

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

FRIENDS FOR FULLERTON'S FUTURE
et al.,

Petitioners,

v.

THE SUPERIOR COURT OF ORANGE
COUNTY,

Respondent;

CITY OF FULLERTON,

Real Party In Interest.

G058506

(Super. Ct. No. 30-2019-01107063)

O R D E R

THE COURT:*

On October 31, 2019, petitioners filed a petition for alternative and peremptory writs of mandamus, prohibition, and review, and a request for an immediate stay, challenging respondent court's October 25, 2019 order granting real party in interest's ex parte application for a temporary restraining order and order to show cause why a preliminary injunction should not issue.

This court is considering issuing a peremptory writ in the first instance with respect to paragraphs (1)(j) and (1)(k) of respondent's court October 25, 2019 order

temporarily restraining petitioners from “(j) Selling, publishing, distributing, disclosing or otherwise using any of the information or documents obtained from the City Dropbox folders and files listed at Exhibit A, without the City’s permission, or a valid court order; and (k) Conspiring with third parties to sell, publish, distribute, disclose or otherwise use any of the information or documents obtained from the City Dropbox folders and files listed at Exhibit A, without the City’s permission, or a valid court order”. (*Palma v. U.S. Industrial Fasteners, Inc.* (1984) 36 Cal.3d 171, 177-180). Real party in interest is invited to file opposition or other informal response within 10 days of the date of this order.

That portion of respondent court’s October 25, 2019 order cited above (paragraphs (1)(j) and (1)(k)) is STAYED pending further order of this court.

The application of the Reporters Committee for Freedom of the Press for leave to file an amicus curiae brief in support of petitioners Friends for Fullerton’s Future, Joshua Ferguson, and David Curlee is GRANTED. The clerk of this court is directed to file forthwith the amicus curiae brief submitted with the application. (Cal. Rules of Court, rule 8.200(c)(1). Any party may file an answer to the amicus curiae brief no later than 20 days from the date of this order. (Cal. Rules of Court, rule 8.200(c)(6).

IKOLA, ACTING P. J.

* Before Ikola, Acting P. J., Thompson, J., and Goethals, J.