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5 Attorneys for Defendants County of San Diego, David Lovejoy
6 and Jonathon Young,
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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

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11 Rowdy Pauu,)
12) Plaintiff,)
13) v.) **NOTICE OF MOTION AND MOTION**
14) County of San Diego, et al.,) **FOR SUMMARY JUDGMENT AS TO**
15) Defendants.) **PLAINTIFF ROWDY PAUU’S ACTION**
16) Date: February 5, 2026
17) Time: 1:30 p.m.
18) Courtroom: 14A
19) Judge: Hon. Todd W. Robinson

20 **AND ALL RELATED CASES**

21 **TO THE HONORABLE COURT, AND TO PLAINTIFF ROWDY PAUU AND**
22 **HIS ATTORNEYS OF RECORD:**

23 PLEASE TAKE NOTICE that on February 5, 2026, at 1:30 p.m. in the above
24 courtroom 14A, Defendants DAVID LOVEJOY, and JONATHON YOUNG
25 (“Defendants”) will and hereby do move this Court, in accordance with Rule 56 of the
26 Federal Rules of Civil Procedure for an order granting summary judgment as to Plaintiff
27 ROWDY PAUU’s First Amended Complaint. Defendants assert there is no triable issue
28 of material fact regarding the one as more particularly described below:

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- 1 1. Defendants Lovejoy and Young did not violate Plaintiff's Fourteenth Amendment
- 2 Rights
- 3 2. Even if there is a triable issue of material fact concerning whether Defendants
- 4 Lovejoy and Young violated Plaintiff's Fourteenth Amendment rights, they are
- 5 entitled to qualified immunity. At the time of the events in question, no clearly
- 6 established law put Defendants Lovejoy and Young on notice that their actions
- 7 violated the Fourteenth Amendment.

8 Statement of Compliance pursuant to Civ. Chambers Rule III (A) (1):

9 On November 6, 2025, Counsel for Defendants met and conferred via telephone with
10 Plaintiff Pauu's attorney Eugene Iredale regarding the basis for Defendants' motion
11 for summary judgment. The parties were unable to reach an agreement regarding the
12 issues that are the basis of this motion.

13 This motion is based on Rule 56 of the Federal Rules of Civil Procedure, this Notice
14 and Memorandum of Points and Authorities, Declaration of Sylvia S. Aceves, Notice of
15 Lodgment, and Exhibits filed concurrently herewith, and on such argument and other
16 evidence as may be presented at or before the hearing of this motion.

17 DATED: November 21, 2025 DAVID J. SMITH, Acting County Counsel

18 By: s/SYLVIA S. ACEVES, Senior Deputy
19 Attorneys for Defendants County of San Diego, David
20 Lovejoy and Jonathon Young,
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