1433.002

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA

Leland Traiman,

Plaintiff,

v.

The Alameda Unified School District, et.al.,

Defendants.
_____/

Case No. RG20061550

JUDGMENT
and
STATEMENT OF DECISION

INTRODUCTION

The trial of plaintiff's complaint to invalidate the Alameda Unified School District Measure A Parcel Tax came on regularly before the court on September 14, 2021, Hon. Julia Spain presiding. David Brilliant argued the matter for plaintiff. Mark Williams and Taylor Porter argued the matter for defendant. Having considered the pleadings, declarations and exhibits filed by each side, including those documents requested to be judicially noticed and having the considered the arguments of counsel, the court rules as follows.

PROCEDURAL HISTORY

This is the fourth action filed in the Alameda County Superior Court to invalidate a parcel tax imposed by defendant since 2008. The first action, *Borikas v. Alameda Unified School District* (ACSC Case No. VGO8405316, hereinafter "*Borikas*"), sought to invalidate a qualified special tax known on the ballot as Measure H which was passed by two thirds of the voters in Alameda on June 3, 2008. Measure H classified and taxed residential and commercial/industrial properties differently for a period of four years commencing on July 1, 2008 and ending on June 12, 2012. Improved residential parcels and commercial/industrial properties with less than 2,000 square feet were taxed a flat rate of $120 per year. Improved commercial/industrial properties with more than 2,000 square feet were taxed at $.15 per square foot with a cap of $9,500 per year. Plaintiffs contended that Measure H was void and should be invalidated because it did not meet the "uniformity" requirements of Government Code section 50079. Plaintiffs further contended that the two exemptions for persons 65 years old and older and persons

receiving Supplemental Security Income violated Govt Code 50079 because they required such individuals to be owners of single-family residential units and use the property as their principal residence. The trial court, Hon. Ken Burr presiding, found Govt Code section 50079 did not prohibit local school districts from classifying and taxing various properties differently so long as the tax was applied "uniformly to all persons or properties in the same classification." That court concluded the use of the enabling phrase "any school district may impose qualified special taxes" and qualified special taxes are those "special taxes that apply uniformly to all taxpayers or all real property within the school district" in Govt Code 50079 simply meant that the tax applies in the same way to all persons or properties in the same classification." (*Borikas, Statement of Decision, p.3*) That court further found the qualifications of residential and principal use for the exemptions did not violate the law's provisions. Judgment was entered for defendants on June 30, 2010 and plaintiffs appealed.

While *Borikas* was pending on appeal, Alameda taxpayers approved a new parcel tax by two-thirds vote known as Measure A (2011) which went into effect on July 1, 2011 and which expired in 2018. Measure A (2011) taxed all unimproved properties at a flat rate of $299 per parcel and improved properties at a rate of $.32 per square foot for those below 24,997 square feet or a flat rate of $7,999 for those with 24,997 square feet or more. The second action, *Nelco, Inc., et.al., v. The Alameda Unified School District* (ACSC Case No. RG11-574574, hereinafter "*Nelco I*") sought to invalidate Measure A (2011) contending once again that it did not meet the "uniformity" requirements of Government Code section 50079. The trial court, Hon. Frank Roesch presiding, found that the taxation of improved properties with more than 24,997 square feet differently than the taxation of properties with less than 24, 997 square feet did not violate the law so long as the "tax applies uniformly to all persons or properties in the same classification." (*Nelco I, Statement of Decision*, p.5) Like the court in *Borikas*, that trial court found the qualifications of residential and principal use for the exemptions did not violate the law's provisions. Judgment was entered for defendants on September 20, 2011. Plaintiffs did not appeal.

On March 6, 2013, the First District Court of Appeal published its decision in *Borikas v. Alameda Unified School District* (2013) 214 Cal.App.4th 135. In reversing the lower court in part, the DCA held "[Govt Code] section 50079 does not authorize school districts to impose special taxes that classify and differentially tax property within the district." The Court found the language of Measure H to be severable and struck the language of the Measure which imposed a different tax rate on commercial/industrial properties with more than 2,000 square feet, leaving the Measure to impose a flat tax of $120 per property. The residential and principal use qualifications on the exemptions were upheld as not exceeding the statutory authority provided to school districts.

