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7 MHC Morgan Hill Expansion L.P., and  
8 MHC Property Management L.P.

Filed  
February 9, 2022  
Clerk of the Court  
Superior Court of CA  
County of Santa Clara  
21CV386112  
By: afloresca

Signed: 2/9/2022 10:20 AM



8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF SANTA CLARA**

11 MHC MORGAN HILL EXPANSION L.P.;  
12 MHC PROPERTY MANAGEMENT L.P.,

13 Petitioners/Plaintiffs,

14 v.  
15

16 COUNTY OF SANTA CLARA; SANTA  
17 CLARA COUNTY PLANNING  
18 COMMISSION; COUNTY OF SANTA  
19 CLARA DEPARTMENT OF PLANNING  
20 AND DEVELOPMENT; and DOES 1-10,

21 Respondents/Defendants.  
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Case No. 21CV386112

Hon. Carrie A. Zepeda  
Dept. 12

**STIPULATION RE: ENTRY OF JUDGMENT;**  
**[PROPOSED] JUDGMENT**

Action Filed: July 29, 2021  
Trial Date: N/A

1           **WHEREAS**, Petitioners/Plaintiffs MHC Morgan Hill Expansion L.P., and MHC Property  
2 Management L.P. (“Petitioners”) commenced this action on July 29, 2021, filing a Verified  
3 Petition for Writ of Mandate and Complaint for Declaratory Relief (“Petition”) against  
4 Respondents/Defendants County of Santa Clara; Santa Clara County Planning Commission; Santa  
5 Clara County Department of Planning and Development; and Does 1-10, (collectively,  
6 “Respondents”).


7           **WHEREAS**, Petitioners and Respondents have agreed to fully resolve this action and have  
8 the Court declare their rights without the necessity of trial;

9           **THE PARTIES HEREBY STIPULATE AND AGREE** that the Court should enter the  
10 [Proposed] Judgment lodged concurrently herewith.

11           **IT IS SO STIPULATED.**


13 Dated: February 8, 2022

LATHAM & WATKINS LLP  
Winston P. Stromberg  
Lauren Glaser

15 By:   
16 Winston P. Stromberg  
17 Attorneys for Petitioners/Plaintiffs  
18 MHC Morgan Hill Expansion L.P., and  
MHC Property Management L.P.

19 Dated: February 8, 2022

JAMES R. WILLIAMS  
County Counsel

21 By:   
22 Aaron Forbath  
23 Deputy County Counsel  
24 Attorneys for Respondents  
25 County of Santa Clara, Santa Clara County  
26 Planning Commission, and Santa Clara  
27 County Department of Planning and  
28 Development

~~PROPOSED~~ JUDGMENT

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**THE PARTIES HAVING STIPULATED HERETO, IT IS HEREBY ORDERED,  
ADJUDGED AND DECREED THAT:**

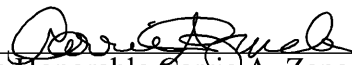
1. On the First Cause of Action for Writ of Mandate under the Permit Streamlining Act, Petitioners and Plaintiffs’ MHC Morgan Hill Expansion L.P., and MHC Property Management L.P.’s application for a Use Permit and Architectural Site Approval (File No. PLN21-032) (the “Application”) was complete as of April 1, 2021 (the “Completion Date”). Accordingly,
  - a. The County’s April 7, 2021 Notice of Incomplete Application Letter had no legal effect on the status of the Application as it was issued after the Application had been deemed complete as a matter of law pursuant to Government Code section 65943, subdivision (b).
  - b. The Application is subject to the grandfathering clauses set forth in Section 8 of Ordinance No. NS-1200.378, and Section 2 of Resolution No. BOS-2021-63, adopted by the Santa Clara County Board of Supervisors on May 25, 2021 (collectively, the “Amendments”), such that the Application shall be processed by the County in accordance with all provisions of the County General Plan and Ordinance Code, including Appendix I (Zoning), applicable to Recreational Vehicle Parks that were in effect immediately preceding the effective date of the Amendments.
  - c. The Application has not been “abandoned” pursuant to the grandfathering clauses set forth in the Amendments as of the date of this stipulated judgment.
2. Petitioners dismiss with prejudice their Second Cause of Action for Declaratory Relief and seek no other relief from this Court except for the entry of this Judgment.
3. Respondents waive any right to appeal from this stipulated judgment.
4. The Court shall retain jurisdiction to enforce this stipulated judgment.

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5. The Parties shall bear their own costs and attorneys' fees incurred in this action.

**IT IS SO ORDERED, ADJUDGED AND DECREED.**

Dated: February 9, 2022

  
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The Honorable Carrie A. Zepeda  
Judge, Santa Clara County Superior Court