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*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)

Honorable David O. Carter,  
United States District Judge

**DEFENDANT CITY OF LOS  
ANGELES'S OBJECTION  
REGARDING SUPPLEMENTAL  
NOTICE TO OSC IN RE  
CONTEMPT**

Action Filed: March 10, 2020

1 The City objects to the Court's January 14 supplemental notice expanding the  
2 scope of the ongoing contempt proceedings. Dkt. 1133.

3 The Court's order expanding the scope of the ongoing contempt proceedings is  
4 based on a recent ruling in the Los Angeles County Superior Court case, *CANGRESS v.*  
5 *City of Los Angeles*, No. 25STCP00261, issued by Judge Curtis Kin, and "reports  
6 published in the mainstream media" relating to that ruling. Dkt. 1133 at 2. The City  
7 submits that any expansion of the scope of the ongoing contempt proceedings is  
8 premature, would necessarily interfere with the *CANGRESS* litigation, and would  
9 threaten the City's appellate rights in that litigation.

10 The ruling issued by Judge Kin is not final; no final judgment will be issued until  
11 the City has a chance to object to a proposed judgment and a final judgment is entered.  
12 Dkt. 1133, Ex. A at 10. In the event Judge Kin overrules the City's objections and a  
13 final judgment is issued in the petitioner's favor, the City will appeal. Expanding the  
14 scope of the ongoing contempt proceedings to encompass the subject matter at issue in  
15 the *CANGRESS* litigation before the decision in that case is final and enforceable, and  
16 before that decision has been subjected to appellate review, would necessarily interfere  
17 with that separate, state-court litigation and would threaten to deprive the City of its  
18 appellate rights in that litigation. For example, if the contempt proceedings are expanded  
19 to cover topics related to the closed sessions of the City Council at issue in the  
20 *CANGRESS* litigation before the appellate process is completed, the City would be  
21 forced to choose between (1) effectively giving up its right to appeal in the *CANGRESS*  
22 litigation by disclosing matters it contends are privileged, or (2) foregoing its right to  
23 fully defend itself in the contempt proceedings in this Court.

24 In light of these significant concerns, and in accordance with basic principles of  
25 comity and abstention doctrines, the Court should abstain from expanding the ongoing  
26 contempt proceedings until the conclusion of the *CANGRESS* litigation (including the  
27 resolution of any appeal in that litigation). *See Herrera v. City of Palmdale*, 918 F.3d  
28 1037, 1043 (9th Cir. 2019) (noting the "longstanding public policy against federal court

1 interference with state court proceedings”)) (quoting *Younger v. Harris*, 401 U.S. 37, 43  
2 (1971)); *Lake Luciana, LLC v. Cnty. of Napa*, 2009 WL 3707110, at \*2 (N.D. Cal. Nov.  
3 4, 2009) (finding abstention under *Younger* appropriate where a “state court proceeding  
4 touche[d] upon whether the Board acted in compliance with the Brown Act” and thus  
5 “implicate[d] important state interests”).

6 To the extent the Court nonetheless intends to proceed with expanding the  
7 ongoing contempt proceedings before the conclusion of the *CANGRESS* litigation, the  
8 Court should clarify the new scope of these proceedings. In its order, the Court  
9 expressed “concern[] about the City’s representation that the City Council had passed  
10 the homeless encampment reduction plan,” Dkt. 1133 at 1–2, but did not identify any  
11 specific representation, when any such representation was made, or who made it on the  
12 City’s behalf. Without additional detail regarding what the Court is now putting at issue,  
13 the City will be deprived of a fair opportunity to investigate the facts and prepare its  
14 defense against a potential finding of contempt. See, e.g., *Lindsey v. Normet*, 405 U.S.  
15 56, 66 (1972) (“Due process requires that there be an opportunity to present every  
16 available defense.”).

17 As a matter of fairness and basic due process, the Court should clarify the scope  
18 of the expanded contempt proceedings and identify the specific representation(s) at issue  
19 and the specific concern the Court has with any such representation(s) so that the City  
20 may adequately prepare its defense against these serious allegations.

21  
22 DATED: January 20, 2026

GIBSON, DUNN & CRUTCHER LLP

23 By: /s/ Theane Evangelis  
24 Theane Evangelis

25 *Attorneys for Defendant*  
26 *CITY OF LOS ANGELES*