In 2016, faced with the expiration of the Measure A (2011) parcel tax, voters within AUSD passed Measure B1 by two-thirds vote on November 22, 2016. The stated purpose of which was to "continue" the current tax for seven successive years, commencing on July 1, 2018 and ending in 2025. Like Measure A (2011), Measure B1 imposed a flat rate tax of $299 per parcel on unimproved properties and taxed improved properties at a rate of $.32 per square foot for those below 24,997 square feet and a flat rate of $7,999 for those with 24,997 square feet or more. On December 2, 2016, plaintiffs filed *Nelco, Inc., et.al., v. The Alameda Unified School District* (ACSC RG16841074, hereinafter *"Nelco II")* seeking to invalidate Measure B1 for its failure to comply with Government Code section 50079's requirement that all taxpayers or properties be taxed uniformly. The matter proceeded to court trial, Hon. Ioana Petrou presiding. On October 26, 2017 the court announced its intended ruling to hold that Judge Roesch's prior ruling in *Nelco I* precluded the current challenge as res judicata or in the alternative, to hold that plaintiffs' contention that only a uniform rate is permissible under Government Code 50079 was too narrow and that Measure B1 would survive a *Borikas* analysis. In light of the court's intended ruling, the parties entered into a Stipulated Judgment on March 23, 2018 which agreed that the tax authorized by Measure B1 was "valid as a renewal of the previously validated Measure A [2011]."

On March 3, 2020, 67% or slightly more than 2/3 of voters within the Alameda School Unified School District passed a new parcel tax also known as Measure A (2020). Measure A (2020) levied a qualified special tax on improved properties within the district at a rate of $0.265 per square foot up to a maximum cap of $7,999 and a flat rate of $299 per vacant or unimproved parcel. Like prior measures, the ballot described Measure A (2020)'s purpose as "To support Alameda students and maintain high-quality Alameda schools by attracting and retaining excellent teachers and employees, sustaining strong academic programs in reading, writing, math, arts/sciences and helping counselors support struggling students." The parties agree that Measure A (2020) and Measure B1 are independent levies and that an adverse ruling on Measure A has no effect on the continued validity of Measure B1.

On May 19, 2020, plaintiff filed the instant action seeking to invalidate Measure A (2020) contending the $7,999 cap creates multiple classifications of properties by size and applies differing tax rates to these classifications, in violation of the uniformity requirement of Government Code 57900. Plaintiff also contended the "primary residence condition" to the tax exemptions in Measure A (2020) for senior citizens and SSI and SSDI recipients is not authorized by section 57900. However, the court granted defendant's Motion for Judgment on the Pleadings as to that cause of action and it was dismissed. The matter proceeded to court trial and was submitted for decision based on the trial briefs, exhibits, requests for judicial notice and arguments of counsel on September 24, 2021.

DISCUSSION

Government Code section 50079 provides: "any school district may impose qualified special taxes within the district pursuant to the procedures established in Article 3.5 (commencing with Section 50075) and any other applicable procedures provided by law." (Cal. Gov't Code § 50079(a).) "Qualified special taxes" means "special taxes that ***apply uniformly to all taxpayers or all real property*** within the school district, except that unimproved property may be taxed at a lower rate than improved property." (Cal. Gov't Code § 50079(b)(1).) (emphasis added)

"Qualified special taxes" may include taxes that provide for an exemption from those taxes for any or all of the following taxpayers: (A) Persons who are 65 years of age or older; (B) Persons receiving Supplemental Security Income for a disability, regardless of age; (C) Persons receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services. (*Id.*) "Qualified special taxes" do not include special taxes imposed on a particular class of property or taxpayers. (Cal. Gov't Code § 50079(b)(2).)

Measure A (2020) imposes an annual parcel tax on all improved real property within AUSD's boundaries for seven (7) years, commencing on July 1, 2020 at a tax rate of $0.265 per building square foot with a cap of $7,999 per parcel. Unimproved parcels are taxed at a flat rate of $299 per parcel. The special tax provides for three exemptions applicable to the primary residences of tax payers who are: (1) 65 years of age or older ("Senior Citizen Exemption"), (2) those receiving Supplemental Security Income for a disability, regardless of age ("SSI Exemption"), and (3) those receiving Social Security Disability Insurance benefits regardless of age whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the U.S. Department of Health and Human Services ("SSDI Exemption").

