

FILED
Clerk of the Superior Court

JUN 12 2018

By: K. BRECKENRIDGE

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO – HALL OF JUSTICE**

SPOTLIGHT ON COASTAL CORRUPTION; and DOES 1 through 10, Plaintiffs and Petitioners, vs. STEVE KINSEY; ERIK HOWELL; MARTHA McCLURE; WENDY MITCHELL; MARK VARGAS; and DOES 11 through 100, Defendants and Respondents.)	CASE NO. 37-2016-00028494-CU-MC-CTL
)	JUDGMENT ON FOURTH AMENDED COMPLAINT FOR RECOVERY OF CIVIL FINES AND OTHER RELIEF AND PETITION FOR WRIT OF MANDATE
)	Action Filed: August 17, 2016
)	Department: C-72 (Taylor)

Plaintiff and Petitioner Spotlight on Coastal Corruption (“Plaintiff”) initiated this lawsuit on August 17, 2016, against Defendants and Respondents Steve Kinsey, Erik Howell, Martha McClure, Wendy Mitchell, and Mark Vargas (collectively, “Defendants”).

On February 5, 2018, the Court approved the parties’ stipulation to allow the filing of Plaintiff’s Fourth Amended Complaint for Recovery of Civil Fines and Other Relief and Petition for Writ of Mandate, and the case went to trial on this operative complaint.

A bench trial on began on February 27, 2018, and concluded on March 7, 2018.

On March 9, 2018, the Court issued a Tentative Decision on Phase 1 issues dealing primarily with Plaintiff's *prima facie* case and Defendants' defenses thereto, reserving (by agreement of the parties) a ruling on issues of civil fines and penalties for Phase 2.

On May 7, 2018, following briefing from the parties on the issue of civil fines and penalties, the Court issued its Phase 2 Tentative Decision. The parties thereafter filed Requests for Statement of Decision (or documents the court deemed such requests).

On May 24, 2018, the Court issued its Amended Proposed Statement of Decision, ROA 223. Contemporaneously with this Judgment, the Court is issuing its Statement of Decision.

IT IS NOW ORDERED, ADJUDGED, AND DECREED, in accordance with the Statement of Decision, as follows:

1. Defendants and Respondents Steve Kinsey, Erik Howell, Martha McClure, Wendy Mitchell, and Mark Vargas violated the California Coastal Act, Public Resources Code Section 30000 *et seq.*, as set forth in the Statement of Decision.

2. In accordance with Public Resources Code Section 30823:

A. Defendant and Respondent Steve Kinsey must pay \$30,300.00 to the Violation Remediation Account of the Coastal Conservancy Fund.

B. Defendant and Respondent Erik Howell must pay \$3500.00 to the Violation Remediation Account of the Coastal Conservancy Fund.

C. Defendant and Respondent Martha McClure must pay \$2600.00 to the Violation Remediation Account of the Coastal Conservancy Fund.

D. Defendant and Respondent Wendy Mitchell must pay \$7100.00 to the Violation Remediation Account of the Coastal Conservancy Fund.

E. Defendant and Respondent Mark Vargas must pay \$13,600.00 to the Violation Remediation Account of the Coastal Conservancy Fund.

3. Plaintiff and Petitioner Spotlight on Coastal Corruption shall recover \$_____ from Defendants and Respondents Steve Kinsey, Erik Howell, Martha McClure, Wendy Mitchell, and Mark Vargas, jointly and severally, for costs incurred in connection with this lawsuit.

4. Plaintiff and Petitioner Spotlight on Coastal Corruption shall recover \$_____ from Defendants and Respondents Steve Kinsey, Erik Howell, Martha McClure, Wendy Mitchell, and Mark Vargas, jointly and severally, for attorney fees incurred in connection with this lawsuit.

5. Defendants and Respondents Steve Kinsey, Erik Howell, Martha McClure, Wendy

Mitchell, and Mark Vargas shall recover \$ _____ from Plaintiff and Petitioner
Spotlight on Coastal Corruption for attorney fees incurred in connection with this lawsuit.

June 12, 2018

A handwritten signature in black ink, appearing to read 'Timothy B. Taylor', written over a horizontal line.

Timothy B. Taylor. Judge of the Superior Court