUEST FOR PRODUCTION NO. 8:

3 Please produce each and every map depicting or purporting to depict the City of Sunnyvale  
4 MS4, any portion thereof, or any discharge point thereof, including but not limited to any  
5 photographs, maps, drawings, or other media.

6 REQUEST FOR PRODUCTION NO. 8:

7 Plaintiff objects to this Request because it is ambiguous as to what it is seeking; it seeks all  
8 “*maps* depicting or purporting to depict the City of Sunnyvale MS4 . . .,” yet the Request appears to  
9 define photographs as a type of map. Photographs are not maps, and thus, Defendant’s Request is  
10 unclear. Plaintiff interprets this Request to seek maps, not photographs which may show parts of the  
11 City’s MS4 (such photographs have been produced pursuant to other requests or as part of the Initial  
12 Disclosures). Plaintiff further objects to the extent that Defendant seeks documents that Defendant  
13 has under its custody or control, since it is less burden for Defendant to refer to maps depicting its  
14 own MS4, than it is for Plaintiff to produce such documents. Accordingly, Plaintiff is not producing  
15 all documents that are responsive to this Request that Defendant produced to Plaintiff and/or that were  
16 prepared by Defendant, as the burden of producing such documents outweighs any benefit to  
17 Defendant from the production. Subject to and without waiving these objections, Plaintiff refers  
18 Defendant to the following Bates range of documents that may be responsive to this Request: P-  
19 SVMV 1077-1085 and P-SV 1526-1726.

20 REQUEST FOR PRODUCTION NO. 9:

21 Please produce each and every COMMUNICATION YOU have had regarding the matters  
22 alleged in the FIRST AMENDED COMPLAINT with any PERSON or entity excepting only the  
23 Regional Water Quality Control Board, San Francisco Region, and any employee of the City of  
24 Sunnyvale.

25 RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

26 Plaintiff objects to this Request to the extent it seeks communications that are confidential,  
27 privileged exchanges between Plaintiff and Plaintiff’s staff, members, and directors and counsel,  
28

1 confidential documents protected by attorney-client privilege or attorney work-product privileges,  
 2 and such documents are not produced. Plaintiff further objects to this Request to the extent it requests  
 3 documents that are also in Defendant's possession, and Plaintiff interprets this Request not to include  
 4 any emails or other correspondence between Plaintiff's counsel and Defendant's counsel or docketed  
 5 filings in this action that are otherwise responsive to this Request. Plaintiff further objects to the extent  
 6 this Request requires the premature disclosure of expert witnesses' opinions and testimony, and such  
 7 documents are not produced. Subject to and without waiving these objections, Plaintiff refers  
 8 Defendant to the following Bates range of documents already-produced that may be responsive to  
 9 this Request: P-SVMV 000001-000405 and those listed in Exhibit B.

10 REQUEST FOR PRODUCTION NO. 67:

11 Please produce each and every DOCUMENT that REFERS, RELATES, OR PERTAINS TO  
 12 adverse health outcomes (including but not limited to gastrointestinal symptoms and upper respiratory  
 13 issues) or economic loss from bacteria-polluted water within ten miles of the City of Sunnyvale.

14 RESPONSE TO REQUEST FOR PRODUCTION NO. 67:

15 Plaintiff objects to the Request as it is not relevant to any of Plaintiff's claims or to  
 16 Defendant's asserted or available defenses. Plaintiff further objects to the extent this Request requires  
 17 the premature disclosure of expert witnesses' opinions and testimony, and such documents are not  
 18 produced. Subject to and without waiving these objections, Plaintiff is not aware of any documents  
 19 that are responsive to this Request.

20 DATED: April 9, 2021

21  
 22  
 23   
 24 Erica A. Maharg  
 25 Attorneys for Plaintiff  
 26 SAN FRANCISCO BAYKEEPER  
 27  
 28

# EXHIBIT B

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SAN FRANCISCO BAYKEEPER, A  
CALIFORNIA NON-PROFIT  
CORPORATION,

CASE NO. CV-20-00824-EJD

PLAINTIFF,

SAN JOSE, CALIFORNIA

V.

JUNE 10, 2025

CITY OF SUNNYVALE, A  
MUNICIPALITY;

VOLUME 1

PAGES 1-87

DEFENDANT, AND

CITY OF MOUNTAIN VIEW, A  
MUNICIPALITY,

DEFENDANT.

TRANSCRIPT OF TRIAL PROCEEDINGS  
BEFORE THE HONORABLE EDWARD J. DAVILA  
UNITED STATES DISTRICT JUDGE

A-P-P-E-A-R-A-N-C-E-S

FOR THE PLAINTIFF: AQUA TERRA AERIS LAW GROUP  
BY: ERICA A. MAHARG  
THERESA M. TRILLO  
4030 MARTIN LUTHER KING JR. WAY  
OAKLAND, CALIFORNIA 94609

LAWYERS FOR CLEAN WATER  
BY: DANIEL COOPER  
1004 O'REILLY AVENUE, SUITE A  
SAN FRANCISCO, CALIFORNIA 94129

(APPEARANCES CONTINUED ON THE NEXT PAGE.)

OFFICIAL COURT REPORTERS: IRENE L. RODRIGUEZ, CSR, RMR, CRR  
CERTIFICATE NUMBER 8074  
LEE-ANNE SHORTRIDGE, CSR, CRR  
CERTIFICATE NUMBER 9595

PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY,  
TRANSCRIPT PRODUCED WITH COMPUTER.

1 TO REMOVE RWL'S AND OTHER END RESULT PROVISIONS.

2 SO WE HAVE SUGGESTED STAYING ENFORCEMENT OF THIS CASE OR  
3 DETERMINATION OF THIS CASE UNTIL THOSE DUE PROCESS APPELLATE  
4 PROCEDURES CAN BE PURSUED. I UNDERSTAND WE'RE HERE AT TRIAL,  
5 BUT THAT'S STILL A DECISION THAT IS PENDING DOWN THE ROAD.

6 SO WITH THAT, YOUR HONOR, I THANK YOU VERY MUCH FOR YOUR  
7 ATTENTION AND COURTESY THIS MORNING, AND WE LOOK FORWARD TO  
8 PRESENTING OUR CASE.

9 THE COURT: THANK YOU. THANK YOU VERY MUCH.

10 AND MAY I JUST SEE COUNSEL AGAIN AT SIDE-BAR.

11 (SIDE-BAR CONFERENCE OFF THE RECORD.)

12 THE COURT: ALL RIGHT. DO PLAINTIFFS HAVE A WITNESS  
13 TO CALL?

14 MR. BUESCHER: WE DO, YOUR HONOR.

15 THE PLAINTIFFS CALL ROBBIE PHILLIPS. I THINK SOMEBODY  
16 WENT OUTSIDE TO GRAB HIM, BUT HE'S HERE.

17 (PAUSE IN PROCEEDINGS.)

18 THE COURT: SIR, IF YOU WOULD PLEASE COME FORWARD,  
19 AND I'LL INVITE YOU TO WALK OVER HERE AND FACE OUR COURTROOM  
20 DEPUTY WHILE YOU RAISE YOUR RIGHT HAND. SHE HAS A QUESTION FOR  
21 YOU.

22 **(PLAINTIFF'S WITNESS, ROBBIE PHILLIPS, WAS SWORN.)**

23 THE WITNESS: YES.

24 THE COURT: LET ME INVITE YOU TO HAVE A SEAT UP  
25 HERE, SIR. FEEL FREE TO ADJUST THAT CHAIR AND MICROPHONE AS



10:53AM 1 A. YEAH, I MUST HAVE.

10:53AM 2 Q. RIGHT. AND YOU DIDN'T DRAFT THAT DECLARATION, DID YOU?

10:53AM 3 A. NO.

10:53AM 4 Q. THAT DECLARATION WAS DRAFTED FOR YOU BY SOMEONE AT

10:53AM 5 BAYKEEPER; CORRECT?

10:53AM 6 A. CORRECT.

10:53AM 7 Q. AND WHO AT BAYKEEPER DRAFTED THAT DECLARATION FOR YOU?

10:53AM 8 A. MY ONLY CORRESPONDENCE WITH BAYKEEPER IS ERICA.

10:53AM 9 Q. OKAY. AND IT SAYS IN THE DECLARATION THAT YOU EXECUTED

10:54AM 10 THAT IT'S ALPHA'S POLICY TO RETAIN ANALYTICAL RESULTS FOR A

10:54AM 11 PERIOD OF FIVE YEARS. IS THAT ACCURATE?

10:54AM 12 A. CORRECT.

10:54AM 13 Q. AND I TAKE IT WHEN YOU WERE CONTACTED BY ERICA, YOU DIDN'T

10:54AM 14 BOTHER TO EVEN LOOK FOR THESE TEST RESULTS BECAUSE ALPHA NO

10:54AM 15 LONGER HAS THEM; CORRECT?

10:54AM 16 A. CORRECT.

10:54AM 17 Q. SO YOU DON'T HAVE -- THE EMAILS THAT WERE JUST MARKED, AND

10:54AM 18 TEST REPORTS, AS EXHIBIT 14 THROUGH 22, THOSE DID NOT COME FROM

10:54AM 19 ALPHA'S FILES; CORRECT?

10:54AM 20 A. CORRECT.

10:54AM 21 Q. THOSE WERE, IN FACT, PROVIDED TO YOU BY ERICA FROM

10:54AM 22 BAYKEEPER; CORRECT?

10:54AM 23 A. CORRECT.

10:54AM 24 Q. AND YOU DON'T HAVE ANY OF THE BACK-UP TEST RESULTS OR DATA

10:54AM 25 RELATED TO WHAT PURPORTS TO BE IN EXHIBITS 14 THROUGH 22, DO

10:54AM 1 YOU?

10:54AM 2 A. CORRECT.

10:54AM 3 Q. AND YOU DON'T HAVE ANY DOCUMENTS RELATING TO QUALITY

10:54AM 4 ASSURANCE, QUALITY CONTROL, QA/QC PROCEDURES THAT MAY OR MAY

10:55AM 5 NOT HAVE BEEN USED IN CONNECTION WITH THIS TESTING?

10:55AM 6 A. CORRECT.

10:55AM 7 Q. ALL RIGHT. ARE YOU FAMILIAR WITH SOMETHING KNOWN AS A

10:55AM 8 LITIGATION HOLD? HAVE YOU EVER HEARD THAT WORD BEFORE?

10:55AM 9 A. NO.

10:55AM 10 Q. WELL, I'LL REPRESENT TO YOU THAT A LITIGATION HOLD IS

10:55AM 11 OFTEN SENT OUT WHEN LITIGATION STARTS BY A PARTY TO DOCUMENT

10:55AM 12 CUSTODIANS IN ITS COMPANY, OR SOMETIMES TO THIRD PARTIES,

10:55AM 13 SAYING WE'RE IN LITIGATION, WE NEED YOU TO KEEP THESE RECORDS

10:55AM 14 FOR PURPOSES OF THAT LITIGATION. OKAY? DO YOU FOLLOW ME SO

10:55AM 15 FAR?

10:55AM 16 A. YEP.

10:55AM 17 Q. DID YOU EVER GET A LITIGATION HOLD FROM BAYKEEPER ON THIS

10:55AM 18 IMPORTANT TESTING THAT YOU DID FROM THEM?

10:55AM 19 A. NO.

10:55AM 20 Q. AND SO YOU DESTROYED THE DOCUMENTS THAT ALPHA ONCE HAD

10:55AM 21 RELATED TO THIS TESTING?

10:55AM 22 A. YEAH, ALONG WITH EVERY OTHER CUSTOMER'S DOCUMENTS PAST THE

10:55AM 23 FIVE YEAR MARK.

10:55AM 24 Q. I UNDERSTAND. I UNDERSTAND.

10:55AM 25 EXCUSE ME JUST ONE SECOND. I FORGOT MY WATER.

11:10AM 1 THE COURT: OKAY. SIR, IF YOU COULD PLEASE COME  
11:10AM 2 FORWARD. I'LL INVITE YOU TO STAND JUST UP HERE.

11:10AM 3 WHILE YOU FACE OUR COURTROOM DEPUTY, SHE HAS A QUESTION  
11:10AM 4 FOR YOU.

11:10AM 5 **(PLAINTIFF'S WITNESS, DANIEL JOHNSON, WAS SWORN.)**

11:10AM 6 THE WITNESS: I DO.

11:10AM 7 THE COURT: PLEASE HAVE A SEAT UP HERE, SIR. MAKE  
11:10AM 8 YOURSELF COMFORTABLE.

11:10AM 9 FEEL FREE TO ADJUST THE CHAIR AND MICROPHONE AS YOU NEED.

11:10AM 10 THE WITNESS: THANK YOU.

11:10AM 11 THE COURT: YOU'RE WELCOME. THERE'S WATER THERE FOR  
11:10AM 12 YOUR REFRESHMENT.

11:10AM 13 WHEN YOU ARE COMFORTABLE, WOULD YOU PLEASE STATE YOUR NAME  
11:11AM 14 AND THEN SPELL IT, PLEASE.

11:11AM 15 THE WITNESS: MY NAME IS DANIEL JOHNSON,  
11:11AM 16 D-A-N-I-E-L, J-O-H-N-S-O-N.

11:11AM 17 THE COURT: THANK YOU.

11:11AM 18 AND YOU'RE GOING TO BE ASKED SOME QUESTIONS BY COUNSEL,  
11:11AM 19 PERHAPS BY ME AS WELL. I'M GOING TO ENCOURAGE YOU TO WAIT  
11:11AM 20 UNTIL THE QUESTION HAS BEEN FULLY, FULLY STATED BEFORE YOU  
11:11AM 21 RESPOND YOUR ANSWER, AND EVERYONE ELSE WILL EXTEND THAT SAME  
11:11AM 22 COURTESY TO YOU.

