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9 LOS ANGELES SMSA LIMITED
10 PARTNERSHIP dba VERIZON WIRELESS

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14 **WESTERN DIVISION**

15 LOS ANGELES SMSA LIMITED
16 PARTNERSHIP, a California limited
17 partnership dba VERIZON WIRELESS,

18 Plaintiff,

19 v.

20 CITY OF LOS ANGELES,
21 CALIFORNIA,

22 Defendant.

CASE NO. LA CV16-04954 JAK
(SKx)

**NOTICE OF TENTATIVE
SETTLEMENT AND
STIPULATION REQUESTING
STAY OF THE CASE**

Courtroom: 10B

Honorable John A. Kronstadt

23 1. Kevin P. Sullivan, on behalf of Los Angeles SMSA Limited Partnership,
24 dba Verizon Wireless ("Verizon"), and Ernesto Velazquez, on behalf of the City of Los
25 Angeles ("City"), provide this notice of a tentative settlement of the case, and stipulate
26 to a request that the Court stay the case as follows:

27 2. At the Settlement Conference in this matter held on March 9, 2017,
28 Verizon and the City agreed to a settlement approach involving (a) a redesign of
Verizon's telecommunications facility, which is the subject of this litigation, that is
expected to address the objections to the facility stated in the City Office of Zoning
Administration's earlier written decision denying the facility permit, and (b) a public

1 hearing on the redesigned facility before the City Office of Zoning Administration. The
2 facility redesign effort, City planning processing for the redesigned facility, and City
3 Office of Zoning Administration’s public hearing and written decision on the
4 redesigned facility, are estimated to take about five (5) months to complete. A possible
5 appeal of the Office of Zoning Administration’s decision could take another two and
6 one-half (2 ½) months to complete.

7 3. If the City Office of Zoning Administration approves the redesigned
8 Verizon facility, and the City’s South Los Angeles Area Planning Commission upholds
9 that approval should it be appealed, this litigation could be mooted and appropriate for
10 dismissal.

11 4. Accordingly, Verizon and the City stipulate to request that the Court stay
12 this case so that it (a) vacates all deadlines set out in the Court’s October 24, 2016
13 Scheduling Order, including the April 3, 2017 deadline for the parties to file any
14 motions for summary judgment, and (b) vacates all other dates set out in Exhibit A to
15 the parties’ Amended Rule 26(F) Joint Case Management Statement, including the
16 September 26, 2017 Trial date in this matter.

17 5. Verizon and the City also stipulate to request that a Status Conference be
18 held with the Court during the week of September 25, 2017, or as available on the
19 Court’s calendar, to address the results of the City Office of Zoning Administration’s
20 decision on the redesigned Verizon facility, and whether a revised Scheduling Order
21 should be issued for the case.

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Dated: March 23, 2017

SCHWARTZ HYDE & SULLIVAN, LLP

By: /s/ Kevin P. Sullivan
Kevin P. Sullivan
Attorneys for Plaintiff,
LOS ANGELES SMSA LIMITED
PARTNERSHIP dba VERIZON
WIRELESS

Dated: March 23, 2017

OFFICE OF THE CITY ATTORNEY

By: /s/ Ernesto Velazquez
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Attorneys for Defendant,
CITY OF LOS ANGELES