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8 Attorney for Petitioner/Plaintiff

ELECTRONICALLY  
**FILED**

Superior Court of California,  
County of San Francisco

**12/19/2024**  
Clerk of the Court

BY: MARIVIC VIRAY  
Deputy Clerk

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
10 **FOR THE COUNTY OF SAN FRANCISCO**

11 JUDICIAL WATCH, INC.,

12 Petitioner/Plaintiff,

13 v.

14 CALIFORNIA COASTAL COMMISSION,

15 Respondent/Defendant.

) Case No.:

) **CPF-24-518820**

) **PETITION FOR WRIT OF MANDATE,**  
) **OR, IN THE ALTERNATIVE,**  
) **COMPLAINT FOR DECLARATORY**  
) **AND INJUNCTIVE RELIEF**

17 **INTRODUCTION**

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23 1. Petitioner/Plaintiff Judicial Watch, Inc., pursuant to section 10 of Article VI of the  
24 California Constitution, sections 1085 and 1060 of the Code of Civil Procedure, and sections  
25 7923.000 and 7923.100 of the Government Code, petitions this Court for a writ of mandate or other  
26 order directed to Respondent/Defendant California Coastal Commission (the "Commission"), or, in  
27 the alternative, declaratory judgment and injunctive relief, commanding the Commission to perform  
28 its ministerial duties as required by the California Public Records Act ("CPRA").

1 **JURISDICTION AND VENUE**

2 2. This Court has jurisdiction under Cal. Gov’t Code § 7923.000 and Cal. Civ. Pro.  
3 Code §§ 1060, 1085.

4 3. Venue is proper in this Court as Respondent/Defendant and the public records at  
5 issue are located within the County of San Francisco and events giving rise to the claims occurred in  
6 the County of San Francisco. Cal. Gov’t Code §§ 7923.100, 7923.105, 7923.110 and Cal. Civ.  
7 Proc. Code §§ 393, 394(a).

8 **PARTIES**

9 4. Petitioner/Plaintiff Judicial Watch, Inc. is a not-for-profit, educational organization  
10 incorporated under the laws of the District of Columbia and headquartered at 425 Third Street SW,  
11 Suite 800, Washington, DC 20024. Petitioner/Plaintiff seeks to promote transparency,  
12 accountability, and integrity in government and fidelity to the rule of law. As part of its mission,  
13 Judicial Watch regularly requests records under federal and state “open records” laws, analyzes the  
14 responses and any records it receives, and disseminates its findings and the records to the public to  
15 inform them about their government.

16 5. Respondent/Defendant California Coastal Commission (the “Commission”) is a  
17 “state agency,” as that term is defined in Gov’t Code § 7920.540. The Commission has possession,  
18 custody, and control of records to which Petitioner/Plaintiff seeks access. Respondent/Defendant  
19 maintains its primary place of business at 455 Market Street, San Francisco, California, 94105, in  
20 the County of San Francisco.

21 **STATEMENT OF FACTS**

22 6. On October 16, 2024, Petitioner/Plaintiff submitted a CPRA request to  
23 Respondent/Defendant Commission seeking access to the following:

- 24 • Records and / or communications (internal and external), including emails, email chains,  
25 email attachments, text messages, meeting minutes, interviews, voice recordings, video  
26 recordings, photographs, correspondence, statements, letters, memoranda, reports,  
27 briefings, inspections, presentations, notes, or other form of record, of the below listed  
28

1 Commissioners regarding a) Space X, 1 Rocket Road, Hawthorne, CA, b) Elon Musk, c)  
2 Starlink d) Donald Trump e) rocket launches from Vandenberg Air Force Base.

- 3 1. Commission Chair Caryl Hart
- 4 2. Commissioner Gretchen Newsom
- 5 3. Commissioner Ann Notthoff
- 6 4. Commissioner Susan Lowenberg
- 7 5. Commissioner Dana Bochco
- 8 6. Commissioner Effie Turnbull-Sanders
- 9 7. Commissioner Linda Escalante
- 10 8. Commissioner Mike Wilson
- 11 9. Commissioner Catherine Rice
- 12 10. Commissioner Paloma Aguirre
- 13 11. Commissioner Meagan Harmon
- 14 12. Commissioner Roberto Uranga
- 15 13. Commissioner Justin Cummings
- 16 14. Commissioner Juan Uranga
- 17 15. Commissioner Rafael Mandelan
- 18 16. Commissioner Charles Striplen
- 19 17. Commissioner Raul Campillo

20 The time frame of the request was identified as “April 1, 2023 to present.”

21 7. By email dated October 25, 2024, Respondent/Defendant advised Petitioner/Plaintiff  
22 that it had received Petitioner/Plaintiff’s request and that it expected to provide Petitioner/Plaintiff  
23 with an additional response “in approximately fourteen days.”