11:11AM 23 THANK YOU.

11:11AM 24 COUNSEL.

11:11AM 25 ///

11:12AM 1 Q. AND ARE YOU GENERALLY FAMILIAR WITH CALIFORNIA LABORATORY  
11:12AM 2 SERVICES REPORTS PRESENTING ANALYSES OF E. COLI AND ENTEROCOCCI  
11:12AM 3 IN WATER SAMPLES?

11:12AM 4 A. YES.

11:12AM 5 Q. AND ARE YOU FAMILIAR WITH CLS'S -- OR I'M SORRY --  
11:12AM 6 CALIFORNIA LABORATORY SERVICES PROCESSES FOR CREATING,  
11:12AM 7 MAINTAINING, AND STORING THESE TYPES OF WATER SAMPLE ANALYSIS  
11:13AM 8 REPORTS?

11:13AM 9 A. YES, I AM.

11:13AM 10 Q. AND ARE THOSE RECORDS TYPICALLY CREATED AT OR NEAR THE  
11:13AM 11 TIME THE LABORATORY TESTS ARE PERFORMED?

11:13AM 12 A. YES, THEY ARE.

11:13AM 13 Q. AND IS IT CALIFORNIA LABORATORY SERVICES'S REGULAR  
11:13AM 14 PRACTICE TO KEEP SUCH REPORTS?

11:13AM 15 A. YES.

11:13AM 16 Q. AND PRIOR TO YOUR TESTIMONY TODAY, DID YOU HAVE THE  
11:13AM 17 OPPORTUNITY TO REVIEW THE LABORATORY RECORDS THAT CALIFORNIA  
11:13AM 18 LABORATORY SERVICES PROVIDED TO SAN FRANCISCO BAYKEEPER IN  
11:13AM 19 2022?

11:13AM 20 A. YES, I HAVE HAD A CHANCE TO REVIEW THEM.

11:13AM 21 Q. AND DID BAYKEEPER'S ATTORNEY PROVIDE YOU WITH A COPY OF  
11:13AM 22 THIS DOCUMENT?

11:13AM 23 A. YES, I WAS PROVIDED WITH A COPY OF THE DOCUMENT.

11:13AM 24 Q. AND BASED ON YOUR REVIEW OF THAT DOCUMENT, WERE YOU ABLE  
11:14AM 25 TO CONFIRM THAT THE DOCUMENT PROVIDED WAS THE SAME AS THE

11:14AM 1 DOCUMENT LOCATED IN CALIFORNIA LABORATORY SERVICES FILES?

11:14AM 2 A. YES, THEY WERE THE SAME DOCUMENT.

11:14AM 3 Q. IS IT CALIFORNIA LABORATORY SERVICES'S PRACTICE TO CREATE  
11:14AM 4 SUCH REPORTS AT OR NEAR THE TIME THE ANALYSIS IS PERFORMED?

11:14AM 5 A. YES.

11:14AM 6 Q. AND IS IT CALIFORNIA LABORATORY SERVICES'S PRACTICE TO  
11:14AM 7 SHARE SUCH REPORTS WITH ITS CUSTOMERS AT OR NEAR THE TIME THE  
11:14AM 8 TESTING WAS PERFORMED?

11:14AM 9 A. YES, THAT IS CORRECT.

11:14AM 10 Q. AND NOW, CAN YOU PLEASE TURN TO EXHIBIT 12 IN YOUR BINDER?

11:14AM 11 A. ALL RIGHT.

11:14AM 12 Q. AND DO YOU RECOGNIZE THE FIRST PAGE OF THIS EXHIBIT?

11:14AM 13 A. YES. THIS IS THE COVER LETTER THAT ACCOMPANIES THE  
11:14AM 14 REPORTS COMING FROM CLS LABS.

11:14AM 15 Q. OKAY. AND WHAT PAGES ARE ATTACHED TO THIS COVER LETTER?

11:15AM 16 A. AFTER THE COVER LETTER, THERE'S THE CHAIN OF CUSTODY THAT  
11:15AM 17 ACCOMPANIES EACH JOB AS SUBMITTED BY THE CLIENT; AND THEN THE  
11:15AM 18 REPORT THAT SHOWS THE E. COLI AND ENTEROCOCCI RESULTS FROM THE  
11:15AM 19 SAMPLE SUBMITTED, SIX TOTAL RESULTS; AND THEN THE FINAL PAGE IS  
11:15AM 20 A DEFINITIONS PAGE THAT WOULD COVER ANY KIND OF SHORTCUT OR  
11:15AM 21 SHORTENING OF WORDS THAT YOU MAY FIND IN THE REPORT TO EXPLAIN  
11:15AM 22 FURTHER.

11:15AM 23 Q. AND IS EXHIBIT 12 A TRUE AND CORRECT COPY OF THIS COVER  
11:15AM 24 AND LAB REPORT?

11:15AM 25 A. YES, IT IS.

11:25AM 1 A. THIS DOCUMENT DOES NOT INDICATE THAT, NO.

11:26AM 2 Q. AND THAT'S THE SAME FOR THE REMAINING PAGES ON THIS  
11:26AM 3 EXHIBIT; CORRECT?

11:26AM 4 A. THAT IS CORRECT.

11:26AM 5 Q. ASIDE FROM EXHIBIT 12, WHAT OTHER COMPANY RECORDS DID YOU  
11:26AM 6 REVIEW TO VERIFY THAT THIS WAS AN ACCURATE REPRESENTATION OF  
11:26AM 7 THE ORIGINAL DOCUMENT THAT WAS PRODUCED?

11:26AM 8 A. I LOOKED AT ALL OF THE RAW DATA AND COMPARED THE RESULTS  
11:26AM 9 TO THE RESULTS ON THE REPORT THAT WAS GIVEN TO ME; AND I ALSO  
11:26AM 10 HAD SOME PRINTED DRAFT REPORTS THAT WERE IN THE FOLDER THAT HAD  
11:26AM 11 THAT INFORMATION CORRELATING TO THIS AS WELL.

11:26AM 12 Q. AND WHEN THIS REPORT IS GENERATED, WOULD THAT RAW DATA  
11:26AM 13 HAVE ALSO BEEN SUBMITTED TO THE APPLICANT OR THE PERSON WHO  
11:27AM 14 SUBMITTED THE TEST SAMPLES?

11:27AM 15 A. TO THE PERSON THAT SUBMITTED THE SAMPLES?

11:27AM 16 Q. CORRECT?

11:27AM 17 A. NO. THEY ONLY RECEIVED THE FINAL REPORT AND THE CHAIN OF  
11:27AM 18 CUSTODY AND THAT DRAFT -- AND THAT COVER LETTER.

11:27AM 19 ALL OTHER INFORMATION IS KEPT IN THE REFERENCE FILE FOR  
11:27AM 20 THE JOB.

11:27AM 21 Q. AND HOW ARE THESE COVER LETTERS AND RESULTS GENERATED?

11:27AM 22 A. WE HAVE A LIMS SYSTEM, LABORATORY INFORMATION MANAGEMENT  
11:27AM 23 SYSTEM, THAT COLLECTS OUR DATA, AND DEPENDING ON THE DILUTION  
11:27AM 24 FACTORS, IT PROCESSES THAT INTO A FINAL REPORT FORMAT THAT WE  
11:27AM 25 HAVE ENGINEERED OVER TIME TO DISPLAY RELEVANT INFORMATION FOR

11:33AM 1 KNOW WHAT THE SIGNIFICANCE OF THE FB-1 SAMPLE IS?

11:33AM 2 A. I WOULD IMAGINE THAT FB-1 WOULD BE RELATED TO A FIELD

11:33AM 3 BLANK, WHICH IS TRADITIONALLY WHAT THEY ARE CALLED IN THE FIELD

11:33AM 4 AS THEY'RE SAMPLED AND SUBMITTED, BUT I CANNOT SAY WITH

11:34AM 5 100 PERCENT CERTAINTY THAT THAT IS THE CASE.

11:34AM 6 Q. OKAY. THESE FB-1, IN ADDITION TO THESE FIVE OTHER SAMPLES

11:34AM 7 HERE, IS LISTED ON THE -- I'M SORRY, THE CHAIN OF CUSTODY FORM;

11:34AM 8 CORRECT?

11:34AM 9 A. YES, IT IS.

11:34AM 10 Q. SO CAN YOU TELL FROM LOOKING AT PLAINTIFF'S EXHIBIT 12

11:34AM 11 WHETHER THESE SIX SAMPLES WERE ALL INTAKED AND PROCESSED

11:34AM 12 TOGETHER?

11:34AM 13 A. BASED ON THE REPORT AND THE CHAIN OF CUSTODY, ALL SIX

11:34AM 14 SAMPLES WERE RECEIVED AT THE SAME TIME AND PROCESSED TOGETHER.

11:34AM 15 Q. AND DID YOU REVIEW ANY INTERNAL RECORDS THAT ARE NOT

11:34AM 16 PORTRAYED IN EXHIBIT 12 THAT FURTHER CONFIRM THAT THESE WERE

11:34AM 17 ALL PROCESSED TOGETHER?

11:35AM 18 A. I REVIEWED THE RAW DATA, AND THE RAW DATA INDICATES THAT

11:35AM 19 THEY WERE ALL PROCESSED AT THE SAME TIME.

11:35AM 20 Q. OKAY. SO I WANT YOU TO TURN BACK TO FB-1 ON PAGE 3 OF

11:35AM 21 EXHIBIT 12. THERE IS A TAG ON THE RIGHT SIDE OF THE PAGE

11:35AM 22 LABELLED HT-1. DO YOU KNOW THE SIGNIFICANCE OF THE HT-1 LABEL?

11:35AM 23 A. YES. IF YOU TURN TO THE NEXT PAGE, HT-1 IS LISTED AS THE

11:35AM 24 SAMPLE THAT WAS RECEIVED OUTSIDE OF THE EPA RECOMMENDED HOLDING

11:35AM 25 TIME.

11:40AM 1 YOU KNOW WHAT SC-7-OF REFERS TO?

11:40AM 2 A. I DO NOT.

11:40AM 3 Q. THAT'S PRESUMABLY JUST THE LABEL OF THE SAMPLE; CORRECT?

11:40AM 4 A. CORRECT.

11:40AM 5 Q. FOR E. COLI, THIS WAS RUN UNDER METHOD SM-921; CORRECT?

11:40AM 6 A. CORRECT.

11:40AM 7 Q. DO YOU KNOW WHETHER THESE -- THIS SPECIFIC E. COLI SAMPLE  
11:40AM 8 WAS RUN UNDER THE MPM MULTIPLE 2 METHOD, THE MULTIPLE -- I'M  
11:40AM 9 SORRY, MULTIPLE TUBE, MULTIPLE WELL METHOD OR THE MF-2 STEP OR  
11:40AM 10 SINGLE STEP METHOD?

11:40AM 11 A. THESE WERE RUN BY THE MULTI TUBE METHOD, THE FIRST ONE  
11:40AM 12 THAT YOU HAD LISTED.

11:41AM 13 Q. AND WHAT RECORDS DID YOU REVIEW TO ACQUIRE THAT  
11:41AM 14 INFORMATION?

11:41AM 15 A. THE RAW DATA SHOWS THAT THE SAMPLE WAS GROWN IN A LAURL  
11:41AM 16 TRYPTOSE BROTH. LAURL TRYPTOSE BROTH I BELIEVE IS THE NAME  
11:41AM 17 THAT IT'S CALLED.

11:41AM 18 ESSENTIALLY IT GROWS THE BACTERIA AND THEN IT IS PLACED  
11:41AM 19 INTO A SECONDARY CONTAINER THAT WOULD ALLOW FOR IT TO PROVE  
11:41AM 20 POSITIVE FOR E. COLI AT THAT POINT.

11:41AM 21 Q. DO YOU KNOW WHETHER METHOD 9211 REQUIRES SPECIFIC CULTURE  
11:42AM 22 MEDIUM REQUIREMENTS?

11:42AM 23 A. YES, DEPENDING ON WHAT IS BEING LOOKED AFTER -- LOOKED  
11:42AM 24 FOR, YOU WOULD TEST IT IN A VARIETY OF DIFFERENT COMPOUNDS, I  
11:42AM 25 MEAN, CULTURE BROTHS.



11:44AM 1 THAT?

11:44AM 2 A. WE HAVE A LOGBOOK THAT GOES OVER DATES THAT THE MEDIA WAS  
11:44AM 3 PREPARED, THE AUTOCLAVE PROCEDURE, AND POSITIVE AND NEGATIVE  
11:44AM 4 GROWTH TESTS TO DETERMINE THAT THE MEDIA IS APPROPRIATE FOR  
11:44AM 5 USE.

11:44AM 6 Q. AND THOSE RECORDS WERE SPECIFIC TO THE SAMPLES IN  
11:44AM 7 EXHIBIT 12?

11:44AM 8 A. CORRECT.

11:44AM 9 Q. OKAY. DOES THIS DOCUMENT IN EXHIBIT 12 INDICATE WHETHER  
11:44AM 10 CLS CONDUCTED RETESTING PROCEDURES?

11:45AM 11 A. THERE'S NO INDICATION OF A RETEST FOR THIS SAMPLE.

11:45AM 12 Q. AND DOES CLS RETEST SAMPLES TO CONFIRM THEIR ACCURACY?

11:45AM 13 A. IF THERE'S A DISCREPANCY, WE WILL REQUEST ADDITIONAL  
11:45AM 14 SAMPLE FOR A RETEST.