Plaintiff argues that Measure A violates Government Code section 50079's requirement that it be applied "uniformly to all taxpayers or all real property" because the $7,999 cap on improved parcels creates different classifications and different tax rates, i.e. improved real property with 30,184.91 square feet or less will pay tax at the rate of $0.265 per square foot, while improved real property with more than 30,184.91 square feet will pay tax at a rate less than $0.265 per square foot. Plaintiff also asserts that Measure A violates Government Code section 50079 because it adds a primary residence restriction to the tax exemptions

1. Does Measure A (2020) Create Forbidden Classifications of Taxpayers or Properties by Imposing a $7,999 CAP?

Borikas v. Alameda Unified School District (2013) 214 Cal.App.4th 135, squarely held that Government Code 50079 "does not empower school districts to classify taxpayers and property and impose different tax rates." As discussed above, *Borikas* dealt with defendant's Measure H passed in 2008 which taxed all parcels less than 2,000 square feet at a flat rate of $120 per year and taxed commercial-industrial parcels larger than 2,000 square feet at a rate of $0.15 per square foot to a maximum cap of $9,500 per year. The Court of Appeal held the application of this tax created varying classifications of taxpayers and properties based on size and imposed different tax rates on those classifications which is beyond the taxing authority of school districts as limited by the Legislature in Government Code 50079.

Plaintiff's complaint herein contends AUSD is again attempting to create varying classifications of taxpayers/properties and subject them to different tax rates through Measure A (2020). The court agrees. Just as Measure H impermissibly created classifications between residential and commercial/industrial properties and between smaller commercial/industrial and larger commercial/industrial, so does Measure A (2020). Measure H created three classifications for improved properties and Measure A(2020) creates only two, but Government Code section 50079 does not permit any classifications or differentiation in improved properties. All improved property must be taxed at the same rate, or as the code says "uniformly." Only "unimproved property may be taxed at a lower rate than improved property." (Govt Code 50079(b)(1)). Thus, the only classification with a differing tax rate possible under the law is improved or unimproved.

Borikas clearly held "section 50079 does not authorize school districts to impose special taxes that classify and differentially tax property within the district." (*Id.* at 164) "There could hardly be a more clear statement that the core "apply uniformly" language does not imbue districts with the authority to create classifications and impose differential tax rates, and that the Legislature must provide express authority to districts to do so." (*Id.*) Uniform means "all taxpayers and all real property must be treated the same ...exhibiting no difference, diversity or variation." (*Id.* at 147) Thus it appears the previous
trial courts' rulings in *Borikas, Nelco I* and *Nelco II* erred in interpreting section 59700's use of "the term special taxes that apply uniformly to all taxpayers or all real property owners within the school district" means simply that the tax applies uniformly to all persons or properties in the same classification." Under the law, there simply cannot be any different classifications, distinctions, definitions, or square footage limitations in levying the tax on improved property.

Nonetheless, Defendant asserts that the language used in the applicable Government Code statutes regulate the "tax rate" and not the tax consequences, pointing out that flat tax rates applied uniformly are permissible. Defendant points to a discussion

by the California Senate Committee on Governance and Finance which addressed the issue of qualified special taxes and stated: "Parcel taxes are not ad valorem or assessed based on the value of the property like property taxes; instead, they are generally a flat rate assessed per parcel regardless of its size, or per square foot of a parcel or its improvements." (Request for Judicial Notice, Ex. A.) Accordingly, Defendant argues that if the tax rate is uniform, the resulting tax consequence is irrelevant. That appears to be the case so long as the tax rate is uniformly applied to all, such as the same flat tax to all property or the same percentage tax rate applied to all. But when a different tax rate is applied to different classifications of property based on size as Measure A (2020) does, the school district has exceeded its taxing authority.

