

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

COURT OF APPEAL - SECOND DISTRICT

FILED

DEC 21 2012

JOSEPH A. LANE

Clerk

S. VEVERKA

Deputy Clerk

REGENCY CENTERS CORPORATION,

Petitioner,

v.

SUPERIOR COURT OF THE COUNTY
OF LOS ANGELES,

Respondent;

ERNESTO GARNICA,

Real Party in Interest.

B245290

(Los Angeles County
Super. Ct. No. PC051016)
(Randy Rhodes, Judge)

ALTERNATIVE
WRIT OF MANDATE
and ORDER

TO THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY
OF LOS ANGELES:

Good cause appearing therefore, you are hereby required either to:

(a) after notice to the parties and an opportunity to be heard pursuant to *Brown, Winfield & Canzoneri, Inc. v. Superior Court* (2010) 47 Cal.4th 1233, 1250, fn. 10, vacate the November 1, 2012 order made in the case entitled *Garnica et al. v. City of Santa Clarita et al.*, Los Angeles County Superior Court Case No. PC051016, granting the motion of cross-defendants, the Browns, for good faith settlement determination and enter a new and different order denying the motion (*Long Beach Memorial Medical Center v. Superior Court* (2009) 172 Cal.App.4th 869); or

(b) in the alternative,

SHOW CAUSE before this court in this courtroom at 300 South Spring Street, Los Angeles, California, on February 14, 2013, at 9:00 a.m., why a peremptory writ of mandate ordering you to do so should not issue on the ground that petitioner has demonstrated it is entitled to relief.

Any written return to this writ shall be served and filed by January 10, 2013.

Petitioner may file a reply by January 24, 2013.

In the event that respondent superior court complies with alternative (a) of this writ at any time prior to February 14, 2013, petitioner shall immediately so advise this court by letter and file a certified copy of the order constituting such compliance.

