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COUNTY OF SANTA CLARA

8 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
9 (San José Division)

11 CALVARY CHAPEL SAN JOSE, a California
Non-Profit Corporation, et al.,

12 Plaintiffs,

13 v.

14 COUNTY OF SANTA CLARA,

15 Defendant.

No. 20-CV-03794 BLF

**DEFENDANT COUNTY OF SANTA
CLARA’S ANSWER TO PLAINTIFFS’
FOURTH AMENDED COMPLAINT**

17 Defendant COUNTY OF SANTA CLARA answers the Fourth Amended Complaint
18 (hereinafter, “Complaint”) and alleges as follows:

19 **INTRODUCTION¹**

20 1. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
21 the allegations in the paragraph and on that basis denies the allegations.

22 2. Denied.

23 3. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
24 the allegations in the first sentence of the paragraph and on that basis denies the allegations. The
25 second sentence of the paragraph contains conclusions of law to which no response is required. To
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28 ¹ Defendant repeats Plaintiffs’ headings solely for ease of reference. To the extent the headings
include any factual allegations, they are denied.

1 the extent that any response is required, Defendant denies the allegations.

2 4. Defendant admits that other state and local jurisdictions responded to the COVID-19
3 public health crisis and those responses varied by jurisdiction. Defendant denies the remaining
4 allegations in the paragraph.

5 5. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
6 the allegations in the first sentence of the paragraph and on that basis denies the allegations.
7 Defendant admits that the County enforced its public health orders related to COVID-19. Defendant
8 denies the remaining allegations in the paragraph.

9 6. Pursuant to the Court's October 6, 2022 order (ECF 222), the allegations in the third
10 sentence of paragraph have been stricken from the Complaint and no response is required. To the
11 extent that any response is required, Defendant denies the allegations. Defendant denies the
12 remaining allegations in the paragraph.

13 7. The paragraph contains conclusions of law to which no response is required. To the
14 extent that any response is required, Defendant denies the allegations. Defendant denies any
15 remaining allegations in the paragraph.

16 8. The paragraph contains conclusions of law to which no response is required. To the
17 extent that any response is required, Defendant denies the allegations. Defendant admits that it is
18 seeking to collect a portion of the unpaid fines accrued by Calvary Chapel San Jose for its violations
19 of certain COVID-19 public health orders in a proceeding in the Superior Court for the County of
20 Santa Clara. Defendant denies the remaining allegations in the paragraph.

21 9. The paragraph contains conclusions of law and Plaintiffs' prayer for relief to which
22 no response is required. Pursuant to the Court's October 6, 2022 order (ECF 222), the allegations in
23 the fourth sentence of the paragraph concern a claim that has been dismissed with prejudice and no
24 response is required. To the extent that any response is required, Defendant denies the allegations.

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PARTIES, JURISDICTION AND VENUE

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2 10. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
3 the allegations in the paragraph and on that basis denies the allegations.

4 11. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
5 the allegations in the paragraph and on that basis denies the allegations.

6 12. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
7 the allegations in the paragraph and on that basis denies the allegations.

8 13. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
9 the allegations in the paragraph and on that basis denies the allegations.

10 14. Defendant admits that Sara H. Cody, M.D., is the Health Officer and Public Health
11 Director for the County of Santa Clara. Pursuant to the Court’s October 6, 2022 order (ECF 222),
12 Dr. Cody has been dismissed from the case. The remainder of the paragraph contains conclusions of
13 law to which no response is required. To the extent that any response is required, Defendant denies
14 the allegations.

15 15. Defendant admits that Mike Wasserman, Cindy Chavez, Dave Cortese, Susan
16 Ellenberg, and Jo Simitian were members of the Board of Supervisors when the Board passed and
17 adopted Ordinance No. NS-9.291 (referred to as the “Urgency Ordinance”) on August 11, 2020. Mr.
18 Cortese has been replaced on the Board by Otto Lee. Pursuant to the Court’s October 6, 2022 order
19 (ECF 222), all of the members of the Board have been dismissed from the case. The remainder of
20 the paragraph contains conclusions of law to which no response is required. To the extent that any
21 response is required, Defendant denies the allegations.

