

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 53

24STCV17156

LA FORWARD INSTITUTE, A NON-PROFIT ORGANIZATION, et al. vs CITY OF LOS ANGELES, et al.

July 18, 2025

3:32 PM

Judge: Honorable Robert B. Broadbelt
Judicial Assistant: K. Mason
Courtroom Assistant: None

CSR: None
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Ruling on Submitted Matter

The Court, having taken the matter under submission on 06/23/2025 for Hearing on Motion for Stay of Proceedings RE: This Action Pending Resolution of the Related Writ Proceedings filed by Defendants on 04-11-2025;, now rules as follows: The Motion for Stay of Proceedings RE: This Action Pending Resolution of the Related Writ Proceedings filed by Defendants on 04-11-2025; filed by Los Angeles City Council, Los Angeles Housing Department, City of Los Angeles, Los Angeles Department of Transportation on 04/11/2025 is Denied.

The court considered the moving, opposition, and reply papers filed in connection with this motion.¹

REQUEST FOR JUDICIAL NOTICE

The court denies plaintiffs LA Forward Institute, Sylvia Aroth, Kathleen L. Coates, and Gary Williams's request for judicial notice because it does not attach the exhibit of which the court is requested to take judicial notice and therefore does not "[f]urnish[] the court with

¹ On June 9, 2025, the court issued a "Notice re: Continuance of Hearing and Order," in which the court continued the hearing on this motion from June 11, 2025 to June 23, 2025. (June 9, 2025 Notice re Cont. and Order, p. 1.) At the June 23, 2025 hearing, the court took this motion under submission. (June 23, 2025 Minute Order, p. 1.)

sufficient information to enable it to take judicial notice of the matter." (Evid. Code, § 453, subd. (b).) The court did not consider the June 5, 2025 Notice of Errata Regarding Request for Judicial Notice, filed after the reply papers were filed, since it was not timely served and filed. (Code Civ. Proc., § 1005, subd. (b).)

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The court denies defendant City of Los Angeles, on behalf of itself and its component parts erroneously named as defendants Los Angeles City Council, Los Angeles Housing Department, and Los Angeles Department of Transportation's request for judicial notice, filed on June 17, 2025, since it was not timely served and filed. (Code Civ. Proc., § 1005, subd. (b).)

DISCUSSION

Defendant City of Los Angeles, on behalf of itself and its component parts erroneously named as defendants Los Angeles City Council, Los Angeles Housing Department, and Los Angeles Department of Transportation (collectively, "Defendant"), moves the court for an order staying this action, filed by plaintiffs LA Forward Institute, Sylvia Aroth, Kathleen L. Coates, and Gary Williams ("Plaintiffs") on July 10, 2024, pending determination of the following two writ proceedings: (1) Venice Community Housing Corporation v. The Los Angeles Board of Transportation Commissioners (Los Angeles Superior Court Case No. 25STCP00892, filed March 7, 2025), and (2) People Organized for Westside Renewal v. The Los Angeles Board of Transportation Commissioners (Los Angeles Superior Court Case No. 25STCP01091, filed March 19, 2025).

This action is based on Defendant's alleged unlawful conduct as it relates to the development of an affordable housing project in the Venice Dell Community. (Compl., ¶ 1.) On December 10, 2024, the Board of Transportation Commissioners ("Board") denied authorization to use Lot No. 731 for that project. (Scott Decl., Ex. A, Board Report, p. 1 [recommending, inter alia, that the Board not authorize the use of Lot 731 for the project] and Ex. B, Special Meeting Minutes for December 10, 2024, p. 3 [approving Board report as written].) The writ proceedings challenge the Board's December 10, 2024 actions. (Scott Decl., Ex. C, Verified Pet. for Writ of Mandate in Case No. 25STCP00892, p. 1:22-28 [seeking an order vacating the Board's actions at the December 10, 2024 special meeting]; Scott Decl., Ex. D, Verified Pet. for Declaratory Relief

and Writ of Mandate in 25STCP01091, p. 9:19-21 [praying for preemptory writ of mandate ordering the Board to void its December 10, 2024 actions].)

This action is not based on the Board's December 10, 2024 decision to deny authorization to use Lot 731 for the Venice Dell project. While the court finds that some of the relief requested in Plaintiffs' Complaint may be rendered moot by the resolution of the writ proceedings, the court also finds that (1) most of the other requests for relief and causes of action will not be rendered moot by the resolution of the writ proceedings, such that (2) it is not in furtherance of justice or

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judicial economy and efficiency to stay this action pending determination of the two writ proceedings.