11:45AM 15 FOR THIS PARTICULAR SAMPLE, THERE WOULD NEED TO HAVE BEEN  
11:45AM 16 A REQUEST FOR A RETEST AND AN ADDITIONAL SAMPLE SUPPLIED, BUT  
11:45AM 17 IT DOES NOT APPEAR THAT A RETEST WAS PERFORMED ON THIS BASED ON  
11:45AM 18 THE RAW DATA IN THE FOLDER.

11:45AM 19 Q. THAT SHOULD CONCLUDE MY QUESTIONING.

11:45AM 20 YOUR HONOR, IF YOU WILL GIVE ME ONE MOMENT?

11:45AM 21 THE COURT: SURE. OF COURSE.

11:45AM 22 MR. DUCKERS: ANDY.

11:45AM 23 (DISCUSSION AMONGST DEFENSE COUNSEL OFF THE RECORD.)

11:46AM 24 BY MR. PEREZ:

11:46AM 25 Q. EXCUSE ME. MR. JOHNSON, JUST A FEW MORE QUESTIONS FOR

11:46AM 1 YOU.

11:46AM 2 A. NO PROBLEM.

11:46AM 3 Q. THANK YOU.

11:46AM 4 LET'S TURN BACK TO EXHIBIT 12, LOOKING AT PAGE 2, WHICH IS  
11:46AM 5 THE CHAIN OF CUSTODY DOCUMENT.

11:46AM 6 THE SPECIAL INSTRUCTIONS INDICATED FOR A 10X DILUTION FOR  
11:46AM 7 ALL SAMPLES.

11:46AM 8 A. CORRECT.

11:46AM 9 Q. WHAT IS THE SIGNIFICANCE OF THAT?

11:46AM 10 A. IF THE SAMPLE IS SUSPECTED TO BE HIGH IN THE, WHATEVER THE  
11:46AM 11 TARGET COMPOUNDS ARE, THEY WOULD REQUEST A DILUTION SO THAT  
11:47AM 12 HOPEFULLY THEY COULD GET A MORE REASONABLE NUMBER.

11:47AM 13 Q. AND LOOKING AT PAGE 3, WHY WAS -- WHY ARE THESE RESULTS --  
11:47AM 14 WHY DO THESE RESULTS NOT INDICATE WHETHER A 10X DILUTION WAS  
11:47AM 15 IMPLEMENTED?

11:47AM 16 A. GENERALLY WHEN IT COMES TO MULTI TUBE TESTING, THE  
11:47AM 17 DILUTION IS CHOSEN AT THE TIME OF PREPARATION OF THE SAMPLES,  
11:47AM 18 WHICH WOULD BE INCLUDED ON THE RAW DATA, AND THE INITIAL VOLUME  
11:47AM 19 CHOSEN FOR EACH TEST WOULD HAVE HAD A 10 TIMES DILUTION AT THAT  
11:47AM 20 TIME, AND THEN THE FINAL RESULTS ARE CALCULATED FROM THAT  
11:47AM 21 INFORMATION.

11:47AM 22 Q. AND BASED ON THE RECORDS THAT YOU REVIEWED IN PREPARATION  
11:47AM 23 FOR TODAY, DID YOU CONFIRM WHETHER THE RAW DATA INDICATED A 10X  
11:47AM 24 DILUTION OF THESE SAMPLES?

11:47AM 25 A. I DID NOT FIND THAT THERE WAS A 10 TIMES DILUTION ON THESE

11:47AM 1

SAMPLES.

11:47AM 2

Q. LOOKING AT PAGE 3, ON THE RIGHT WE SEE THE METHODS THAT

11:48AM 3

WERE PERFORMED, BUT DOES THIS DOCUMENT INDICATE WHAT SPECIFIC

11:48AM 4

FIELDS OF TESTING YOU PERFORMED THESE SAMPLES UNDER?

11:48AM 5

A. OH, NO, IT DOES NOT INDICATE SPECIFICALLY WHICH FIELDS.

11:48AM 6

YOU'RE REFERRING TO 107 FIELD OF TESTING IN THE DOCUMENT

11:48AM 7

NUMBER 13?

11:48AM 8

Q. CORRECT. LET'S TURN TO EXHIBIT NUMBER 13, AND WE CAN

11:48AM 9

CLARIFY THE QUESTION.

11:48AM 10

FIELD OF TESTING 101, MICROBIOLOGY OF DRINKING WATER,

11:48AM 11

THERE ARE TESTING FOR E. COLI AND -- NO. THEY'RE ONLY TESTING

11:49AM 12

FOR E. COLI; CORRECT? THEY ARE TESTING FOR E. COLI, BUT NOT

11:49AM 13

ENTEROCOCCI; CORRECT?

11:49AM 14

A. THAT IS CORRECT, FOR DRINKING WATER, YES.

11:49AM 15

Q. FOR DRINKING WATER.

11:49AM 16

NOW TURNING TO PAGE 4, FIELD OF TESTING 107. THERE IS

11:49AM 17

TESTING FOR E. COLI AND ENTEROCOCCI; CORRECT?

11:49AM 18

A. THAT IS CORRECT.

11:49AM 19

Q. NOW LOOKING BACK AT EXHIBIT 12, PAGE 3, CAN YOU SAY WHAT

11:49AM 20

FIELD OF TESTING THESE SAMPLES WERE CONDUCTED UNDER?

11:49AM 21

A. OUR REPORTS DON'T INDICATE WHETHER THEY'RE DRINKING WATER

11:49AM 22

SAMPLES OR NOT, SO I HAVE NO WAY OF IDENTIFYING IN THIS FORMAT

11:49AM 23

WHICH VERSION OF THIS IT WOULD HAVE BEEN TESTING AGAINST.

11:50AM 24

AT THE TIME OF LOGGING IN, THERE IS NORMALLY A PUBLIC

11:50AM 25

WATER I.D. ASSOCIATED WITH DRINKING WATER SAMPLES THAT WOULD

11:52AM 1 COMPARE THE RAW DATA AGAINST THIS REPORT. WHY, IN PREPARATION  
11:52AM 2 FOR THIS HEARING OR IN PREPARATION OF DRAFTING YOUR  
11:52AM 3 DECLARATION, DID YOU DO THAT?

11:52AM 4 A. I'M SORRY. COULD YOU REPEAT THE QUESTION?

11:52AM 5 Q. EARLIER YOU MENTIONED THAT YOU WENT BACK TO COMPARE THE  
11:52AM 6 RAW DATA TO THE RESULTS IN PLAINTIFF'S EXHIBIT 12.

11:52AM 7 WHY WAS THAT NECESSARY?

11:52AM 8 A. AT THE TIME WE DID NOT HAVE A DIGITAL VERSION OF THIS INTO  
11:52AM 9 OUR SYSTEM FOR ME TO REFERENCE EASILY, SO I HAD TO FIND THE  
11:52AM 10 FOLDER AND CORRELATE ALL OF THE DATA AS IT WAS GIVEN TO ME TO  
11:52AM 11 VERIFY BEFORE SIGNING ANY KIND OF DECLARATION VERIFYING THE  
11:53AM 12 VALIDITY OF THIS.

11:53AM 13 Q. AND WHEN YOU SAY THAT YOU DIDN'T HAVE A DIGITAL FILE,  
11:53AM 14 THESE RECORDS WERE ALL IN PAPER, STORED IN PAPER FORMAT  
11:53AM 15 SOMEWHERE?

11:53AM 16 A. THESE PARTICULARLY WERE STORED IN PAPER FORMAT, YES.

11:53AM 17 Q. AND YOU WERE ABLE TO LOCATE PLAINTIFF'S EXHIBIT 12 WHEN  
11:53AM 18 YOU WENT BACK AND REVIEWED YOUR FILES; CORRECT?

11:53AM 19 A. THAT IS CORRECT.

11:53AM 20 Q. OKAY.

11:53AM 21 YOUR HONOR, NO MORE QUESTIONS.

11:53AM 22 THE COURT: YOU MENTIONED RAW DATA. WHERE IS THE  
11:53AM 23 RAW DATA THAT YOU MENTIONED?

11:53AM 24 THE WITNESS: THE RAW DATA IS IN THE FOLDER THAT WE  
11:53AM 25 HAVE ASSOCIATED WITH EVERY JOB. SO THE CHAIN OF CUSTODY, THE

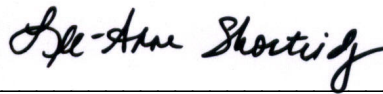
CERTIFICATE OF REPORTERS

WE, THE UNDERSIGNED OFFICIAL COURT REPORTERS OF THE  
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
CALIFORNIA, 280 SOUTH FIRST STREET, SAN JOSE, CALIFORNIA, DO  
HEREBY CERTIFY:

THAT THE FOREGOING TRANSCRIPT, CERTIFICATE INCLUSIVE, IS  
A CORRECT TRANSCRIPT FROM THE RECORD OF PROCEEDINGS IN THE  
ABOVE-ENTITLED MATTER.



IRENE RODRIGUEZ, CSR, CRR  
CERTIFICATE NUMBER 8076



LEE-ANNE SHORTRIDGE, CSR, CRR  
CERTIFICATE NUMBER 9595

DATED: JUNE 10, 2025

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SAN FRANCISCO BAYKEEPER, A  
CALIFORNIA NON-PROFIT  
CORPORATION, CASE NO. CV-20-00824-EJD

PLAINTIFF, SAN JOSE, CALIFORNIA

V. JUNE 12, 2025

CITY OF SUNNYVALE, A  
MUNICIPALITY; VOLUME 3

PAGES 261-320

DEFENDANT, AND

CITY OF MOUNTAIN VIEW, A  
MUNICIPALITY,

DEFENDANT.

TRANSCRIPT OF TRIAL PROCEEDINGS  
BEFORE THE HONORABLE EDWARD J. DAVILA  
UNITED STATES DISTRICT JUDGE

A-P-P-E-A-R-A-N-C-E-S

FOR THE PLAINTIFF: AQUA TERRA AERIS LAW GROUP  
BY: ERICA A. MAHARG  
THERESA M. TRILLO  
4030 MARTIN LUTHER KING JR. WAY  
OAKLAND, CALIFORNIA 94609

LAWYERS FOR CLEAN WATER  
BY: DANIEL COOPER  
1004 O'REILLY AVENUE, SUITE A  
SAN FRANCISCO, CALIFORNIA 94129

(APPEARANCES CONTINUED ON THE NEXT PAGE.)

OFFICIAL COURT REPORTERS: IRENE L. RODRIGUEZ, CSR, RMR, CRR  
CERTIFICATE NUMBER 8074  
LEE-ANNE SHORTRIDGE, CSR, CRR  
CERTIFICATE NUMBER 9595

PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY,  
TRANSCRIPT PRODUCED WITH COMPUTER.

SAN JOSE, CALIFORNIA

JUNE 12, 2025

P R O C E E D I N G S

(COURT CONVENED AT 10:06 A.M.)

THE COURT: WE'RE BACK ON THE RECORD FOR  
SAN FRANCISCO BAYKEEPER VERSUS CITY OF SUNNYVALE AND  
MOUNTAIN VIEW.

ALL COUNSEL ARE PRESENT.

MR. WREN IS ON THE STAND.

MS. TRILLO, YOU WOULD LIKE TO CONTINUE WITH YOUR  
CROSS-EXAMINATION?

MS. THORME: I WOULD LIKE TO.

**(PLAINTIFF'S WITNESS, IAN WREN, WAS PREVIOUSLY SWORN.)**

**THE COURT: PLEASE.**

**CROSS-EXAMINATION (RESUMED)**

BY MS. THORME:

Q. GOOD MORNING, MR. WREN. SO I'M GOING TO JUMP RIGHT IN AND  
SHOW YOU SOME STUFF.

IF WE CAN GO TO EXHIBIT 28, PAGE 2.

WE TALKED ABOUT THIS A LITTLE YESTERDAY. THESE ARE THE  
MAPS.

DO YOU RECALL THAT?

A. YES, I DO.

Q. SO IF YOU LOOK AT PAGE 1, THERE'S A LEGEND ON THIS MAP.

DID YOU PREPARE THESE MAPS?

A. YES, I DID.

10:50AM 1 RESPONSIBLE FOR EXCEEDANCES OF WATER QUALITY OBJECTIVES BECAUSE

10:50AM 2 THE BACTERIA IN THE OUTFALL WAS GENERALLY HIGHER THAN THE

10:50AM 3 DOWNSTREAM RECEIVING WATERS; IS THAT CORRECT?

10:50AM 4 A. BASED ON THE STATISTICAL TEST THAT WE RAN FROM THE WATER

10:50AM 5 YEAR 2019 DATA, WE FOUND LEVELS OF BACTERIA BEING DISCHARGED

10:51AM 6 FROM THE OUTFALLS WERE STATISTICALLY SIGNIFICANTLY HIGHER THAN

10:51AM 7 THOSE CONCENTRATIONS IN THE RECEIVING WATERS.

10:51AM 8 Q. AND WHAT STATISTICAL ANALYSIS DID YOU USE TO SUPPORT THIS

10:51AM 9 CONNECTION?

10:51AM 10 A. I BELIEVE WE DISCUSSED IT BRIEFLY YESTERDAY. THERE WAS A

10:51AM 11 PAIRED T-TEST THAT WAS PERFORMED.

10:51AM 12 Q. AND DID EVERY OUTFALL THAT YOU TESTED HAVE HIGHER BACTERIA

10:51AM 13 CONCENTRATIONS THAN THE RECEIVING WATER?

10:51AM 14 A. NOT EVERY ONE, BUT MOST.

10:51AM 15 Q. OKAY. AND FOR 2017 TO 2019, I GUESS YOUR WATER YEAR IS

10:51AM 16 2018/2019, YOU HAD THAT TESTING PERFORMED BY ALPHA ANALYTICAL;

10:51AM 17 IS THAT CORRECT?

