

GIBSON, DUNN & CRUTCHER LLP  
THEANE EVANGELIS, SBN 243570  
tevangelis@gibsondunn.com  
MARCELLUS MCRAE, SBN 140308  
mmcrae@gibsondunn.com  
KAHN A. SCOLNICK, SBN 228686  
kscolnick@gibsondunn.com  
BRADLEY J. HAMBURGER, SBN 266916  
bhamburger@gibsondunn.com  
333 South Grand Avenue  
Los Angeles, California 90071-3197  
Telephone: 213.229.7000  
Facsimile: 213.229.7520

HYDEE FELDSTEIN SOTO, SBN 106866  
DENISE C. MILLS, SBN 191992  
KATHLEEN KENEALY, SBN 212289  
ARLENE N. HOANG, SBN 193395  
JESSICA MARIANI, SBN 280748  
200 North Main Street, City Hall East, 6th Floor  
Los Angeles, California 90012  
Telephone: 213.978-7508  
Facsimile: 213.978.7011  
Email: arlene.hoang@lacity.org

*Attorneys for Defendant*  
*CITY OF LOS ANGELES*

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

LA ALLIANCE FOR HUMAN RIGHTS,  
et al.,

Plaintiffs,

v.

CITY OF LOS ANGELES, a Municipal  
entity, et al.,

Defendant.

CASE NO. 2:20-cv-02291 DOC (KES)

**RESPONSE TO THE ALLIANCE'S  
REQUEST FOR JUDICIAL  
NOTICE**

Honorable David O. Carter,  
United States District Judge

Dept: 7A

Trial Date: None Set  
Action Filed: March 10, 2020

1 The Alliance has asked this Court to take judicial notice of a long list of  
2 documents filed in federal courts as well as records from government agencies.  
3 Dkt. 961. That’s fine as far as it goes, but it doesn’t go very far. The City agrees that  
4 the *existence* of documents filed in federal district courts and records from government  
5 agencies are generally subject to judicial notice under Federal Rule of Evidence 201.  
6 But to the extent the Alliance asks the Court to take judicial notice of these documents  
7 for the *truth* of the matters they assert and in order to resolve disputed issues of fact, the  
8 City objects.

9 The Court may take judicial notice of facts “not subject to reasonable dispute,”  
10 Fed. R. Evid. 201(b), and no one could reasonably dispute that the documents in the  
11 Alliance’s request exist. But the Court may take judicial notice only of the fact that  
12 these documents were filed in court or are available from the City and other public  
13 agencies. For example, in *Lee v. City of Los Angeles*, 250 F.3d 668, 689–90 (9th Cir.  
14 2001), the district court took judicial notice of a publicly filed document and a hearing  
15 transcript. The Ninth Circuit explained that it was proper to “take judicial notice of the  
16 *fact* of the” hearing and document. *Id.* But the district court erred by taking judicial  
17 notice of “*disputed* facts stated in public records.” *Id.* at 690; *see also Khoja v. Orexigen*  
18 *Therapeutics, Inc.*, 899 F.3d 988, 999 (9th Cir. 2018) (“Just because the document itself  
19 is susceptible to judicial notice does not mean that every assertion of fact within that  
20 document is judicially noticeable for its truth.”).

21 Here, the City has disputed much of what is said in the documents listed in the  
22 Alliance’s request, including conclusions reached in the Alvarez & Marsal assessment.  
23 So although the Court may properly take judicial notice of the fact that the assessment  
24 and other documents exist and were filed in these proceedings, the Court may not rely  
25 on judicial notice to conclude that anything said in those documents is true.

1 DATED: June 4, 2025

Respectfully submitted,

2 GIBSON, DUNN & CRUTCHER LLP

3  
4 By: /s/ Theane Evangelis  
Theane Evangelis

5 *Attorneys for Defendant CITY OF LOS*  
6 *ANGELES*

7 GIBSON, DUNN & CRUTCHER LLP  
8 THEANE EVANGELIS, SBN 243570  
tevangelis@gibsondunn.com  
9 MARCELLUS McRAE, SBN 140308  
mmcrae@gibsondunn.com  
10 KAHN SCOLNICK, SBN 228686  
kscolnick@gibsondunn.com  
11 BRADLEY J. HAMBURGER, SBN 266916  
bhamburger@gibsondunn.com  
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Los Angeles, California 90071-3197  
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