As argued by Plaintiffs, the court agrees that many of their causes of action may not be completely resolved by the determination of the writ proceedings. For example, Plaintiffs' first cause of action for discrimination under the Fair Employment and Housing Act is based on the allegation that Defendant's delay and obstruction of the Venice Dell project (based on, e.g., Defendant's past alleged conduct in cancelling meetings between key City staff and developers beginning in February 2023 (Compl., ¶ 69), instructing staff to cease contact regarding the project and to direct all communication through the City Attorney's Office (Compl., ¶ 71), refusing to process the Ellis Act Application (Compl., ¶ 75), ceasing work on a contract for the development of the public parking (Compl., ¶ 76), interfering with the California Coastal Commission's review of the project (Compl., ¶ 78), and refusing to advance the drafting of a ground lease between the City and developers (Compl., ¶ 83)) was motivated by discriminatory intent and constitutes unlawful housing practices with the purpose and effect of discriminating against people on the bases of race, disability, and sources of income (Compl., ¶¶ 126-128).

Thus, the first cause of action, in its entirety, may not be rendered moot by any determination in the writ proceedings that the Board's denial of authorization to use Lot 731 for the Venice Dell project should be vacated since Plaintiffs seek, inter alia, a declaration that Defendant's policy of obstructing and delaying the project is unlawful and in violation of the Fair Employment and Housing Act. (Compl., Prayer, ¶ 1.) Similarly, the prayers for judicial declarations that Defendant's conduct is unlawful and in violation of other statutes and codes and

that Defendant's policy of obstructing and delaying the project is an illegal and wasteful expenditure of taxpayer dollars may not be rendered moot by the writ proceedings. (Compl., Prayer, ¶¶ 1-3.)

The court acknowledges that the Complaint also prays for an order that Defendant be enjoined from further delaying the project and that Defendant "to take all affirmative steps to allow Venice Dell to be constructed, operated, and maintained as permanent supportive and affordable housing as set forth in the [Disposition and Development Agreement]" (Compl., Prayer, ¶ 4.) The parties do not dispute that (1) the Venice Dell project is, pursuant to that agreement, to be constructed on Lot 731, and (2) on December 10, 2024, the Board did not authorize the use of Lot 731 for the project. (Mot., p. 3:11-13; Opp., p. 6:4-6 [stating that the City selected the developers to develop affordable housing at Parking Lot 731]; Compl., ¶¶ 3 and 48 [alleging site for project is 200 North Venice Boulevard, Venice, California, 90291]; Scott Decl., Exs. A and

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B.)

Thus, the court finds that the prayer for an order that Defendant take all affirmative steps to construct the Venice Dell project as set forth in the Disposition and Development Agreement may be rendered moot by the writ proceedings because (1) such relief would require the court to order Defendant to construct the project on Lot 731, but (2) if the Board’s December 10, 2024 decision to not approve the use of Lot 731 for the project is upheld in the writ proceedings, the court would not be able to grant that relief. To the extent that Plaintiffs’ prayer for an order that Defendant “take all affirmative steps to ensure its compliance with FEHA” is seeking an order that Defendant construct the Venice Dell project as set forth in the Disposition and Development Agreement, such a prayer could also be rendered moot. (Compl., Prayer, ¶ 6.)

However, it appears that those prayers for relief are the only issues in this action that may be affected by the writ proceedings. As set forth above, the first cause of action and related requests for relief will not be mooted by the writ proceedings. Although Defendant asserts that other issues—i.e., the claims related to Defendant’s alleged delay in processing the Ellis Act Application, in negotiating a public parking contract, and negotiating a ground lease, and Defendant’s alleged interference with the California Coastal Commission’s process—will be irrelevant and rendered moot by the writ proceedings, the court disagrees. (Mot., p. 11:14-19; Compl., ¶¶ 75, 76, 78-81, 83.) Even if the Venice Dell project may not be permitted to move forward on Lot 731 based on the resolution of the writ proceedings, such that the court could not, in this action, order Defendant to take steps to construct the project on that lot as contemplated, the court will still be able (1) to determine that those acts or omissions—which are alleged to have taken place before December 10, 2024—were unlawful or violated the specified statutes and codes, and (2) to declare that those acts or omissions were unlawful or in conflict with, inter alia, the Fair Employment and Housing Act, the Government Code, and the Los Angeles City Charter. The court therefore disagrees that those issues will become completely irrelevant or moot based on the resolution of the writ proceedings.

Thus, because most of the claims and requests for relief in Plaintiffs’ Complaint will not be rendered moot by the determination of the writ proceedings, the court finds that it is not in furtherance of justice and judicial economy and efficiency to stay this action pending the determination of those writ proceedings in Case Nos. 25STCP00892 and 25STCP01091. (Freiberg v. City of Mission Viejo (1995) 33 Cal.App.4th 1484, 1489 [“Trial courts generally have the inherent power to stay proceedings in the interest of justice and to promote judicial efficiency”].) The court therefore denies Defendant’s motion.

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ORDER

The court denies defendant City of Los Angeles, on behalf of itself and its component parts erroneously named as defendants Los Angeles City Council, Los Angeles Housing Department, and Los Angeles Department of Transportation's motion to stay action pending resolution of related writ proceedings.

The court directs the clerk to give notice of this ruling.

IT IS SO ORDERED.

Certificate of Mailing is attached.