10:51AM 18 A. CORRECT.

10:51AM 19 Q. AND HOW OFTEN DID YOU USE THEM FOR TESTING?

10:52AM 20 A. DURING ALL OF THE SAMPLING.

10:52AM 21 Q. AND HAVE YOU USED THEM FOR OTHER MATTERS?

10:52AM 22 A. YES.

10:52AM 23 Q. AND DO YOU HAVE A CONTRACT WITH ALPHA FOR TESTING?

10:52AM 24 A. I DON'T BELIEVE SO.

10:52AM 25 Q. SO HOW DOES IT WORK? YOU JUST GIVE THEM STUFF AND THEY DO



10:52AM 1 IT WITHOUT GETTING PAID?

10:52AM 2 A. THEY INVOICE BAYKEEPER AND THOSE WERE PAID.

10:52AM 3 Q. SO THERE'S NO CONTRACT?

10:52AM 4 A. NOT THAT I KNOW OF. THERE MIGHT BE AN ACCOUNT.

10:52AM 5 Q. AND DO YOU HAVE A LEGAL RIGHT TO GET BACK-UP INFORMATION

10:52AM 6 FROM THEM IN ORDER TO VERIFY THE TEST RESULTS IN THEIR QA/QC?

10:52AM 7 A. I DON'T KNOW MY LEGAL RIGHTS TO THAT. I ASSUME IF I

10:52AM 8 REQUESTED THEY WOULD PROVIDE IT THOUGH.

10:52AM 9 Q. AND HAVE YOU EVER DONE THAT?

10:52AM 10 A. NOT AFTER THE FACT, NO.

10:52AM 11 Q. OKAY. DID YOU OPINE THAT WATER -- OR BAYKEEPER'S SAMPLING

10:53AM 12 STRONGLY INDICATES THE PRESENCE OF HUMAN SEWAGE IN STORMWATER

10:53AM 13 DISCHARGES?

10:53AM 14 A. YES.

10:53AM 15 Q. AND WAS THAT OPINION BASED SOLELY ON THE PRESENCE OF HUMAN

10:53AM 16 INDICATOR BACTERIA IN OUTFALL DISCHARGES?

10:53AM 17 A. NO. IT WOULD HAVE BEEN SUPPLEMENTED BASED ON THE PRESENCE

10:53AM 18 OF HUMAN FECAL BIOMARKERS.

10:53AM 19 Q. I'M SORRY?

10:53AM 20 A. THERE WERE THREE SAMPLES COLLECTED IN WATER YEAR 2018,

10:53AM 21 CONTEMPORANEOUSLY WITH THE OTHER SAMPLES, AND SINCE THAT TIME,

10:53AM 22 THE CITIES' DATA HAS SHOWN THOSE PATTERNS TO BE REMARKABLY

10:53AM 23 SIMILAR.

10:53AM 24 Q. SO YOU RELIED ON THE DATA FROM SOURCE MOLECULAR FOR THAT

10:53AM 25 OPINION?

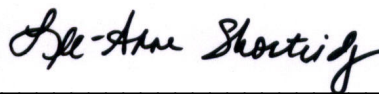
CERTIFICATE OF REPORTERS

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IRENE RODRIGUEZ, CSR, CRR  
CERTIFICATE NUMBER 8076



LEE-ANNE SHORTRIDGE, CSR, CRR  
CERTIFICATE NUMBER 9595

DATED: JUNE 12, 2025

# EXHIBIT C



**Results for: (plaintiff-litigant(San Francisco Baykeeper))**

## Dockets

1. [San Francisco Baykeeper Et Al V. United States Fish And Wildlife Service Et Al](#)

... Magistrate Judge Lisa J. Cisneros Assigned LISA J CISNEROS 2022-10-11T22:15:00 2983644179323 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Michael Robert Lozeau...

**Court:** United States District Court, California Northern | **Date Filed:** Feb 10, 2025 | **Docket Number:** 3:25cv1360 | **Nature of Suit:** Environmental | **Cause:** Endangered Species Act | **Status:** Open

2. [San Francisco Baykeeper Et Al V. United States Fish And Wildlife Service Et Al](#)

... Magistrate Judge Lisa J. Cisneros Assigned LISA J CISNEROS 2022-10-11T22:15:00 2983644179323 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Michael Robert Lozeau...

**Court:** United States District Court, California Northern | **Date Filed:** Feb 10, 2025 | **Docket Number:** 4:25cv1360 | **Nature of Suit:** Environmental | **Cause:** Endangered Species Act | **Status:** Open

3. [San Francisco Baykeeper V. Morgan Advanced Ceramics, Inc.](#)

... Thomas S. Hixson (Settlement) Referred THOMAS S HIXSON SETTLEMENT 2018-09-06T18:41:00 5756250606886 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Eric James Buescher...

**Court:** United States District Court, California Northern | **Date Filed:** Jun 17, 2024 | **Docket Number:** 3:24cv3643 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

4. [San Francisco Baykeeper, Inc. V. Radius Recycling, Inc. Et Al](#)

... Magistrate Judge Donna M. Ryu Assigned DONNA M RYU 2012-03-08T19:40:00 2386908777067 **San Francisco Baykeeper, Inc.** P Plaintiff California non-profit corporation | **SAN FRANCISCO BAYKEEPER INC** 2020-02-20T19:29:00 1 **San Francisco Baykeeper, Inc....**

**Court:** United States District Court, California Northern | **Date Filed:** Feb 20, 2024 | **Docket Number:** 4:24cv1005 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

5. [San Francisco Baykeeper, Inc. V. Radius Recycling, Inc. Et Al](#)

... Donna M. Ryu (Settlement) Referred DONNA M RYU SETTLEMENT 2012-04-03T14:00:00 4679749648243 **San Francisco Baykeeper, Inc.** P Plaintiff California non-profit corporation | **SAN FRANCISCO BAYKEEPER INC** 2020-02-20T19:29:00 1 **San Francisco Baykeeper, Inc....**

**Court:** United States District Court, California Northern | **Date Filed:** Feb 20, 2024 | **Docket Number:** 3:24cv1005 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

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6. [San Francisco Baykeeper V. United States Fish And Wildlife Service Et Al](#)

... (Entered: 09/16/2024) Magistrate Judge Laurel Beeler Assigned LAUREL BEELER 2010-01-11T22:50:00 2610297198714 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Dec 22, 2023 | **Docket Number:** 3:23cv6601 | **Nature of Suit:** Environmental | **Cause:** Endangered Species Act | **Status:** Closed

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7. [San Francisco Baykeeper V. United States Fish And Wildlife Service Et Al](#)

... due by 1/5/2024. (cjl, COURT STAFF) (Filed on 12/22/2023) (Entered: 12/22/2023) **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Michael Robert Lozeau...

**Court:** United States District Court, California Northern | **Date Filed:** Dec 22, 2023 | **Docket Number:** 4:23cv6601 | **Nature of Suit:** Environmental | **Cause:** Endangered Species Act | **Status:** Open

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8. [San Francisco Baykeeper V. Amports, Inc. Et Al](#)

... Magistrate Judge Laurel Beeler (Settlement) Referred LAUREL BEELER SETTLEMENT 2010-04-14T04:21:00 4999715069890 **San Francisco Baykeeper** P Plaintiff a California non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Mar 01, 2022 | **Docket Number:** 3:22cv1294 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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9. [San Francisco Baykeeper V. Amports, Inc. Et Al](#)

... Magistrate Judge Kandis A. Westmore Assigned KANDIS A WESTMORE 2012-06-08T15:12:00 3378799120737 **San Francisco Baykeeper** P Plaintiff a California non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Mar 01, 2022 | **Docket Number:** 4:22cv1294 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Open

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10. [San Francisco Baykeeper V. Global Plating, Inc.](#)

... (Entered: 12/20/2022) Magistrate Judge Sallie Kim Assigned SALLIE KIM 2015-08-07T19:28:00 2154121998083 **San Francisco Baykeeper** P Plaintiff a public benefit non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1...

**Court:** United States District Court, California Northern | **Date Filed:** Jul 14, 2021 | **Docket Number:** 3:21cv5412 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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11. [San Francisco Baykeeper V. Global Plating, Inc.](#)

... due by 7/29/2021. (anjS, COURT STAFF) (Filed on 7/15/2021) (Entered: 07/15/2021) **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Jesse Colorado Swanhuysen...

**Court:** United States District Court, California Northern | **Date Filed:** Jul 14, 2021 | **Docket Number:** 4:21cv5412 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

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12. [San Francisco Baykeeper V. United States Fish And Wildlife Service Et Al](#)

... Magistrate Judge Joseph C. Spero Assigned JOSEPH C SPERO 2012-03-05T10:09:00 2873027860145 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Michael Robert Lozeau...

**Court:** United States District Court, California Northern | **Date Filed:** Apr 08, 2021 | **Docket Number:** 3:21cv2566 | **Nature of Suit:** Other Statutes - Administrative Procedure Act/Review or Appeal of Agency Decision | **Cause:** Administrative Procedure Act | **Status:** Closed

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13. [San Francisco Baykeeper V. United States Fish And Wildlife Service Et Al](#)

... due by 4/23/2021. (mbcS, COURT STAFF) (Filed on 4/9/2021) (Entered: 04/09/2021) **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Brian Bamford Flynn...

**Court:** United States District Court, California Northern | **Date Filed:** Apr 08, 2021 | **Docket Number:** 4:21cv2566 | **Nature of Suit:** Other Statutes - Administrative Procedure Act/Review or Appeal of Agency Decision | **Cause:** Administrative Procedure Act | **Status:** Open

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14. [San Francisco Baykeeper V. Granite Rock Company](#)

... Magistrate Judge Laurel Beeler (Settlement) Referred LAUREL BEELER SETTLEMENT 2010-04-14T04:21:00 4999715069890 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Jan 14, 2021 | **Docket Number:** 5:21cv352 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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15. [San Francisco Baykeeper V. Allied Engineering And Production Corporation Et Al](#)

... 9/26/2023) (Entered: 09/26/2023) Judge James Donato Assigned JAMES DONATO 2017-09-26T20:01:00 946830545286 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Erica A Maharg...

**Court:** United States District Court, California Northern | **Date Filed:** Oct 13, 2020 | **Docket Number:** 3:20cv7123 | **Nature of Suit:** Environmental | **Cause:** Resource & Recovery Act | **Status:** Closed

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16. [San Francisco Baykeeper V. Allied Engineering And Production Corporation Et Al](#)

... Magistrate Judge Kandis A. Westmore Assigned KANDIS A WESTMORE 2012-06-08T15:12:00  
3378799120737 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-  
19T10:06:00 1 **San Francisco Baykeeper** Erica A Maharg...

**Court:** US District Court for the Northern District of California | **Date Filed:** Oct 13, 2020 | **Docket Number:**  
4:20cv7123 | **Nature of Suit:** Environmental | **Cause:** Resource & Recovery Act | **Status:** Open

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17. [San Francisco Baykeeper V. Ttm Printed Circuit Group, Inc. Et Al](#)

... Magistrate Judge Virginia K. DeMarchi Assigned VIRGINIA K DEMARCHI 2018-10-29T20:02:00  
3696221290805 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-  
19T10:06:00 1 **San Francisco Baykeeper** Marcus Benjamin Eichenberg...

**Court:** United States District Court, California Northern | **Date Filed:** Feb 19, 2020 | **Docket Number:**  
5:20cv1262 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

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18. [San Francisco Baykeeper V. Sunnyvale Et Al](#)

... Magistrate Judge Susan van Keulen Referred SUSAN VAN KEULEN 2017-01-09T19:27:00  
3197466820191 **San Francisco Baykeeper** P Plaintiff A California Non-Profit Corporation | **SAN**  
**FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Feb 04, 2020 | **Docket Number:**  
5:20cv824 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

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19. [San Francisco Baykeeper V. City Of Mountain View](#)

... Magistrate Judge Susan van Keulen Referred SUSAN VAN KEULEN 2017-01-09T19:27:00  
3197466820191 **San Francisco Baykeeper** P Plaintiff A California Non-Profit Corporation | **SAN**  
**FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Feb 04, 2020 | **Docket Number:**  
5:20cv826 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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20. [San Francisco Baykeeper V. P.J.'s Lumber, Inc.](#)

... due by 1/27/2020. (haS, COURT STAFF) (Filed on 1/13/2020) (Entered: 01/13/2020) **San Francisco**  
**Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1  
**San Francisco Baykeeper** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jan 10, 2020 | **Docket Number:**  
3:20cv237 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

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21. [San Francisco Baykeeper Inc. V. P.J.'s Lumber, Inc.](#)

... 09/23/2020) Judge Jon S. Tigar Assigned JON S TIGAR 2017-09-26T20:01:00 888015106548 **San**  
**Francisco Baykeeper, Inc.** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER INC**  
2020-02-20T19:29:00 1 **San Francisco Baykeeper, Inc.**...

**Court:** United States District Court, California Northern | **Date Filed:** Jan 10, 2020 | **Docket Number:**  
4:20cv237 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

22. [San Francisco Baykeeper V. Air Products & Chemicals Inc., Et Al](#)

... 01/23/2020) Judge Nathanael M. Cousins Assigned NATHANAEL M COUSINS 2017-09-28T17:42:00 1814108374340 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Nov 14, 2019 | **Docket Number:** 5:19cv7518 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Open

23. [San Francisco Baykeeper V. Air Products & Chemicals Inc., Et Al](#)

... Letter dated 8/7/21 Re: **San Francisco Baykeeper** v. Air Products and Chemicals, Inc from Tim Little. (hdjS, COURT ...