Defendant relies upon *Dondlinger v. Los Angeles Cty. Reg'l Park & Open Space Dist.* (2019) 31 Cal. App. 5th 994, 1000–01, wherein a taxpayer argued that a fixed percentage tax applied at the same rate to all applicable properties was not uniform because it would result in different tax amounts between properties. In evaluating the applicable Public Resources section 5566, which had a similar uniformity requirement as Government Code section 50079, the court stated that "[w]e do not read the statute to require a uniform effect or outcome, but rather uniform application." (*Id.*) The court stated that it "disagrees with [plaintiff's] most basic premise that the tax is not uniformly applied because arithmetic functions render outcomes different for different taxpayers based on property size, type, or use, regardless of how taxpayer is defined." (*Id.*) Thus, *Dondlinger* only supports Defendant's authority to impose a fixed tax rate such as it endeavored to do with the $0.265 tax rate per square foot, as long as it is applied at the same rate to all subject properties. The $7,999 cap in Measure A(2020) creates a classification between improved properties based on size and applies a different and preferentially lower tax rate to properties above 30,184.91 square feet which is prohibited. The court concludes that Measure A (2020)'s imposition of a higher tax rate on improved properties *under* 30,184.91 square feet than that imposed on improved properties with 30,184.91 square feet *or more* exceeds defendant's taxing authority under section 50079 and as such is invalid.

2. Must Measure A (2020) Be Invalidated in Its Entirety?

Like Measure H which was before the court in *Borikas,* the AUSD Resolution which put Measure A on the ballot contained a severability clause, which provides: "Every section and part of this Measure has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this Measure by the voters, should any part of the Measure or tax rate be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts of the Measure and/or tax rate shall remain in full force and effect to the fullest extent allowed by law." The *Borikas* court relied upon this severability clause to strike the offending cap which had the effect of imposing a simple flat rate of $299 on all

properties, improved and unimproved. AUSD urges this court to apply the same remedy.

Indeed, the presence of the severability clause establishes a presumption in favor of severance. (*California Redevelopment Assn v. Matosantos* (2011) 53 Cal.4th 231, 270. However, three additional criteria are generally required before a finding of severability: "...the invalid provision must be grammatically, functionally and volitionally separable." *Id* at 166. "To be grammatically severable, the valid and invalid parts of the statute must be able to be separated by paragraph, sentence, clause, phrase or even single words." To be functionally separable, the remaining valid provision must be "complete in itself" and "capable of independent application." To be volitionally separable, '[t]he final determination depends on whether "the remainder... is complete in itself and would have been adopted by the legislative body had the latter foreseen the partial invalidation of the statute." (*Santa Barbara School District v. Superior Court* (1975) 13 Cal.3d 315, 331. If the part of the Measure to be maintained reflects a "substantial portion of the electorate's purpose, that part can and should be severed and given operative effect." *Gerken v. Fair Political Practices Com.* (1993) 6 Cal.4th 707, 715.

The first and second criteria for severability appear to be easily met. The language in Measure A (2020) which imposes a different and lower tax on improved properties with more than 30,184.91 square feet could be easily excised, and its removal could leave a coherent, functioning tax measure. The measure currently provides the qualified special tax "levying $0.265 per building area square foot (capped at $7,999 per parcel) and $299 per vacant parcel annually for 7 years..." (Stipulated Facts, Exhibit A). The court agrees with AUSD that excising the portion in parenthesis "(capped at $7,999 per parcel)" would be both grammatical and functional and would result in the imposition of one uniform tax rate on all improved properties. It is likewise true that the vast majority of improved properties in Alameda have less than 30,184.91 square feet and would see no change in their taxes by this modification.

In support of this solution to the invalidation of the cap, AUSD points to the Board of Education Resolution that put Measure A (2020) on the ballot in which the Board stated the measure was necessary to cope with a serious staffing crisis. The Resolution indicated Alameda teachers and staff were "among the lowest paid in the County" and that as a result, "AUSD loses nearly 20% of its teachers and staff to other school districts each year" which offer higher salaries and stronger benefits; that "less than half of AUSD staff can afford to live within the district"; and many work second or third jobs to support themselves due to AUSD's low compensation rates. (Stipulated Facts). As discussed earlier, a super majority of district voters have shown themselves willing to be taxed at increasingly higher levels in support of quality education for many years. Measure H was passed in 2008; Measure A (2011) was passed in 2011; Measure B1 was passed in 2016; and Measure A (2020) was passed in 2020. Not once in over a decade was a request for a qualified special tax by AUSD denied by the voters. Given that 19,554

voters approved Measure A (2020) and only 9,588 voted against and that there are roughly 21,000 properties in the AUSD district of which only 150 would be adversely affected by excising the cap, it seems reasonable to suppose that the super majority of voters who favored the measure would be happy to achieve "at least some substantial portion of their purpose" of providing a "dedicated source of local funding for teachers and staff" and would support excising the cap and leaving a flat tax of $299 on all parcels, similar to what the DCA did in *Borikas*. (See, *Santa Barbara School Dist.*, supra, 13 Cal.3d at pp 331-332.)