24 8. On November 13, 2024, Petitioner/Plaintiff sent to Respondent/Defendant an email  
25 seeking an update on Petitioner/Plaintiff’s request. On that same day, Respondent/Defendant  
26 responded to Petitioner/Plaintiff’s email, stating it is continuing to process Petitioner/Plaintiff’s  
27 request. Petitioner/Plaintiff has not received any further response.



1 section 1085 authorizes the Court to issue a writ of mandate to Respondent/Defendant to compel the  
2 performance of the aforementioned mandatory, ministerial duties under the CPRA.

3 **SECOND CAUSE OF ACTION**

4 **(Declaratory Judgment and Injunctive Relief – Violations of Public Records Act, Gov’t Code**  
5 **§§ 7920.000 *et seq.* and California Constitution, Art. I, § 3)**

6 15. Petitioner/Plaintiff incorporates by reference and realleges all its prior allegations.

7 16. An actual controversy exists between Petitioner/Plaintiff and Respondent/Defendant  
8 regarding Respondent/Defendant’s mandatory duties under the CPRA.

9 17. Respondent/Defendant’s failure to perform its clear, ministerial duties under the  
10 CPRA violates the CPRA.

11 18. Petitioner/Plaintiff is being irreparably harmed by Respondent/Defendant’s failure to  
12 perform its clear, ministerial duties under the CPRA, and Petitioner/Plaintiff will continue to be  
13 irreparably harmed unless Respondent/Defendant is compelled to comply with the law.

14 19. Petitioner/Plaintiff has no plain, speedy, and adequate remedy at law.

15 **PRAYER FOR RELIEF**

16 WHEREFORE, Petitioner/Plaintiff prays judgment against Respondent/Defendant as  
17 follows:

18 1. Issue a writ of mandate ordering Respondent/Defendant to perform its clear,  
19 ministerial duties as required by the CPRA to: (1) determine whether Petitioner/Plaintiff’s request  
20 seeks copies of disclosable public records in Respondent/Defendant’s possession; (2) promptly  
21 notify Petitioner/Plaintiff of the determination and reasons for the determination; and (3) if the  
22 determination is that Petitioner/Plaintiff’s request seeks disclosable public records, include in its  
23 notification the estimated date and time when the requested records shall be made available;

24 2. In the alternative, treat this Petition as a complaint for declaratory and injunctive  
25 relief on the grounds that an actual controversy exists between Petitioner/Plaintiff and  
26 Respondent/Defendant regarding Respondent/Defendant’s mandatory duties under the CPRA,  
27 declare that Respondent/Defendant violated the CPRA, and enjoin Respondent/Defendant from  
28 continuing to violate the CPRA with respect to Petitioner/Plaintiff’s requests in the future;

1           3.       Declare that Respondent/Defendant has violated Petitioner/Plaintiff's rights under  
2 the California Constitution, Art. I, § 3, and under Cal. Gov. Code § 7920 *et seq.*, by failing to  
3 produce the requested documents;

4           4.       Award Petitioner/Plaintiff reasonable attorney's fees incurred in this action pursuant  
5 to Cal. Gov. Code § 7923.115.

6           5.       Award Petitioner/Plaintiff its costs in bringing this action; and

7           6.       Grant Petitioner/Plaintiff such other and further relief as the Court deems just and  
8 proper.

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11 DATED: December 17, 2024

Respectfully submitted,

JUDICIAL WATCH, INC.

12  
13 By: K. Blankenberg  
KATHRYN BLANKENBERG

14 Attorney for Petitioner/Plaintiff  
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**VERIFICATION**

I am an officer of the petitioner/plaintiff in the above-entitled action.

I have read the foregoing PETITION FOR WRIT OF MANDATE, OR, IN THE ALTERNATIVE, COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF and know its contents. The same is true of my own knowledge, except as to those matters which are therein stated upon information or belief, and as to those matters, I believe it to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December 16, 2024 at Winchester, Virginia.



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Chris Nelson