... 8/18/2021) (Entered: 08/18/2021) Judge Richard Seeborg Assigned RICHARD SEEBORG 2017-09-27T13:58:00 1254622539657 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Nov 14, 2019 | **Docket Number:** 3:19cv7518 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

24. [San Francisco Baykeeper Et Al V. U.S. Environmental Protection Agency Et Al](#)

... Agency, Citizens' Committee to Complete the Refuge, Committee for Green Foothills, **San Francisco Baykeeper** , Save the Bay. (Doyle, Andrew) (Filed on 9/27/2021) Modified on ...  
... STAFF). (Entered: 09/27/2021) Judge William Alsup Assigned WILLIAM ALSUP 2017-09-27T11:13:00 1104889323377 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Nicole Chiyeko Sasaki...

**Court:** United States District Court, California Northern | **Date Filed:** Sep 24, 2019 | **Docket Number:** 3:19cv5941 | **Nature of Suit:** Other Statutes - Administrative Procedure Act/Review or Appeal of Agency Decision | **Cause:** Administrative Procedure Act | **Status:** Closed

25. [San Francisco Baykeeper V. Sonoma Horse Park Et Al](#)

... Magistrate Judge Kandis A. Westmore Assigned KANDIS A WESTMORE 2012-06-08T15:12:00 3378799120737 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Marcus Benjamin Eichenberg...

**Court:** United States District Court, California Northern | **Date Filed:** Sep 06, 2019 | **Docket Number:** 4:19cv5636 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

26. [San Francisco Baykeeper V. Sonoma Horse Park Et Al](#)

... due by 9/23/2019. (as, COURT STAFF) (Filed on 9/9/2019) (Entered: 09/09/2019) **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Jason Robert Flanders...

**Court:** US District Court for the Northern District of California | **Date Filed:** Sep 06, 2019 | **Docket Number:** 3:19cv5636 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Open



27. [San Francisco Baykeeper](#)

... 0 None Federal Question Clean Water Act 33:1319 0 0 None **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** San Francisco Baykeeper ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Sep 06, 2019 | **Docket Number:** 3:19cv5635 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Open

28. [Center For Biological Diversity, Inc. Et Al V. Bernhardt Et Al](#)

... BIOLOGICAL DIVERSITY 2018-01-18T20:04:00 82401084021257 510-844-7100 Fax: 510-844-7150 Email:Jloda@biologicaldiversity.Org USA 1 P **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 2 **San Francisco Baykeeper** Jennifer Lynn Loda...

**Court:** US District Court for the Northern District of California | **Date Filed:** May 23, 2019 | **Docket Number:** 3:19cv2843 | **Nature of Suit:** Environmental | **Cause:** Endangered Species Act | **Status:** Open

29. [Center For Biological Diversity, Inc. Et Al V. Bernhardt Et Al](#)

... CENTER FOR BIOLOGICAL DIVERSITY 2018-01-17T20:17:00 54383217134115 323-533-4416 Email:Jbuse@biologicaldiversity.Org USA 3 P **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 2 **San Francisco Baykeeper** Amy Rae Atwood...

**Court:** United States District Court, California Northern | **Date Filed:** May 23, 2019 | **Docket Number:** 4:19cv2843 | **Nature of Suit:** Environmental | **Cause:** Endangered Species Act | **Status:** Closed

30. [San Francisco Baykeeper V. S.O.S. Steel Company, Inc.](#)

... Magistrate Judge Susan van Keulen Assigned SUSAN VAN KEULEN 2017-01-09T19:27:00 3197466820191 **San Francisco Baykeeper** P Plaintiff A Non-profit Corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Mar 05, 2019 | **Docket Number:** 5:19cv1201 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

31. [San Francisco Baykeeper V. Vision Recycling Et Al](#)

... 2016-01-08T14:43:00 3239365871844 Magistrate Judge Allison Claire Referred ALLISON CLAIRE 2012-11-19T22:05:00 2790954652998 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Eastern | **Date Filed:** Dec 06, 2018 | **Docket Number:** 2:18cv3154 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

32. [San Francisco Baykeeper V. Vision Recycling Et Al](#)

... COMPLAINT against All Defendants by **San Francisco Baykeeper** . Attorney Eichenberg, Marcus Benjamin added. (Filing fee \$400, receipt number ...

... Exhibit 1, # 2 Civil Cover Sheet) (Eichenberg, Marcus) (Entered: 12/06/2018) **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Dec 06, 2018 | **Docket Number:** 2:18at1814 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Open

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33. [San Francisco Baykeeper V. United States Coast Guard Sector San Francisco Et Al](#)

... NOTICE by Peter W. Gautier, United States Coast Guard Sector **San Francisco** re 41 Order on Stipulation of Automatic Termination of Consent Decree ...  
... 05/14/2021) Judge Edward M. Chen Assigned EDWARD M CHEN 2017-09-29T13:43:00 1045639371795 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Nov 13, 2018 | **Docket Number:** 3:18cv6858 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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34. [San Francisco Baykeeper V. Deal Auto Company Llc](#)

... AND DISMISS CASE re: 19 STIPULATION WITH PROPOSED ORDER filed by **San Francisco Baykeeper** . \*\*\*Civil Case Terminated. Signed by Judge Maria-Elena James on 7/9/2018. ...  
... 07/09/2018) Magistrate Judge Maria-Elena James Assigned MARIA ELENA JAMES 2004-05-19T10:03:00 3145150207910 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Marcus Benjamin Eichenberg...

**Court:** United States District Court, California Northern | **Date Filed:** Nov 14, 2017 | **Docket Number:** 3:17cv6579 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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35. [San Francisco Baykeeper V. Deal Auto Company Llc](#)

... Magistrate Judge by **San Francisco Baykeeper**.. (Maharg, Erica) (Filed on 11/15/2017) (Entered: 11/15/2017) **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Erica Ann Maharg...

**Court:** US District Court for the Northern District of California | **Date Filed:** Nov 14, 2017 | **Docket Number:** 4:17cv6579 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Open

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36. [San Francisco Baykeeper V. International Disposal Corp. Of California Et Al](#)

... 09/26/2023) Judge Nathanael M. Cousins Assigned NATHANAEL M COUSINS 2017-09-28T17:42:00 1814108374340 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Nov 06, 2017 | **Docket Number:** 5:17cv6444 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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37. [San Francisco Baykeeper V. Mamac Investment, Inc.](#)

... PROPOSED ORDER Requesting Entry of Consent Decree and Dismissal filed by **San Francisco Baykeeper**. (Sasaki, Nicole) (Filed on 7/12/2018) (Entered: 07/12/2018) Magistrate Judge Jacqueline Scott Corley Assigned JACQUELINE SCOTT CORLEY 2011-05-23T22:28:00 4583815775898 **San Francisco Baykeeper** P Plaintiff A Non-Profit Corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Nov 01, 2017 | **Docket Number:** 3:17cv6379 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

38. [San Francisco Baykeeper V. Mamac Investment, Inc.](#)

... due by 11/15/2017. (srnS, COURT STAFF) (Filed on 11/1/2017) (Entered: 11/01/2017) **San Francisco Baykeeper** P Plaintiff A Non-Profit Corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Nov 01, 2017 | **Docket Number:** 4:17cv6379 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

39. [San Francisco Baykeeper V. The Newark Group Inc Et Al](#)

... Magistrate Judge Virginia K. DeMarchi Referred VIRGINIA K DEMARCHI 2018-10-29T20:02:00 3696221290805 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Erica A Maharg...

**Court:** United States District Court, California Northern | **Date Filed:** Oct 30, 2017 | **Docket Number:** 5:17cv6275 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

40. [San Francisco Baykeeper V. Darling Ingredients, Inc.](#)

... Judge Maria-Elena James (Settlement) Referred MARIA ELENA JAMES SETTLEMENT 2007-05-15T17:38:00 5738902079086 **San Francisco Baykeeper** P Plaintiff a California non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** May 08, 2017 | **Docket Number:** 4:17cv2643 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

41. [San Francisco Baykeeper V. Darling Ingredients, Inc.](#)

... due by 5/22/2017. (bwS, COURT STAFF) (Filed on 5/8/2017) (Entered: 05/08/2017) **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Caroline Ann Koch...

**Court:** US District Court for the Northern District of California | **Date Filed:** May 08, 2017 | **Docket Number:** 3:17cv2643 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

42. [San Francisco Baykeeper V. Darling Ingredients, Inc.](#)

... 0 None Federal Question Clean Water Act 33:1319 0 0 None **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** San Francisco Baykeeper ...

**Court:** US District Court for the Northern District of California | **Date Filed:** May 08, 2017 | **Docket Number:** 3:17cv2641 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Open

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43. [San Francisco Baykeeper V. Asphalt Shingle Recyclers, Llc](#)

... Magistrate Judge Joseph C. Spero Assigned JOSEPH C SPERO 2012-03-05T10:09:00 2873027860145  
**San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Aug 03, 2016 | **Docket Number:** 3:16cv4371 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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44. [San Francisco Baykeeper V. Asphalt Shingle Recyclers, Llc](#)

... due by 8/17/2016. (cjlS, COURT STAFF) (Filed on 8/3/2016) (Entered: 08/03/2016) **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Nicole Chiyeko Sasaki...

**Court:** US District Court for the Northern District of California | **Date Filed:** Aug 03, 2016 | **Docket Number:** 4:16cv4371 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Open

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45. [San Francisco Baykeeper V. City Of Berkeley Et Al](#)

... Magistrate Judge Jacqueline Scott Corley Assigned JACQUELINE SCOTT CORLEY 2011-05-23T22:28:00 4583815775898 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Apr 20, 2016 | **Docket Number:** 3:16cv2065 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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46. [San Francisco Baykeeper V. City Of Berkeley Et Al](#)

... days. by 5/5/2016. (sv, COURT STAFF) (Filed on 4/21/2016) (Entered: 04/21/2016) **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Nicole Chiyeko Sasaki...

**Court:** US District Court for the Northern District of California | **Date Filed:** Apr 20, 2016 | **Docket Number:** 4:16cv2065 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

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47. [San Francisco Baykeeper V. Granite Rock Company](#)

... Magistrate Judge Kandis A. Westmore Assigned KANDIS A WESTMORE 2012-06-08T15:12:00 3378799120737 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Mar 03, 2016 | **Docket Number:** 4:16cv1089 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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48. [San Francisco Baykeeper V. Taylor](#)

... 01/19/2017) Magistrate Judge Maria-Elena James Assigned MARIA ELENA JAMES 2004-05-19T10:03:00 3145150207910 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Dec 18, 2015 | **Docket Number:** 3:15cv5825 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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49. [San Francisco Baykeeper V. Taylor](#)

... days. by 1/4/2016. (haS, COURT STAFF) (Filed on 12/18/2015) (Entered: 12/18/2015) **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Nicole Chiyeko Sasaki...

**Court:** US District Court for the Northern District of California | **Date Filed:** Dec 18, 2015 | **Docket Number:** 4:15cv5825 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Open

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50. [San Francisco Baykeeper V. Csl Operating, Llc](#)

... Magistrate Judge Paul Singh Grewal Referred PAUL SINGH GREWAL 2010-12-06T19:34:00 3301940937669 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Erica Ann Maharg...

**Court:** United States District Court, California Northern | **Date Filed:** Dec 09, 2015 | **Docket Number:** 5:15cv5633 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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51. [San Francisco Baykeeper V. Mission Trail Waste Systems, Inc.](#)

... Magistrate Judge Nathanael M. Cousins Assigned NATHANAEL M COUSINS 2012-03-06T14:42:00 3752255796891 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Jul 28, 2015 | **Docket Number:** 5:15cv3465 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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52. [San Francisco Baykeeper V. Berkeley Marine Center, Inc. Et Al](#)

... NOTICE of Voluntary Dismissal by **San Francisco Baykeeper** (Sasaki, Nicole) (Filed on 12/8/2015) (Entered: 12/08/2015) Magistrate Judge Maria-Elena James Assigned MARIA ELENA JAMES 2004-05-19T10:03:00 3145150207910 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jun 30, 2015 | **Docket Number:** 3:15cv3044 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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53. [San Francisco Baykeeper V. Berkeley Marine Center, Inc. Et Al](#)

... Defendants ( Filing fee \$ 400, receipt number 0971-9644642.). Filed by **San Francisco Baykeeper**. (Attachments: # 1 Civil Cover Sheet)(Sasaki, Nicole) (Filed on 6/30/2015) (Entered: 06/30/2015) **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Nicole Chiyeko Sasaki...



**Court:** US District Court for the Northern District of California | **Date Filed:** Jun 30, 2015 | **Docket Number:** 4:15cv3044 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

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54. [San Francisco Baykeeper V. Dutra Group Et Al](#)

... 10/10/2018) Honorable Maxine M. Chesney Assigned MAXINE M CHESNEY 2012-03-06T17:28:00 1995588834550 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Jun 10, 2015 | **Docket Number:** 3:15cv2590 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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55. [San Francisco Baykeeper V. City Of San Jose Et Al](#)

... Magistrate Judge Howard R. Lloyd Referred HOWARD R LLOYD 2012-03-06T15:03:00 2904014025847 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Erica A Maharg...

**Court:** United States District Court, California Northern | **Date Filed:** Feb 11, 2015 | **Docket Number:** 5:15cv642 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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56. [San Francisco Baykeeper V. Phan](#)

... Magistrate Judge Paul Singh Grewal Assigned PAUL SINGH GREWAL 2010-12-06T19:34:00 3301940937669 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Erica Ann Maharg...