Plaintiff claims that "[t]he court has no way of determining how much of an impact the $7,999 cap had on the electorates' decision to approve Measure A." But this is readily addressed by the clear language of the Measure which provides "the Board and the voters would have adopted each provision hereof regardless of every other provision" and that if any part of it is deemed invalid "all remaining parts of the Measure and/or tax rate shall remain in full force and effect to the fullest extent allowed by law." Thus, we have an unequivocal statement that if the cap is removed the voters want as much of the rest of the Measure to be salvaged as is possible.

The problem is how much of the rest of it is possible to be saved? While it is true that the vast majority of improved properties in Alameda have less than 30,184.91 square feet and would see no change in their taxes by this modification, it is likewise true that many of the 150 properties which have benefitted from the cap would see a substantial increase in their annual taxes ranging from a few hundred dollars to tens of thousands of dollars per year. (Decl. of David Brilliant, Exhibit D; Declaration of Melanie Guillory Lee). Increasing a tax without specific voter approval triggers not only a volitional separableness analysis but a Constitutional one. Article XIII A section 4 (Proposition 13) and Article XIII C section 29(d) (Proposition 218) of the California Constitution prohibit the imposition of any new or increased special tax unless it is approved by a two-thirds vote of the local electorate.

Plaintiff relies upon *AB Cellular v. City of Los Angeles* (2007) 150 Cal.App.4th, 747 to argue the court is unable to excise the cap because voter approval for any tax increase is constitutionally required even if the increase merely results from a change in the math behind the tax. *AB Cellular* dealt with a situation in which the City of Los Angeles determined that with the advent of the Mobile Telecommunications Sourcing Act passed by Congress in 2002, it had the authority to unilaterally and without voter approval impose a cellphone tax on all airtime and thereby increase cellphone taxes on all users. In November 1996, California voters adopted Proposition 218 and added Article XIII C, Section 2(d) to the California Constitution which provides: "No local government may impose, extend, or increase any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote. A special tax shall not be deemed to have been increased if it is imposed at a rate not higher than the maximum rate so

approved." In 1997, the Legislature passed the Proposition 218 Omnibus Implementation Act which was codified as Govt Code section 53750 et.seq. Subdivision (h)(1)(B) of section 53750 provides that, for purposes of article XIII C, *a tax is increased if a decision by an agency "revises the methodology by which a tax is calculated, if that revision results in an increased amount being levied on any person or parcel.*" (emphasis added) Subdivision (h)(2)(B) provides that a tax is not deemed increased if it "implements or collects a previously approved tax...so long as the rate is not increased beyond the level previously approved by the agency." Section 53750 says "Agency" means any local government as defined in subdivision (b) of Section 1 of Article XIII C of the California Constitution."

AB Cellular held that the City had impermissibly increased the cellphone tax without voter approval by *changing its methodology* from calculating the tax as 10% of a user's fixed monthly charge to 10% of the total bill which included both the fixed monthly charge and "airtime" based on the number of minutes during which the customer actually used the cellphone in that billing period. In the instant case, the methodology approved by the voters in Measure A (2020) was to implement a fixed tax rate of .265 for buildings with less than 30,184.91 square feet and a varying tax rate for those with square footage above that amount. If the court merely removes the cap as advocated by AUSD, the result would be a substantially increased tax on large properties which is the very thing that AUSD has sought to avoid by imposing a cap since 2011. Thus, the court is persuaded that merely excising the cap would not represent what the AUSD or the voters intended and that doing so would violate Article XIII C, Section 2(d) of the California Constitution by changing the methodology for calculating the tax resulting in a prohibited increase.

