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Superior Court of California,
County of Los Angeles
8/25/2026 11:31 AM
David W. Slayton,
Executive Officer/Clerk of Court,
By J. Tang, Deputy Clerk

Attorneys for Respondents,
CITY OF LOS ANGELES,
LOS ANGELES BOARD OF TRANSPORTATION COMMISSIONERS

NO FEE ~ GOV'T CODE § 6103

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT

VENICE COMMUNITY HOUSING
CORPORATION and HOLLYWOOD
COMMUNITY HOUSING CORPORATION

Petitioners,

vs.

THE LOS ANGELES BOARD OF
TRANSPORTATION COMMISSIONERS
and THE CITY OF LOS ANGELES, a
California municipal corporation,

Respondents.

Case No.: 25STCP00892

*Assigned to Hon. C. Kin,
Dept. 836 (Former Dept. 86)*

**CITY'S NOTICE OF INTENT TO MOVE FOR
NEW TRIAL**

Complaint Filed: March 7, 2025

1 **TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE** that Respondents the City of Los Angeles, and Los Angeles Board
3 of Transportation Commissioners (collectively “City”), intends to move the Court pursuant to Code of
4 Civil Procedure (C.C.P.) §§657, 659, and 661, to set aside the Court’s Judgment entered August 10,
5 2026 (Judgment), and to grant a new trial in this action. This motion will be heard by the Court at a
6 time and place to be set by the Court pursuant to C.C.P. §§657, 659, and 661. The motion will be
7 made on each and all of the following grounds, which materially affected the substantial rights of the
8 moving party and prevented a fair trial:

- 9 (1) Irregularity in the proceedings of the Court (C.C.P. §657(1);
10 (2) Improper orders of the Court (C.C.P. §657(1);
11 (3) The evidence was insufficient to justify the Ruling and Judgment (C.C.P. §657(6).); and
12 (4) The Ruling and Judgment is contrary to law (C.C.P. §657(6).

13 The Judgment grants a writ of mandate that will order the Board of Transportation
14 Commissioners (BOTC) to set aside its December 10, 2024, action that: (a) declined to authorize the
15 use of Public Parking Lot 731 (Lot 731) for the mixed-use income-restricted housing and public
16 parking facility project known as the Venice Dell (Project); and (b) recommended adjacent Public
17 Parking Lot 701 (Lot 701) be considered for a income-restricted housing development instead. The
18 City’s notice of intent to set aside the Judgment and grant a new trial is timely because the Notice of
19 Entry of Judgment was served on August 10, 2026, making the deadline to notice a motion for new
20 trial 15-days later, or Tuesday, August 25, 2026. (Code of Civil Procedure (C.C.P.) §§12, 12a, 657,
21 659.) The City seeks a new trial because of the irregularities, errors, improper orders, insufficient
22 evidence, misstatements, and actions contrary to law, that are memorialized by the Judgment arising
23 from the Court’s May 26, 2026, ruling granting the petition for writ of mandate (Ruling). The grounds
24 for the motion for new trial (Motion) are set forth above.

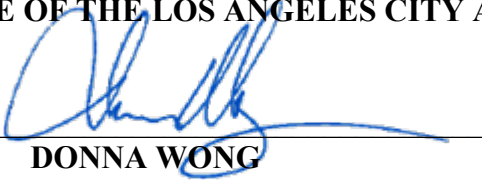
25 The motion will be based on this Notice, the evidence presented at trial, all pleadings, papers
26 and records in this action; the minutes of the Court; and a memorandum of points and authorities and
27 supporting papers that will be filed and served within the time permitted by California Rule of Court,
28

1 Rule 3.1600. The motion will also be based on declarations supporting the grounds listed above as
2 required by C.C.P. §658, to be filed and served within the time period permitted by C.C.P. §659.
3

4 DATED: August 25, 2026

OFFICE OF THE LOS ANGELES CITY ATTORNEY

By: _____


DONNA WONG

Attorneys for Respondents,
**CITY OF LOS ANGELES, LOS ANGELES BOARD
OF TRANSPORTATION COMMISSIONERS**

1 **PROOF OF SERVICE**

2 I, the undersigned, say: I am over the age of 18 years and not a party to the within action or
3 proceeding. My business address is 200 North Main Street, 701 City Hall East, Los Angeles,
4 California 90012.

5 On August 25, 2026, I served the foregoing documents described as:

6 **CITY'S NOTICE OF INTENT TO MOVE FOR NEW TRIAL**

7 on all interested parties in this action as follows:

8 **LEGAL AID FOUNDATION OF**
9 **LOS ANGELES**

10 Herbert Martinez, Ana Zuniga & Manuel
11 Villagomez
12 7000 S. Broadway
13 Los Angeles, CA 90003
14 Attorney for Petitioners,
15 Venice Community Housing Corporation and
16 Hollywood Community Housing
17 Corporation

18 hmartinez@lafla.org

19 azuniga@lafla.org

20 mvillagomez@lafla.org

21 [X] **BY ELECTRONIC MAIL** – I electronically transmitted the document listed above to the
22 email address stated above which has been confirmed for each addressee stated above. My
23 electronic service address is Mwita.Hayden@lacity.org.

24 I declare that I am employed in the office of a member of the bar of this court at whose
25 direction the service was made. I declare under penalty of perjury under the laws of the State of
26 California that the foregoing is true and correct. Executed on August 25, 2026, at Los Angeles,
27 California.

28 

Mwita Hayden