**Court:** United States District Court, California Northern | **Date Filed:** Jan 14, 2015 | **Docket Number:** 5:15cv208 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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57. [San Francisco Baykeeper V. Marin Sanitary Service](#)

... Magistrate Judge Joseph C. Spero Assigned JOSEPH C SPERO 2012-03-05T10:09:00 2873027860145 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Dec 03, 2014 | **Docket Number:** 3:14cv5312 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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58. [San Francisco Baykeeper V. Pacific Rim Recycling, Inc.](#)

... Magistrate Judge Kendall J. Newman Referred KENDALL J NEWMAN 2012-03-07T11:35:00 3107828183315 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Andrea Lynn Kopecky...

**Court:** United States District Court, California Eastern | **Date Filed:** May 05, 2014 | **Docket Number:** 2:14cv1100 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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59. [San Francisco Baykeeper V. Pacific Rim Recycling](#)

... COMPLAINT against Pacific Rim Recycling by **San Francisco Baykeeper** . (Filing fee \$ 400, receipt number 0972-5311361) (Attachments: # 1 ...

... 1 Civil Cover Sheet, # 2 Exhibit 1)(Kopecky, Andrea) (Entered: 05/05/2014) **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Andrea Lynn Kopecky...

**Court:** US District Court for the Eastern District of California | **Date Filed:** May 05, 2014 | **Docket Number:** 2:14at561 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

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60. [San Francisco Baykeeper V. Syar Industries Inc](#)

... 1/12/2015) (Entered: 01/12/2015) Honorable James Donato Assigned JAMES DONATO 2014-04-10T18:58:00 1430960239937 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Feb 20, 2014 | **Docket Number:** 3:14cv779 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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61. [San Francisco Baykeeper V. Marine Express, Inc.](#)

... Magistrate Judge Joseph C. Spero Assigned JOSEPH C SPERO 2012-03-05T10:09:00 2873027860145 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Dec 02, 2013 | **Docket Number:** 3:13cv5550 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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62. [San Francisco Baykeeper V. Pacific Galvanizing](#)

... CERTIFICATE OF SERVICE by **San Francisco Baykeeper** (Kopecky, Andrea) (Filed on 2/4/2014) (Entered: 02/04/2014) Magistrate Judge Jacqueline Scott Corley Assigned JACQUELINE SCOTT CORLEY 2011-05-23T22:28:00 4583815775898 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Nov 14, 2013 | **Docket Number:** 3:13cv5260 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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63. [San Francisco Baykeeper V. Oldcastle Precast, Inc.](#)

... Magistrate Judge Kandis A. Westmore Assigned KANDIS A WESTMORE 2012-06-08T15:12:00 3378799120737 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Nov 05, 2013 | **Docket Number:** 4:13cv5153 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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64. [San Francisco Baykeeper V. City Of Sunnyvale Et Al](#)

... Magistrate Judge Howard R. Lloyd Assigned HOWARD R LLOYD 2012-03-06T15:03:00 2904014025847 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** May 29, 2013 | **Docket Number:** 5:13cv2425 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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65. [San Francisco Baykeeper V. Premier Recycle Company](#)

... ORDER re 31 Entry of Consent Decree and Dismissal filed by **San Francisco Baykeeper** . Signed by Magistrate Judge Howard R. Lloyd on 1/3/2014. Court ...

... Magistrate Judge Howard R. Lloyd Assigned HOWARD R LLOYD 2012-03-06T15:03:00 2904014025847 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Apr 15, 2013 | **Docket Number:** 5:13cv1695 | **Nature of Suit:** Environmental | **Cause:** Fed. Question | **Status:** Closed

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66. [San Francisco Baykeeper V. S.O.S Steel Company, Inc.](#)

... Magistrate Judge Paul Singh Grewal Assigned PAUL SINGH GREWAL 2010-12-06T19:34:00 3301940937669 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Andrea Lynn Kopecky...

**Court:** United States District Court, California Northern | **Date Filed:** Mar 15, 2013 | **Docket Number:** 5:13cv1113 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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67. [San Francisco Baykeeper V. Green Team Of San Jose Et Al](#)

... Magistrate Judge Paul Singh Grewal Assigned PAUL SINGH GREWAL 2010-12-06T19:34:00 3301940937669 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Andrea Lynn Kopecky...

**Court:** United States District Court, California Northern | **Date Filed:** Feb 11, 2013 | **Docket Number:** 5:13cv589 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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68. [San Francisco Baykeeper V. Green Waste Recovery, Inc](#)

... Magistrate Judge Howard R. Lloyd Assigned HOWARD R LLOYD 2012-03-06T15:03:00 2904014025847 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Jan 24, 2013 | **Docket Number:** 5:13cv334 | **Nature of Suit:** Environmental | **Cause:** Pollutants & Permit Violations | **Status:** Closed

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69. [San Francisco Baykeeper V. Levin Enterprises, Inc. Et Al](#)

... Magistrate Judge Laurel Beeler (Settlement) Referred LAUREL BEELER SETTLEMENT 2010-04-14T04:21:00 4999715069890 **San Francisco Baykeeper** P Plaintiff a California non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Aug 17, 2012 | **Docket Number:** 3:12cv4338 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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70. [Baykeeper, Inc v. City of South San Francisco](#)

... (Entered: 03/26/2010) Magistrate Judge Bernard Zimmerman Assigned BERNARD ZIMMERMAN 2004-05-19T10:03:00 3370618187788 **Baykeeper**, Inc A California Non-Profit Corporation Doing Business as **San Francisco Baykeeper** P PLAINTIFF **BAYKEEPER INC A CALIFORNIA NON PROFIT CORPORATION DOING BUSINESS AS SAN FRANCISCO BAYKEEPER** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Mar 04, 2010 | **Docket Number:** 3:10cv921 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

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71. [United States of America v. City of Alameda et al](#)

... 2009-10-29T02:55:00 7273 7558 133815474020860 202-307-1242Fax: 202-514-2583Email: PATRICIA.HURST@USDOJ.GOV USA 1 P 2010-11-09T17:00:08.190 **San Francisco Baykeeper** Intervenor P PLA **SAN FRANCISCO BAYKEEPER** INTERVENOR 2009-03-20T05:07:00 2 **San Francisco Baykeeper** Intervenor Jason Robert Flanders...

**Court:** US District Court for the Northern District of California | **Date Filed:** Dec 03, 2009 | **Docket Number:** 4:09cv5684 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Open

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72. [San Francisco Baykeeper V. West Bay Sanitary District](#)

... Magistrate Judge Laurel Beeler (Settlement) Referred LAUREL BEELER SETTLEMENT 2010-04-14T04:21:00 4999715069890 **San Francisco Baykeeper** P Plaintiff a California non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Dec 02, 2009 | **Docket Number:** 3:09cv5676 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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73. [San Francisco Baykeeper V. City Of San Carlos](#)

... Letter re Report on Disbursements of Funds from **San Francisco Baykeeper-v-The City of San Carlos**, from Tim Little, dated 02/04/11. (jlm, COURT STAFF) (Filed on ...  
... 02/09/2011) Honorable Sandra Brown Armstrong Assigned SAUNDRA BROWN ARMSTRONG 2007-01-22T22:43:00 3192868457995 **San Francisco Baykeeper** P Plaintiff a California non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Dec 02, 2009 | **Docket Number:** 4:09cv5677 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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74. [San Francisco Baykeeper v. City of San Carlos](#)

... **Baykeeper**. (Williams, Samantha) (Filed on 12/24/2009) (Entered: 12/24/2009) Magistrate Judge Joseph C Spero Assigned JOSEPH C SPERO 2004-05-19T10:03:00 2781779762809 **San Francisco Baykeeper**: a California non-profit corporation P Plaintiff **SAN FRANCISCO BAYKEEPER A CALIFORNIA NON PROFIT CORPORATION**...

**Court:** US District Court for the Northern District of California | **Date Filed:** Dec 02, 2009 | **Docket Number:** 3:09cv5677 | **Nature of Suit:** Environmental Matters | **Cause:** Clean Water Act | **Status:** Open

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75. [San Francisco Baykeeper V. City Of Millbrae](#)

... Edward M. Chen (Settlement) Referred EDWARD M CHEN SETTLEMENT 2012-03-06T13:38:00 3423944937622 **San Francisco Baykeeper** P Plaintiff a California non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Dec 02, 2009 | **Docket Number:** 4:09cv5675 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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76. [United States of America et al v. East Bay Municipal Utility Distric](#)

... JUSTICE 2006-07-28T03:06:00 7273 7558 110521356029655 202-514-4080Email: Lori.jonas@usdoj.gov USA 3 P 2006-11-17T16:12:54.240 **San Francisco Baykeeper** Intervenor P PLA **SAN FRANCISCO BAYKEEPER** INTERVENOR 2009-03-20T05:07:00 5 **San Francisco Baykeeper** Intervenor Christopher Alan Sproul...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jan 15, 2009 | **Docket Number:** 4:09cv186 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Open

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77. [San Francisco Baykeeper v. County of San Mateo et al](#)

... 2008-01-16T04:35:00 6415427440449 Magistrate Judge Bernard Zimmerman Assigned BERNARD ZIMMERMAN 2004-05-19T10:03:00 3370618187788 **San Francisco Baykeeper** A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2008-01-14T13:14:00 1 **San Francisco Baykeeper** A Non-Profit Corporation...

**Court:** United States District Court, California Northern | **Date Filed:** Aug 19, 2008 | **Docket Number:** 3:08cv3951 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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78. [San Francisco Baykeeper V. Town Of Hillsborough](#)

... Elizabeth D. Laporte (Settlement) Referred ELIZABETH D LAPORTE SETTLEMENT 2012-03-06T14:44:00 6553147537785 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Northern | **Date Filed:** Aug 06, 2008 | **Docket Number:** 3:08cv3760 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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79. [San Francisco Baykeeper V. City Of Burlingame Et Al](#)

... Magistrate Judge James Larson (Settlement) Referred JAMES LARSON SETTLEMENT 2007-05-16T16:11:00 4854734000969 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Feb 11, 2008 | **Docket Number:** 4:08cv895 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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80. [Arc Ecology, Et Al V United States Maritime Administration, Et Al](#)

... -1 -1 74504414284304 312-651-7906 Fax: 312-651-7919 Email:Tcmr@nrdc.Org USA 5 P 2013-10-11T17:00:48.890 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 3 **San Francisco Baykeeper** David A. Nicholas , PHV...

**Court:** United States District Court, California Eastern | **Date Filed:** Oct 29, 2007 | **Docket Number:** 2:07cv2320 | **Nature of Suit:** Environmental | **Cause:** Review of Agency Action-Environment | **Status:** Closed

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81. [Waterkeepers Northern California V. Berkeley Forge & Tool, Inc. Et Al](#)

... 09/14/2004) Honorable Maxine M. Chesney Assigned MAXINE M CHESNEY 2012-03-06T17:28:00 1995588834550 **Baykeeper** A Non-Profit Corporation Doing Business as **San Francisco Baykeeper** P Plaintiff **BAYKEEPER** A NON PROFIT CORPORATION DOING BUSINESS AS **SAN FRANCISCO BAYKEEPER** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Oct 08, 2003 | **Docket Number:** 3:03cv4553 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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82. [Waterkeepers Northern California v. Pacific Steel Casting Company et al](#)

... 01/18/2005) Honorable Maxine M Chesney Assigned MAXINE M CHESNEY 2004-05-19T10:03:00 1914359737214 **Baykeeper** A Non-Profit Corporation, Doing Business as **San Francisco Baykeeper** P PLAINTIFF **BAYKEEPER** A NON PROFIT CORPORATION DOING BUSINESS AS **SAN FRANCISCO BAYKEEPER** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Sep 15, 2003 | **Docket Number:** 3:03cv4195 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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83. [San Francisco Baykeeper v. Berkeley Asphalt Co. et al](#)

... 11/18/2003) (Entered: 11/18/2003) Honorable Claudia Wilken Assigned CLAUDIA WILKEN 2004-05-19T10:03:00 1661823878863 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Danielle R. Fugere...

**Court:** US District Court for the Northern District of California | **Date Filed:** Aug 13, 2003 | **Docket Number:** 4:03cv3791 | **Nature of Suit:** Environmental Matters | **Cause:** Environmental Matters | **Status:** Closed

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84. [San Francisco Baykeeper v. Right Away Redy Mix Co, Inc](#)

... (tn) (Entered: 03/10/2003) Honorable Bernard Zimmerman Assigned BERNARD ZIMMERMAN 2004-05-19T10:03:00 2134225459888 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Danielle R Fugere...

**Court:** US District Court for the Northern District of California | **Date Filed:** Mar 05, 2003 | **Docket Number:** 3:03cv983 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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85. [San Francisco Baykeeper v. Berkeley Oakland Supply Co, Inc](#)

... (Entered: 12/30/2002) Magistrate Judge James Larson Assigned JAMES LARSON 2004-05-19T10:03:00 2496607129793 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Shana DG Lazerow...

**Court:** US District Court for the Northern District of California | **Date Filed:** Dec 23, 2002 | **Docket Number:** 3:02cv5902 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

86. [San Francisco Baykeeper V. Central Concrete Supply Company Inc.](#)

... 04/18/2003) Magistrate Judge Maria-Elena James Assigned MARIA ELENA JAMES 2004-05-19T10:03:00 3145150207910 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Danielle R. Fugere...