In the alternative, the court has considered excising not only the cap but also excising the word "vacant" from Measure A (2020) which would result in the imposition of a flat $299 tax on all parcels in Alameda as was done in *Borikas.* After the DCA excised the invalid cap and applied the vacant lot tax to all parcels, Measure H was transformed into a uniform flat tax of $120 on all parcels. In doing so, the Court of Appeal reasoned that "[o]wners of residential property and non-residential property of 2,000 square feet or less would be completely unaffected, while owners of larger non-residential property, the class harmed by the unauthorized classification and differential tax rate, would see a tax reduction..." *Borikas*, supra, 214 Cal.App.4th 135, 167. Notably, Proposition 218 prohibits a special tax from being imposed, extended or increased unless approved by a two-thirds vote but it does not prohibit reducing the tax without express voter approval. *Citizens Association of Sunset Beach v. Orange County Local Agency Formation Commission* (2012) 209 Cal.App.4th 1182, 1194-1195.

However, in the instant case, out of the roughly 21,000 taxable parcels in the school district, there are 2,488 improved properties which currently pay less than the $299 imposed by Measure A (2020) on vacant lots. These are properties with buildings

which have less than 1,128 square feet and represent more than 10% of the total affected parcels. Therefore, the remedy found in *Borikas* is unavailable because to impose the vacant lot tax on all parcels would likewise result in an increase in taxes for some taxpayers without having afforded the electorate an opportunity to vote. The court cannot find any historical indication that an increase in taxes on the smallest improved properties which were previously afforded greater tax protection was within the intent of the voters who approved Measure A (2020) in its original form.

As sympathetic as this court may be to the desire to raise additional funds to support schools and quality education for students, it is nonetheless duty bound to uphold the provisions of the California Constitution. In keeping with the voters' intent to maintain as much of the Measure as possible should other portions be found invalid, the Court maintains the portion of Measure A (2020) which imposes a flat tax of $299 on unimproved property. All of the remainder is deemed invalid as a violation of the uniformity requirement of Government Code 50079. As the California Supreme Court stated: ".....Proposition 13 and its limitations on local taxation are constitutional mandates of the people which we [the judicial branch] are sworn to uphold and enforce." *Rider v. County of San Diego* (1991) 1 Cal 4th 1, 16. (See also City of San Diego v. Shapiro (2014) 8 Cal.App.4th 756, 793. However, it was the Legislature and not the Constitution that limited school districts to qualified special taxes "that apply *uniformly* to all taxpayers or all real property within the district." The appropriate remedy is for AUSD to appeal to the Legislature to modify that limitation and to discontinue exceeding the current bounds of its taxing authority.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED:

1. Plaintiff Leland Traiman properly brought this action according to Code of Civil Procedure section 860 et.se. and Government Code section 50077.5 for judicial invalidation of special tax Measure A (2020);

2. Plaintiff Leland Traiman is a taxpayer within AUSD boundaries and is, therefore, an interested person according to Code of Civil Procedure section 860 et.seq.;

3. That Measure A (2020) is declared invalid in its entirety except for the $299 flat tax on unimproved property for the reasons set forth hereinabove and as such anything other than the $299 flat tax on unimproved property constitutes an invalid lien upon other real property within AUSD's boundaries;

Accordingly, Measure A is modified to read:

"The support of all Alameda students and maintain high quality Alameda

schools by attracting and retaining excellent teachers and employees, sustaining strong academic programs in reading, writing, math, arts/sciences, and helping counselors support struggling students, shall an Alameda Unified School District measure, levying $299 per vacant parcel annually for 7 years, be adopted."

4. That plaintiff Leland Traiman is awarded costs of suit herein incurred, including reasonable attorney's fees pursuant to CCP section 1021.5 in an amount to be determined upon properly noticed motion.

Dated: March 30, 2022

Julia Spain
Judge of the Superior Court

SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Hayward Hall of Justice 24405 Amador Street, Hayward, CA 94544	**FILED** Superior Court of California County of Alameda 04/05/2022 Chad Finke, Executive Officer / Clerk of the Court By: _____ Deputy D. Labrecque
PLAINTIFF/PETITIONER: Leland Traiman	
DEFENDANT/RESPONDENT: The Alameda Unified School District	
CERTIFICATE OF MAILING	CASE NUMBER: RG20061550

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Notice of Entry of Judgment / Dismissal / Other Order, Judgment upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Hayward, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

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Chad Finke, Executive Officer / Clerk of the Court

Dated: 04/05/2022

By:

D. Labrecque, Deputy Clerk