

1 BRIGGS LAW CORPORATION [FILE: 1977.03]
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN DIEGO – CENTRAL DIVISION

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11 _____
CITIZENS FOR A FRIENDLY AIRPORT,)

12 Plaintiff and Petitioner,)

13 vs.)

14 COUNTY OF SAN DIEGO; and DOES 1 through)
100,)

15 Defendants and Respondents;)

16 _____
17 AMERICAN AIRLINES, INC.; and DOES 101)
through 1,000,)

18 Defendants and Real Parties in)
19 Interest.)

CASE NO. _____

**VERIFIED COMPLAINT FOR
DECLARATORY RELIEF AND
PETITION FOR WRIT OF MANDATE
UNDER THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND
OTHER LAWS**

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21 Plaintiff and Petitioner CITIZENS FOR A FRIENDLY AIRPORT ("Petitioner") alleges as
22 follows:

23 **Parties**

24 1. Petitioner is a non-profit organization formed and operating under the laws of the State
25 of California. At least one of Petitioner's members resides in or near the County of San Diego,
26 California, and has an interest in protecting the region's air quality, minimizing and ameliorating
27 airplane noise, ensuring informed and responsible growth, and promoting other environment-related
28 quality-of-life issues.

1 Respondent has failed and refuses to do so and has exercised its discretion beyond the limits of and in
2 a manner that is not consistent with those laws.

3 14. Petitioner has a beneficial right and interest in Respondent's fulfillment of all its legal
4 duties, as alleged in this pleading.

5 **FIRST CAUSE OF ACTION:**
6 **Illegal Approval of Project**
(Against All Respondents and Real Parties in Interest)

7 15. Paragraphs 1 through 14 are fully incorporated into this paragraph.

8 16. Petitioner is informed and believes and on that basis alleges that the Project does not
9 comply with all applicable laws. By way of example and without limitation (including alternative
10 theories of liability):

11 A. The Project violates CEQA. For example:

12 i. Whenever a project proposed to be carried out or approved by a lead
13 agency has the potential to cause an adverse environmental impact, CEQA prohibits the agency from
14 relying on a negative declaration. Instead, CEQA requires the preparation of an environmental impact
15 report to identify and analyze the significant adverse environmental impacts of a proposed project,
16 giving due consideration to both short-term and long-term impacts, providing decision-makers with
17 enough information to enable them to make an informed decision with full knowledge of the likely
18 consequences of their actions, and providing members of the public with enough information to
19 participate meaningfully in the project's approval and environmental-review process. CEQA also
20 requires every environmental impact report to identify and analyze a reasonable range of alternatives
21 to a proposed project. CEQA further requires every environmental impact report to identify and analyze
22 all reasonable mitigation measures for a proposed project's significant adverse environmental impacts.
23 An environmental impact report must be prepared for a proposed project if there is a fair argument,
24 supported by substantial evidence in the administrative record, that the project may have an adverse
25 environmental impact; stated another way, a negative declaration may not be used unless the lead
26 agency determines with certainty that there is no potential for the project to have an adverse
27 environmental impact.

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1 laws as they relate to the Project and that its approval was illegal in at least some respect, rendering the
2 approval (including any subsequent actions or omissions based on the approval) null and void;

3 C. Injunctive relief prohibiting Defendants/Respondents and Defendants/Real Parties in
4 Interest (and any and all persons acting at the request of, in concert with, or for the benefit of one or
5 more of them) from taking any action on any aspect of, in furtherance of, or otherwise based on the
6 Project unless and until Defendants/Respondents comply with CEQA, the PZL, and all other applicable
7 laws, as determined by the Court;

8 D. Any and all other relief that may be authorized by CEQA, the PZL, or other applicable
9 laws, or any combination of them, but is not explicitly or specifically requested elsewhere in this Prayer;

10 E. Any and all legal fees and other expenses incurred by Petitioner in connection with this
11 lawsuit, including but not limited to reasonable attorney fees as authorized by the Code of Civil
12 Procedure; and

13 F. Any and all further relief that this Court may deem appropriate.

14 Date: January 24, 2025.

Respectfully submitted,
BRIGGS LAW CORPORATION

Cory J. Briggs

By:

Cory J. Briggs

Attorneys for Plaintiff and Petitioner Citizens for a
Friendly Airport

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