**Court:** US District Court for the Northern District of California | **Date Filed:** Dec 04, 2002 | **Docket Number:** 3:02cv5703 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

87. [San Francisco Baykeeper Et Al V. United States Army Corps Of Engineers Et Al](#)

... STAFF) (Entered: 08/07/2003) Honorable Claudia Wilken Assigned CLAUDIA WILKEN 2004-05-19T10:03:00 1661823878863 **San Francisco Baykeeper**, Inc. P Plaintiff a project of Waterkeepers Northern California, a nonprofit corporation | **SAN FRANCISCO BAYKEEPER INC...**

**Court:** United States District Court, California Northern | **Date Filed:** Dec 18, 2001 | **Docket Number:** 4:01cv4949 | **Nature of Suit:** Environmental | **Cause:** Pollutants & Permit Violations | **Status:** Closed

88. [San Francisco Baykeeper v. Sears Point Raceway Acquisition Inc Et A](#)

... (Entered: 10/29/2001) Honorable Claudia Wilken Assigned CLAUDIA WILKEN 2004-05-19T10:03:00 1661823878863 **San Francisco Baykeeper**, A Non-Profit Corporation AKA Waterkeepers Northern California P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION AKA WATERKEEPERS NORTHERN CALIFORNIA...

**Court:** US District Court for the Northern District of California | **Date Filed:** Oct 29, 2001 | **Docket Number:** 4:01cv4055 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

89. [Northwest Environment Advocates et al v. US Environmental Protection Agenc](#)

... 2011-05-16T19:28:00 156148647 157063215 67399201081265 510-749-9102Fax: 510-749-9103Email: MRLOZEAU@LOZEAULAW.COM USA 4 P 2011-06-13T16:59:20.973 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 3 **San Francisco Baykeeper** Deborah Ann Sivas...

**Court:** US District Court for the Northern District of California | **Date Filed:** Apr 02, 2001 | **Docket Number:** 3:01cv1297 | **Nature of Suit:** Environmental | **Cause:** Administrative Procedure Act | **Status:** Closed

90. [SF Baykeeper, et al v. US Army Corps of ENG, et al](#)

... [Entry date 06/07/02] Judge Claudia Wilken Assigned CLAUDIA WILKEN 2004-05-19T10:03:00 1140550184212 **San Francisco Baykeeper**, A Project of Waterkeepers Northern California P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A PROJECT WATERKEEPERS NORTHERN CALIFORNIA 2004-05-19T10:06:00 1...

**Court:** US District Court for the Northern District of California | **Date Filed:** Feb 07, 2001 | **Docket Number:** 4:01cv602 | **Nature of Suit:** Environmental | **Cause:** Review of Agency Action-Environment | **Status:** Closed

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91. [SF Baykeeper, et al v. Board of Port, et al](#)

... (Entered: 10/06/2000) Senior Judge Samuel Conti Assigned SAMUEL CONTI 2004-05-19T10:03:00 1900464641887 **San Francisco Baykeeper**, A Project of Waterkeepers Northern California A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A PROJECT WATERKEEPERS NORTHERN CALIFORNIA A NON PROFIT CORPORATION...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jun 20, 2000 | **Docket Number:** 3:00cv2184 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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92. [San Francisco Bay, et al v. Western Square](#)

... Magistrate Judge Gregory G Hollows Referred GREGORY G HOLLOWES 2004-05-19T10:03:00 3405159492090 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Leo Patrick O'Brien...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Apr 20, 2000 | **Docket Number:** 2:00cv870 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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93. [SF Baykeeper, et al v. Astoria Metal Corp, et al](#)

... OFFICE 2004-05-19T10:03:00 1752823 2337686 46515539742260 415-436-7200(415) 556-2245 USA 1 D 2008-09-09T17:00:07.040 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Alan Ramo [COR LD NTC]...

**Court:** US District Court for the Northern District of California | **Date Filed:** Mar 31, 2000 | **Docket Number:** 3:00cv1149 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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94. [Waterkeepers, et al v. Moore, et al](#)

... Magistrate Judge Dale A Drozd Referred DALE A DROZD 2004-05-19T10:03:00 2293529354974 **San Francisco Baykeeper**, Waterkeepers Northern California AKA Waterkeepers Northern California P PLAINTIFF **SAN FRANCISCO BAYKEEPER** WATERKEEPERS NORTHERN CALIFORNIA AKA WATERKEEPERS NORTHERN CALIFORNIA...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Feb 16, 2000 | **Docket Number:** 2:00cv334 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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95. [SF Baykeeper, et al v. Tosco Refining Comp, et al](#)

... date 02/14/01] [3:00cv248] Judge Susan Illston Assigned SUSAN ILLSTON 2004-05-19T10:03:00 1155547772144 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Michael R Lozeau...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jan 24, 2000 | **Docket Number:** 3:00cv248 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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96. [SF Baykeeper v. Browner, et al](#)



... 01/19/00] Judge Charles A Legge Assigned CHARLES A LEGGE 2004-05-19T10:03:00 1165939824702  
**San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Leo O'Brien [COR NTC]...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jan 12, 2000 | **Docket Number:** 3:00cv132 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Open

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97. [Sf Baykeeper V. Browner, Et Al](#)

... 05/06/2003) Honorable Saundra Brown Armstrong Assigned SAUNDRA BROWN ARMSTRONG 2007-01-22T22:43:00 3192868457995 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Michael Robert Lozeau...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jan 12, 2000 | **Docket Number:** 4:00cv132 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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98. [San Francisco Bay, et al v. QB Rebuilders, et al](#)

... Magistrate Judge Dale A Drozd Referred DALE A DROZD 2004-05-19T10:03:00 2293529354974 **San Francisco Baykeeper**, A Non Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non Profit Corporation...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Nov 08, 1999 | **Docket Number:** 2:99cv2224 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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99. [San Francisco Bay v. Wesprint, et al](#)

... DEFENDANT ROGER KARLSPRUD INDIVIDUAL 2004-05-19T10:06:00 3 Roger Karlsprud, an Individual **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Nov 03, 1999 | **Docket Number:** 2:99cv2184 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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100. [San Francisco Bay v. San Joaquin Steel, et al](#)

... Magistrate Judge Gregory G Hollows Referred GREGORY G HOLLOWS 2004-05-19T10:03:00 3405159492090 **San Francisco Baykeeper**, A Non Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non Profit Corporation...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Nov 03, 1999 | **Docket Number:** 2:99cv2185 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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101. [San Francisco Bay v. Nelson Ready Mix, et al](#)

... Magistrate Judge Dale A Drozd Referred DALE A DROZD 2004-05-19T10:03:00 2293529354974 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Nov 03, 1999 | **Docket Number:** 2:99cv2186 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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102. [SF Baykeeper, et al v. LB Desilva, LLC, et al](#)

... A CORPORATION 2004-05-19T10:06:00 4 Construction Management & Development, Inc, A Corporation **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00...

**Court:** US District Court for the Northern District of California | **Date Filed:** Sep 14, 1999 | **Docket Number:** 3:99cv4216 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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103. [San Francisco Bay, et al v. Acme Lift Trucks, et al](#)

... Magistrate Judge Dale A Drozd Referred DALE A DROZD 2004-05-19T10:03:00 2293529354974 **San Francisco Baykeeper**, **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, **San Francisco Baykeeper** ...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Aug 20, 1999 | **Docket Number:** 2:99cv1622 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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104. [San Francisco Bay, et al v. Pacifex Fertilizer, et al](#)

... Magistrate Judge Peter A Nowinski Referred PETER A NOWINSKI 2004-05-19T10:03:00 3156996781593 **San Francisco Baykeeper**, Inc P PLAINTIFF **SAN FRANCISCO BAYKEEPER INC** 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, Inc Ellison Folk...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Jul 12, 1999 | **Docket Number:** 2:99cv1330 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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105. [San Francisco Bay V. Teichert Pre-Cast, Et Al](#)

... Magistrate Judge Gregory G. Hollows Referred GREGORY G HOLLOWS 2012-03-12T14:57:00 3508693589426 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** United States District Court, California Eastern | **Date Filed:** Nov 17, 1998 | **Docket Number:** 2:98cv2234 | **Nature of Suit:** Environmental | **Cause:** Fed. Question: Water Rights | **Status:** Closed

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106. [San Francisco Bay v. Paul Coots Inc, et al](#)

... Senior Judge Lawrence K Karlton Assigned LAWRENCE K KARLTON 2005-01-06T19:17:00 2731169764844 **San Francisco Baykeeper** A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2008-01-14T13:14:00 1 **San Francisco Baykeeper** A Non-Profit Corporation...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Nov 17, 1998 | **Docket Number:** 2:98cv2233 | **Nature of Suit:** Environmental | **Cause:** Pollutants & Permit Violations | **Status:** Closed

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107. [San Francisco Bay V. Dwight P Hughes Co, Et Al](#)

... Magistrate Judge Dale A. Drozd Referred DALE A DROZD 2012-03-07T11:38:00 2368948452310 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Andrew L. Packard...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Nov 17, 1998 | **Docket Number:** 2:98cv2231 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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108. [San Francisco Bay, et al v. :pitt-Des Moines Inc, et al](#)

... 3405159492090 Judge William B Shubb Assigned WILLIAM B SHUBB 2004-05-19T10:03:00 1244867366280 **San Francisco Baykeeper** A Non Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2008-01-22T14:16:00 1 **San Francisco Baykeeper** A Non Profit Corporation...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Nov 17, 1998 | **Docket Number:** 2:98cv2230 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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109. [San Francisco Bay, Et Al V. Associated Tractor, Et Al](#)

... Magistrate Judge Gregory G. Hollows Referred GREGORY G HOLLOWS 2012-03-12T14:57:00 3508693589426 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Daniel Cooper LEAD ATTORNEY;ATTORNEY TO BE NOTICED...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Nov 17, 1998 | **Docket Number:** 2:98cv2232 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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110. [San Francisco Bay, et al v. Corn Products, et al](#)

... Magistrate Judge John F Moulds Referred JOHN F MOULDS 2004-05-19T10:03:00 2587121299491 **San Francisco Baykeeper**, A California Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A CALIFORNIA NON PROFIT CORPORATION...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Aug 07, 1998 | **Docket Number:** 2:98cv1503 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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111. [SF Baykeeper v. Winders, et al](#)

... 05/29/98] Judge Martin J Jenkins Assigned MARTIN J JENKINS 2004-05-19T10:03:00 1373530108524 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Jack Silver [COR LD NTC]...

**Court:** US District Court for the Northern District of California | **Date Filed:** May 27, 1998 | **Docket Number:** 3:98cv2157 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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112. [San Francisco Bay, Et Al V. Learner Company](#)

... Magistrate Judge Peter A. Nowinski Referred PETER A NOWINSKI 2012-03-27T10:02:00 3249079878929 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Aaron Stephen Isherwood...



**Court:** United States District Court, California Eastern | **Date Filed:** Apr 22, 1998 | **Docket Number:** 2:98cv720 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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113. [San Francisco Bay v. Winders, et al](#)

... Magistrate Judge Peter A Nowinski Referred PETER A NOWINSKI 2004-05-19T10:03:00 3156996781593 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Feb 09, 1998 | **Docket Number:** 2:98cv248 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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114. [San Francisco Bay, et al v. Lewis, et al](#)

... Magistrate Judge Gregory G Hollows Referred GREGORY G HOLLOWS 2004-05-19T10:03:00 3405159492090 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Jack Silver [COR LD NTC]...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Feb 04, 1998 | **Docket Number:** 2:98cv227 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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115. [SF Baykeeper, et al v. Navy, et al](#)

... 1752823 2337686 54897364795303 (415) 436-6857(415) 556-2245Rm 043 USA 4 D 2008-09-09T17:00:07.040 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Fredric Evenson [COR LD NTC]...

**Court:** US District Court for the Northern District of California | **Date Filed:** Oct 06, 1997 | **Docket Number:** 3:97cv3656 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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116. [SF Baykeeper v. U-Pull, et al](#)

... 2004-05-19T10:03:00 924709436236 Magistrate Judge Bernard Zimmerman Referred BERNARD ZIMMERMAN 2004-05-19T10:03:00 3370618187788 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** Sep 04, 1997 | **Docket Number:** 3:97cv3261 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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117. [SF Baykeeper v. A-D Auto Wrecking, et al](#)

... date 05/02/97] Senior Judge Samuel Conti Assigned SAMUEL CONTI 2004-05-19T10:03:00 1900464641887 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00...

**Court:** US District Court for the Northern District of California | **Date Filed:** May 01, 1997 | **Docket Number:** 3:97cv1620 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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118. [SF Baykeeper, et al v. MCM Construction Inc, et al](#)

... [Entry date 05/28/98] Judge Susan Illston Assigned SUSAN ILLSTON 2004-05-19T10:03:00 1155547772144 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** Feb 20, 1997 | **Docket Number:** 3:97cv626 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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119. [Sf Baykeeper, Et Al V. Lakeside Non-Ferrous, Et Al](#)

... 06/09/1998) Judge Thelton E. Henderson Assigned THELTON E HENDERSON 2012-03-05T07:25:00 1856037528558 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Dec 17, 1996 | **Docket Number:** 3:96cv4521 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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120. [San Francisco Bay, et al v. Port of Stockton, et al](#)

... Magistrate Judge Dale A Drozd Assigned DALE A DROZD 2004-05-19T10:03:00 2293529354974 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Michael R Lozeau...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Dec 10, 1996 | **Docket Number:** 2:96cv2137 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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121. [San Francisco Bay, et al v. Metropolitan Stevedo](#)

... Senior Judge Lawrence K Karlton Assigned LAWRENCE K KARLTON 2005-01-06T19:17:00 2731169764844 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Michael R Lozeau...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Dec 10, 1996 | **Docket Number:** 2:96cv2136 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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122. [SF Baykeeper, et al v. Pinole-Rodeo Auto](#)

... 2004-05-19T10:03:00 -1 -1 46541806662205 (415) 561-2299 USA 1 P **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00...

