

EXHIBIT A

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SAVITCH LLP
4 525 B Street, Suite 2200
San Diego, CA 92101
5 Telephone: 619.238.1900
Facsimile: 619.235.0398

6 Attorneys for Petitioner
7 SAVE THE FIELD

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF SAN DIEGO

10 SAVE THE FIELD, a California nonprofit public
benefit corporation,

11 Petitioner,

12 v.

13 DEL MAR UNION SCHOOL DISTRICT,

14 Respondent.
15

**NOTICE OF COMMENCEMENT OF
ACTION PURSUANT TO
CALIFORNIA ENVIRONMENTAL
QUALITY ACT**

[Public Resources Code, § 21167.5]

16 **TO RESPONDENT DEL MAR UNION SCHOOL DISTRICT:**

17 PLEASE TAKE NOTICE THAT on or shortly after June 12, 2020, Petitioner SAVE THE
18 FIELD ("Save the Field" or "Petitioner") intends to commence an action seeking a writ of
19 mandamus and injunctive relief to overturn, set aside, and annul the DEL MAR UNION SCHOOL
20 DISTRICT's (the "District" or "Respondent") approval of the Del Mar Heights School Rebuild
21 Project (the "Project") and approval of the Mitigated Negative Declaration in connection therewith.

22 Petitioners also intend to seek an award of attorneys' fees pursuant to Code of Civil
23 Procedure section 1021.5.

24 DATED: June 11, 2020

PROCOPIO, CORY, HARGREAVES &
SAVITCH LLP

25
26 By: 

Rebecca L. Reed
Justin M. Fontaine
Attorneys for Petitioner
SAVE THE FIELD

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PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is PROCOPIO, CORY, HARGREAVES & SAVITCH LLP, 525 "B" Street, Suite 2200, San Diego, California 92101. On June 11, 2020, I served the within documents:

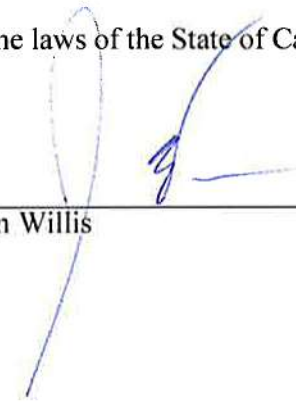
NOTICE OF COMMENCEMENT OF ACTION PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT [Public Resources Code, § 21167.5]

BY U.S. MAIL by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Diego, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

Del Mar Union School District
11232 El Camino Real, Ste. 100
San Diego, CA 92130

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

Executed on June 11, 2020, at San Diego, California.



Jason Willis

EXHIBIT B



PROCOPIO
525 B Street
Suite 2200
San Diego, CA 92101
T. 619.238.1900
F. 619.235.0398

REBECCA L. REED
P. 619.906.5786
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DEL MAR HEIGHTS
LAS VEGAS
ORANGE COUNTY
PHOENIX
SAN DIEGO
SILICON VALLEY

June 11, 2020

VIA E-MAIL

Board of Trustees
Del Mar Union School District
11232 El Camino Real
Suite 100
San Diego, CA 92130

Re: Del Mar Heights Rebuild Project
SCH No. 2020029070

Dear Board of Trustees:

This firm represents the interests of Save the Field, a California nonprofit public benefit corporation in connection with the above-referenced matter. Please accept this correspondence as formal notification that Save the Field intends to file suit against the Del Mar Union School District (the "District") for its approval of the Del Mar Heights Rebuild Project (the "Project") and its adoption of the Mitigated Negative Declaration ("MND") on the grounds that the District failed to comply with the California Environmental Quality Act (Pub. Resources Code, § 21000 *et seq.*) ("CEQA").

Save the Field's action will allege that the District's approvals of the Project and MND violate CEQA. The Petition will also seek an award of attorneys' fees and costs under Code of Civil Procedure section 1021.5. This letter is intended to provide formal notice of the same pursuant to *Graham v. DaimlerChrysler Corp.* (2004) 34 Cal.4th 553, 577.

A public interest would be served if the District were to voluntarily comply with its statutory duties in order to avoid the expenses of litigation. If the District is interested in resolving this matter, please contact me immediately.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Rebecca L. Reed".

Rebecca L. Reed

procopio.com

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NOTICE OF COMMENCEMENT OF ACTION PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT [Public Resources Code, § 21167.5]

NOTICE OF INTENT TO SUE

BY E-MAIL OR ELECTRONIC SERVICE by electronically transmitting the document(s) listed above to the e-mail address(es) set forth below, or as stated on the attached service list and/or by electronically notifying the parties set forth below that the document(s) listed above can be located and downloaded from the hyperlink provided.

- ehalpern@dmusd.org
- gmok@dmusd.org
- kfitzpatrick@dmusd.org
- drafner@dmusd.org
- swooden@dmusd.org

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

Executed on June 11, 2020, at San Diego, California.

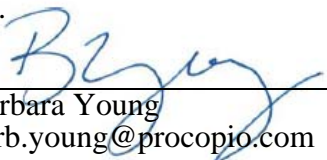

Barbara Young
barb.young@procopio.com

EXHIBIT C

EXHIBIT D