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FILING FEE EXEMPT PURSUANT TO
GOVERNMENT CODE § 6103

5 Attorneys for Defendant
6 JOSE HUIZAR

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**
10

11 MAYRA ALVAREZ,
12 Plaintiff,
13 v.
14 JOSE HUIZAR, an individual; CITY OF
LOS ANGELES, a municipality; and DOES
15 1-10, inclusive,
16 Defendants.

Case No. 18STCV01722
[Assigned for All Purposes to:
Hon. Richard E. Rico, Dept. 17]
**DECLARATION OF CARMEN M. AGUADO
IN SUPPORT OF DEFENDANT LOS
ANGELES CITY COUNCILMAN JOSE
HUIZAR'S EX PARTE APPLICATION FOR
AN ORDER TO SPECIALLY SET A
HEARING ON DEFENDANT'S MOTION TO
SEAL RECORDS**
*[Filed concurrently with [Proposed] Order and Ex
Parte Application]*
Date: April 12, 2019
Time: 8:30 a.m.
Dept.: 17
Action Filed: October 22, 2018
Trial Date: None Set

27
28 LA #4844-5509-0068 v1

1 DECLARATION OF CARMEN M. AGUADO

2 I, CARMEN M. AGUADO, hereby declare and state as follows:

3 1. I am a member in good standing with the State Bar of California and an associate
4 at the law firm of Burke, Williams & Sorensen, LLP, attorneys for Defendant JOSE HUIZAR
5 (“Defendant Huizar”) in this action. I have personal knowledge of the facts set forth below, and,
6 if called as a witness in this matter, I could and testify competently thereto under oath.

7 2. The U.S. Attorney’s Office and FBI are currently conducting an investigation that
8 includes Defendant Huizar. The criminal investigation, as well as this civil litigation, has received
9 a significant amount of media coverage and exposure.

10 3. Defendant Huizar intends to serve a motion to stay this matter on May 24, 2019,
11 and the hearing on the motion to stay is set for June 24, 2019.

12 4. However, Defendant Huizar seeks to file the motion to stay under seal in order to
13 protect his privacy and constitutional rights, as well as the integrity of the criminal investigation,
14 which is implicated by virtue of the public nature of court filings in this matter. Additionally,
15 Defendant Huizar intends to rely on information pertaining to the criminal investigation that is
16 not public in support of his motion to stay.

17 5. The earliest date for a hearing on Defendant Huizar’s anticipated motion to seal is
18 June 24, 2019 *–after* Defendant Huizar is statutorily required to serve his motion to stay. The
19 reservation ID for Defendant Huizar’s motion to seal is 761170692344.


20 6. **NOTICE PROVISION.** Pursuant to Rules of Court, Rules 3.1203 and 3.1204, on
21 April 11, 2019, via e-mail communication, I provided notice that stated with specificity the nature
22 of the relief to be requested through this Application and the date, time, and place for the
23 presentation of the application to counsel for Plaintiff Mayra Alvarez (“Plaintiff”), Terrence
24 Jones, and counsel for Defendant City of Los Angeles, Dennis Kong and Kelly Welch. Plaintiff is
25 represented by Terrence Jones, The Law Office of Terrence Jones, 6737 Bright Avenue, Suite B6,
26 Whittier, California 90601, Tel.: 213-863-4490, Email: terrence@jonesonlaw.com. Defendant
27 City of Los Angeles is represented by Dennis Kong and Kelly Welch, Los Angeles City
28 Attorney’s Office, 200 North Main Street, 7th Floor, Los Angeles, CA 90012, Tel.: 213-978-
LA #4844-5509-0068 v1

1 8200, Email: dennis.kong@lacity.org.

2 7. At the time of filing this Application, I have not received notification from counsel
3 for Plaintiff or Defendant City of Los Angeles as to whether they intend to oppose the
4 Application.

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

7 Executed April 11, 2019, at Los Angeles, California.

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9 _____
CARMEN M. AGUADO, Declarant

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1 **PROOF OF SERVICE**

2 I, Susan Vasquez, declare:

3 I am a citizen of the United States and employed in Los Angeles County, California. I am
4 over the age of eighteen years and not a party to the within-entitled action. My business address
5 is 444 South Flower Street, Suite 2400, Los Angeles, California 90071-2953. On April 11, 2019,
6 I served a copy of the within document(s):

7 **DECLARATION OF CARMEN M. AGUADO IN SUPPORT OF DEFENDANT LOS**
8 **ANGELES CITY COUNCILMAN JOSE HUIZAR'S EX PARTE APPLICATION FOR**
9 **AN ORDER TO SPECIALLY SET A HEARING ON DEFENDANT'S MOTION TO**
10 **SEAL RECORDS**

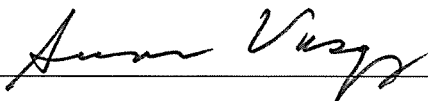
- 11 by transmitting via facsimile the document(s) listed above to the fax number(s) set
12 forth below on this date before 5:00 p.m.
- 13 by placing the document(s) listed above in a sealed envelope with postage thereon
14 fully prepaid, the United States mail at Los Angeles, California addressed as set
15 forth below.
- 16 by placing the document(s) listed above in a sealed _____ envelope and
17 affixing a pre-paid air bill, and causing the envelope to be delivered to
18 a _____ agent for delivery.
- 19 by personally delivering the document(s) listed above to the person(s) at the
20 address(es) set forth below.
- 21 by transmitting via my electronic service address (svasquez@bwslaw.com) the
22 document(s) listed above to the person(s) at the e-mail address(es) set forth below.

23 (Service List attached)

24 I am readily familiar with the firm's practice of collection and processing correspondence
25 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
26 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
27 motion of the party served, service is presumed invalid if postal cancellation date or postage
28 meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on April 11, 2019, at Los Angeles, California.



Susan Vasquez

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SERVICE LIST
Alvarez v. Huizar, et al.
18STCV01722

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