**Court:** US District Court for the Northern District of California | **Date Filed:** Oct 25, 1996 | **Docket Number:** 3:96cv3892 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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123. [SF Baykeeper, et al v. US Dept of Navy, et al](#)

... NATURAL RESOURCES DIV 2004-05-19T10:03:00 7273 7558 52886560046898 202-514-0996 USA 1 D **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** Sep 17, 1996 | **Docket Number:** 3:96cv3370 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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124. [S.F. Baykeeper, Et Al V. Dc Metals Inc., Et Al](#)

... 03/30/1999) Judge Thelton E. Henderson Assigned THELTON E HENDERSON 2012-03-05T07:25:00 1856037528558 **San Francisco Baykeeper** P Plaintiff a non-profit organization | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Sep 03, 1996 | **Docket Number:** 3:96cv3202 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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125. [San Francisco Bay, et al v. Vallejo Sanitation](#)

... Magistrate Judge John F Moulds Referred JOHN F MOULDS 2004-05-19T10:03:00 2587121299491 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Eastern District of California | **Date Filed:** Aug 29, 1996 | **Docket Number:** 2:96cv1554 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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126. [Sf Baykeeper, Et Al V. Worden, Et Al](#)

... Honorable William H. Orrick, Jr Assigned WILLIAM H ORRICK 2013-05-21T12:58:00 2548348891841 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Aug 22, 1996 | **Docket Number:** 3:96cv3018 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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127. [SF Baykeeper, et al v. Penngrove Auto](#)

... Senior Judge William H Orrick Assigned WILLIAM H ORRICK 2004-05-19T10:03:00 2414850866350 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** Aug 22, 1996 | **Docket Number:** 3:96cv3020 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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128. [San Francisco Bay, et al v. Stack](#)

... Senior Judge William H Orrick Assigned WILLIAM H ORRICK 2004-05-19T10:03:00 2414850866350 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** Aug 22, 1996 | **Docket Number:** 3:96cv3019 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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129. [San Francisco Bay, et al v. Atlas Auto Wreckers, et al](#)

... Senior Judge William H Orrick Assigned WILLIAM H ORRICK 2004-05-19T10:03:00 2414850866350 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** Aug 16, 1996 | **Docket Number:** 3:96cv4556 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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130. [San Francisco Bay, Et Al V. Deal Auto And Truck, Et Al](#)

... 2012-03-27T18:58:00 1821251385516 Magistrate Judge Bernard Zimmerman Referred BERNARD ZIMMERMAN 2004-05-19T10:03:00 3370618187788 **San Francisco Baykeeper** P Plaintiff a non-profit corporation | **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** ...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jul 15, 1996 | **Docket Number:** 4:96cv2523 | **Nature of Suit:** Environmental | **Cause:** Clean Water Act | **Status:** Closed

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131. [SF Baykeeper, et al v. Martinez Auto, et al](#)

... PISTOLE 2004-05-19T10:03:00 229597 271129 42755129645346 (707) 996-9690(707) 523-0732 USA 2 O **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jul 09, 1996 | **Docket Number:** 3:96cv2457 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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132. [Sf Baykeeper, Et Al V. Cargill Salt Div, Et Al](#)

... 10/12/2007) (Entered: 10/12/2007) Honorable Susan Illston Assigned SUSAN ILLSTON 2004-05-19T10:03:00 1690525466795 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Daniel Edward Purcell...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jun 11, 1996 | **Docket Number:** 3:96cv2161 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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133. [SF Baykeeper, et al v. ED Coat, Inc](#)

... (lcc) Judge Fern M Smith Assigned FERN M SMITH 2004-05-19T10:03:00 924709436236 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** May 24, 1996 | **Docket Number:** 3:96cv1939 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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134. [SF Baykeeper v. Ab&i Inc](#)

... Chief Judge Thelton E Henderso Assigned THELTON E HENDERSO 2004-05-19T10:03:00 2520678723975 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00...

**Court:** US District Court for the Northern District of California | **Date Filed:** May 02, 1996 | **Docket Number:** 3:96cv1658 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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135. [SF Baykeeper v. Tidewater Sand](#)

... 2004-05-19T10:03:00 2496607129793 Magistrate Judge James Larson Assigned JAMES LARSON 2004-05-19T10:03:00 2496607129793 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** Apr 24, 1996 | **Docket Number:** 4:96cv1531 | **Nature of Suit:** Environmental | **Cause:** Fed. Question | **Status:** Closed

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136. [SF Baykeeper v. O'Brien Corporation](#)

... 07/17/97] Judge Fern M Smith Assigned FERN M SMITH 2004-05-19T10:03:00 924709436236 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** Apr 09, 1996 | **Docket Number:** 3:96cv1300 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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137. [SF Baykeeper, et al v. Astoria Metals, Inc](#)

... date 11/19/97] Senior Judge Samuel Conti Assigned SAMUEL CONTI 2004-05-19T10:03:00 1900464641887 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00...

**Court:** US District Court for the Northern District of California | **Date Filed:** Mar 29, 1996 | **Docket Number:** 3:96cv1178 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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138. [SF Baykeeper, et al v. Rancho Veal Corp, et al](#)

... 2004-05-19T10:03:00 3370618187788 Magistrate Judge Bernard Zimmerman Referred BERNARD ZIMMERMAN 2004-05-19T10:03:00 3370618187788 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** Feb 28, 1996 | **Docket Number:** 3:96cv755 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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139. [SF Baykeeper v. Pick Your Part Auto](#)

... 03/14/96] Judge Fern M Smith Assigned FERN M SMITH 2004-05-19T10:03:00 924709436236 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jan 24, 1996 | **Docket Number:** 3:96cv348 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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140. [Sf Baykeeper V. Collins, Et Al](#)

... 02/19/1998) Honorable Marilyn H. Patel Assigned MARILYN H PATEL 2012-03-09T16:55:00  
1901777501074 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-  
19T10:06:00 1 **San Francisco Baykeeper** Leeann Catherine Lahren...

**Court:** United States District Court, California Northern | **Date Filed:** Dec 15, 1995 | **Docket Number:**  
3:95cv4514 | **Nature of Suit:** Environmental | **Cause:** Fed. Question | **Status:** Closed

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141. [SF Baykeeper v. US Dept of the Navy, et al](#)

... Chief Judge Marilyn Hall Patel Assigned MARILYN HALL PATEL 2004-05-19T10:03:00 2518003628969  
**San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Lee Ann Lahren...

**Court:** US District Court for the Northern District of California | **Date Filed:** Aug 29, 1995 | **Docket Number:** 3:95cv3033 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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142. [SF Baykeeper, et al v. STA Clara VLY Water](#)

... in the **San Francisco** Division. Case assigned the following new number C95-02347 MHP ( Date ...  
... [4:95cv2347] Judge Sandra Brown Armstrong Assigned SAUNDRA BROWN ARMSTRONG 2004-05-  
19T10:03:00 2448114763344 **San Francisco Baykeeper**, A Non-Profit Organization P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT ORGANIZATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Organization...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jun 30, 1995 | **Docket Number:** 4:95cv2347 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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143. [San Francisco Baykee, et al v. City of Saratoga](#)

... INFANTE 2004-05-19T10:03:00 1829450187089 Judge James Ware Referred JAMES WARE 2004-05-  
19T10:03:00 767916715900 **San Francisco Baykeeper** A Nonprofit Organization P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NONPROFIT ORGANIZATION 2008-01-15T15:44:00 1 **San Francisco Baykeeper** A Nonprofit Organization...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jan 26, 1995 | **Docket Number:** 5:95cv20059 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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144. [SF Baykeeper, et al v. US Dept of the Navy, et al](#)

... US DEPARTMENT JUSTICE 2004-05-19T10:03:00 7273 7558 66447626597534 202-514-1978 USA 1  
D **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Daniel G Cooper...

**Court:** US District Court for the Northern District of California | **Date Filed:** Oct 05, 1994 | **Docket Number:** 3:94cv3521 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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145. [Citizens For Environ, Et Al V. Exxon Company Usa](#)

... AND BALLER 2014-11-26T14:24:00 148878 173361 42564097172208 510-763-9800 USA 4 P 2014-12-11T17:00:34.920 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 2 **San Francisco Baykeeper** Linda M Dardardian...

**Court:** United States District Court, California Eastern | **Date Filed:** Jul 18, 1994 | **Docket Number:** 2:94cv1151 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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146. [Citizens For Better, et al v. Union Oil Company Ca, et al](#)

... -1 59064434565933 Phone: (415)243-8373Attorney to be Noticed USA 7 P 2006-09-08T17:00:59 **San Francisco Baykeeper** P Plaintiff **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 2 **San Francisco Baykeeper** Linda Mary Dardarian...

**Court:** US District Court for the Northern District of California | **Date Filed:** Mar 02, 1994 | **Docket Number:** 3:94cv712 | **Nature of Suit:** Environmental Matters | **Cause:** Environmental Matters | **Status:** Closed

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147. [Citizens for Better, et al v. Exxon Company USA](#)

... CA 2004-05-19T10:03:00 -1 -1 43967814318857 (415) 243-8373 USA 2 P 2006-09-08T17:00:58.520 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 2 **San Francisco Baykeeper** Linda M Dardarian...

**Court:** US District Court for the Northern District of California | **Date Filed:** Mar 02, 1994 | **Docket Number:** 3:94cv713 | **Nature of Suit:** Environmental | **Cause:** Fed. Question | **Status:** Closed

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148. [San Francisco Baykee v. Desoto Aerospace](#)

... DESOTO AEROSPACE COATINGS INC 2004-05-19T10:06:00 2 Desoto Aerospace Coatings, Inc **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00...

**Court:** US District Court for the Northern District of California | **Date Filed:** Feb 02, 1994 | **Docket Number:** 3:94cv373 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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149. [San Francisco Baykee v. G & K Services Inc](#)

... 07/10/95] Judge Charles A Legge Assigned CHARLES A LEGGE 2004-05-19T10:03:00 1165939824702 **San Francisco Baykeeper**, A Non-Profit Corporation P PLAINTIFF **SAN FRANCISCO BAYKEEPER** A NON PROFIT CORPORATION 2004-05-19T10:06:00 1 **San Francisco Baykeeper**, A Non-Profit Corporation...

**Court:** US District Court for the Northern District of California | **Date Filed:** Sep 30, 1993 | **Docket Number:** 3:93cv3585 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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150. [San Francisco Baykee v. Culligan Water Condi](#)

... 08/31/93] Judge Vaughn R Walker Assigned VAUGHN R WALKER 2004-05-19T10:03:00 1284215854726 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Michael R Lozeau...

**Court:** US District Court for the Northern District of California | **Date Filed:** Aug 06, 1993 | **Docket Number:** 3:93cv2893 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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151. [San Francisco Baykeeper, et al v. Richmond Rod & Gun](#)

... 12/01/93] Judge Fern M Smith Assigned FERN M SMITH 2004-05-19T10:03:00 924709436236 **San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 1 **San Francisco Baykeeper** Michael R Lozeau...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jul 09, 1993 | **Docket Number:** 3:93cv2601 | **Nature of Suit:** Environmental | **Cause:** Environmental Matters | **Status:** Closed

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152. [Citizens Better ENV, et al v. San Jose, City of, et al](#)

... E H Braatelen, Jr, Director of **San Jose/Santa Clara Water Pollution Control Plant San Francisco Baykeeper** P PLAINTIFF **SAN FRANCISCO BAYKEEPER** 2004-05-19T10:06:00 4 **San Francisco Baykeeper** Robert M Teets, Jr...

**Court:** US District Court for the Northern District of California | **Date Filed:** Jan 08, 1993 | **Docket Number:** 5:93cv20310 | **Nature of Suit:** Other Statutory Actions | **Cause:** Pollutants & Permit Violations | **Status:** Closed



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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

SAN FRANCISCO BAYKEEPER, California  
 non-profit corporation,

Plaintiff,

v.

CITY OF SUNNYVALE, a municipality;

Defendant,

and

CITY OF MOUNTAIN VIEW, a municipality,

Defendant.

Case No. 5:20-cv-00824-EJD  
*(Cons. With Case No. 5:20-cv-00826-EJD)*

**[PROPOSED] ORDER GRANTING  
 DEFENDANTS' MOTION FOR  
 SANCTIONS FOR SPOILIATION OF  
 LABORATORY EVIDENCE**

Hearing Date: July 10, 2025  
 Time: 9:00 a.m.  
 Dept.: Courtroom 4  
 Judge: Honorable Edward J. Davila

Filed: February 4, 2020  
 Trial Date: June 10, 2025

1 Defendants City of Sunnyvale and City of Mountain View's ("Defendants") Motion for  
2 Sanctions For Plaintiff San Francisco Baykeeper's ("Plaintiff") Spoliation Of Laboratory  
3 Evidence ("Spoliation Motion") came on for hearing before this Court. After full consideration of  
4 the matter, the Court finds as follows:

5  
6 1. The Court has authority for an order imposing evidentiary sanctions for spoliation  
7 of evidence; and

8 2. Good cause exists to issue monetary and evidentiary sanctions against Plaintiff.

9 Based on these findings, the Court hereby GRANTS Defendants' Spoliation Motion and  
10 ORDERS as follows:

11 1. Defendants' are entitled to a monetary sanction against Plaintiff in the amount of  
12 costs and attorneys' fees associated with bringing this motion; and

13 2. Plaintiff is precluded from entering into evidence or presenting as evidence  
14 Exhibits 14-22; OR

15 3. The Court enters an adverse evidentiary inference against Plaintiff's Exhibits 14-  
16 22 regarding the lack of reliability and credibility of the laboratory test reports, affording them  
17 little to no weight.

18  
19  
20 IT IS SO ORDERED.

21  
22 DATED: \_\_\_\_\_, 2025

\_\_\_\_\_  
EDWARD J. DAVILA  
United States District Judge