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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 10 FOR THE COUNTY OF ALAMEDA
 11

12 CALIFORNIA BUILDING INDUSTRY
 ASSOCIATION,

13 Plaintiff and Petitioner,
 14

15 vs.

16 BAY AREA AIR QUALITY MANAGEMENT
 DISTRICT, and DOES 1-25, inclusive,

17 Defendants and Respondents.
 18

CASE NO. RG10548693

~~PROPOSED~~ PEREMPTORY WRIT OF
 MANDATE

ASSIGNED FOR ALL PURPOSES TO THE
 HONORABLE FRANK ROESCH,
 DEPARTMENT 24

Action Filed: November 29, 2010

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1 TO: Defendant and Respondent Bay Area Air Quality Management District
2 ("District");

3 The Court having entered a judgment in this proceeding directing that a
4 peremptory writ of mandate issue from this Court,

5 YOU ARE HEREBY COMMANDED to comply with the following:

6 1. Within ⁹⁰~~30~~ days of the service of this Writ, the District shall set aside all approvals set
7 forth in Resolution No. 2010-06 by which it adopted its new California Environmental Quality Act
8 ("CEQA") thresholds (the "Thresholds"), and not approve these same or new approvals related to the
9 Thresholds until the District fully complies with the CEQA in a manner that is consistent with the
10 Court's judgment.

11 2. Upon service of the writ, the District shall not take any further actions that rely on or
12 treat the Thresholds as generally applicable requirements or recommendations.

13 3. Within 30 days of service of this Writ, the District shall cease dissemination and
14 publication of the Thresholds and their implementing CEQA Air Quality Guidelines and calculators.

15 4. Under Public Resources Code section 21168.9(c), the Court does not direct the District
16 to exercise its lawful discretion in any particular way.

17 5. The District shall make its return to the writ no later than 90 days after service of the
18 writ demonstrating compliance with the terms of this Writ.

19 6. Pursuant to Public Resources Code section 21168.9(b), the Court shall retain
20 jurisdiction over the District's proceedings by way of the return to the peremptory writ of mandate
21 until the Court has determined that the District has complied with CEQA.

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Date: MAR 05 2012 PAT SWEETEN PAM WILLIAMS
Clerk of the Superior Court
Alameda County Superior Court

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