

118

88-01-3  
5-10-88

1 Richard L. Spix  
2 828 N. Bristol, Ste. 204  
3 Santa Ana, California 92703  
4 (714) 541-0250

4 Douglas Finlayson  
5 15751 Brookhurst St., Ste. 201  
6 Westminster, California 92683  
7 (714) 531-4003

8 Attorney for Petitioners

**FILED**

MAY 10 1988

GARY L. GRANVILLE, County Clerk  
By      DEPUTY

9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 IN AND FOR THE COUNTY OF ORANGE

12 CONCERNED CITIZENS FOR COSTA MESA, )  
13 INC., a California Corporation and )  
14 LAURIE LUSK, )

14 Petitioners, )

15 vs. )

16 32nd DISTRICT AGRICULTURAL ASSO- )  
17 CIATION, a public entity, )

18 Respondent, )

19 and )

20 NED WEST, INC., a California )  
21 Corporation, PACIFIC AMPHITHEATRE, )  
22 a partnership, JAMES M. NEDERLAND- )  
23 ER, JAMES L. NEDERLANDER, ROBERT )  
24 NEDERLANDER, NEDERLANDER REALTY )  
25 COMPANY OF ILLINOIS, NEIL PAPIANO, )  
26 and SANTA ANA BROADWAY THEATRE )  
27 CORPORATION, )

28 Real Parties )

Case No. **556508**

PETITION FOR WRIT  
OF MANDATE  
[CCP 1094.5]

#. 556508  
0101 MAY.10.88 12:39PM  
5251 CIV FLNG 118.00

25 Petitioners CONCERNED CITIZENS FOR COSTA MESA, INC., a Cali-  
26 fornia Corporation and LAURIE LUSK, allege as follows

27 1. Petitioner CONCERNED CITIZENS FOR COSTA MESA, INC.,  
28 ("CCCM") is a California corporation whose members comprise cer-

88-01-5

1 tain of the 24,000 persons who reside within a one mile radius of  
2 the Orange County Fairgrounds. Petitioner LAURIE LUSK is an  
3 individual homeowner who owns a home located proximate to the  
4 Orange County Fairgrounds at 945 Serra Way, Costa Mesa, Califor-  
5 nia. (Hereinafter collectively referred to as "Petitioners").  
6 Petitioner LUSK and the members of Petitioner CCCM have been  
7 adversely affected by the acts and omissions of the Respondent as  
8 alleged below.

9 2. Respondent 32nd DISTRICT AGRICULTURAL ASSOCIATION, ("Dis-  
10 trict") is a public entity which exercises police powers as to  
11 that certain property known as the Orange County Fairgrounds. The  
12 District has taken action in approving and/or conditionally appro-  
13 ving projects located on the Orange County Fairgrounds as is  
14 alleged below.

15 3. Real Parties in Interest NED WEST, INC., a California  
16 Corporation, PACIFIC AMPHITHEATRE, a partnership, JAMES M.  
17 NEDERLANDER, JAMES L. NEDERLANDER, ROBERT NEDERLANDER, NEDERLANDER  
18 REALTY COMPANY OF ILLINOIS, NEIL PAPIANO, AND SANTA ANA BROADWAY  
19 THEATRE CORPORATION, are holders of the permits and approvals  
20 issued by the District as alleged below.

21 4. Pursuant to the California Environmental Quality Act  
22 [Public Resources Code Section 21000 et seq.], the District was  
23 under a duty to prepare, adopt and certify an environmental impact  
24 report which adequately identifies and mitigates all substantial  
25 impacts of projects before it approves such projects.

26 5. The project known as the adoption of the Master Plan for  
27 the Development of the Orange County Fairgrounds involves numerous  
28 and substantial adverse potential impacts on the environment as is