22 16. Defendant admits that James R. Williams was a director of the County’s Emergency
23 Operations Center. Pursuant to the Court’s October 6, 2022 order (ECF 222), Mr. Williams has been
24 dismissed from the case. The remainder of the paragraph contains conclusions of law to which no
25 response is required. To the extent that any response is required, Defendant denies the allegations.

26 17. No response is required to Plaintiffs’ definition of the term “County Officials” in the
27 Complaint.

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1 18. The paragraph contains conclusions of law to which no response is required. To the
2 extent that any response is required, Defendant denies the allegations.

3 19. The paragraph contains conclusions of law to which no response is required. To the
4 extent that any response is required, Defendant denies the allegations.

5 20. The paragraph contains conclusions of law to which no response is required. To the
6 extent that any response is required, Defendant denies the allegations.

7 21. The paragraph contains conclusions of law to which no response is required. To the
8 extent that any response is required, Defendant denies the allegations.

9 **FACTUAL BACKGROUND**

10 22. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
11 the allegations in the paragraph and on that basis denies the allegations.

12 23. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
13 the allegations in the paragraph and on that basis denies the allegations.

14 24. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
15 the allegations in the paragraph and on that basis denies the allegations.

16 25. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
17 the allegations in the paragraph and on that basis denies the allegations.

18 26. Defendant admits that the California Department of Public Health has issued
19 guidelines regarding COVID-19 mitigation and those guidelines are the best evidence of their
20 contents. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the
21 remaining allegations in the paragraph and on that basis denies the allegations.

22 27. Defendant admits the allegations in the first sentence of the paragraph. Defendant
23 lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the
24 second sentence of the paragraph and on that basis denies the allegations.

25 28. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
26 the allegations in the paragraph and on that basis denies the allegations.

27 29. Defendant admits that Governor Newsom issued Executive Order N-25-20 on or
28 about March 12, 2020. Defendant lacks sufficient knowledge or information to form a belief as to

1 the truth of the remaining allegations in the paragraph and on that basis denies the allegations.

2 30. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
3 the allegations in the paragraph and on that basis denies the allegations.

4 31. The paragraph contains conclusions of law to which no response is required. To the
5 extent that any response is required, Defendant denies the allegations.

6 32. Defendant admits that a number of Bay Area counties issued shelter-in-place orders
7 on March 16, 2020, and that a copy of the County of Santa Clara's shelter-in-place order is attached
8 to the Complaint as Exhibit 3. Defendant denies the remaining allegations in the paragraph.

9 33. Defendant admits that Governor Newsom issued Executive Order N-33-20 on or
10 about March 19, 2020. Defendant lacks sufficient knowledge or information to form a belief as to
11 the truth of the remaining allegations in the paragraph and on that basis denies the allegations.

12 34. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
13 the allegations in the paragraph and on that basis denies the allegations.

14 35. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
15 the allegations in the paragraph and on that basis denies the allegations.

16 36. Denied.

17 37. Defendant denies the allegations in the first through fourth sentences of the
18 paragraph. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
19 the remaining allegations in the paragraph and on that basis denies the allegations.

20 38. The first sentence of the paragraph contains conclusions of law to which no response
21 is required. To the extent that any response is required, Defendant denies the allegations. Defendant
22 lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations
23 in the paragraph and on that basis denies the allegations.

24 39. Defendant denies the allegations in the first sentence of the paragraph. Defendant
25 admits the remaining allegations in the paragraph.

26 40. Denied.

27 41. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
28 the allegations in the paragraph and on that basis denies the allegations.

1 42. Defendant admits that Governor Newsom issued Executive Order N-60-20 on or
2 about May 4, 2020. Defendant lacks sufficient knowledge or information to form a belief as to the
3 truth of the remaining allegations in the paragraph and on that basis denies the allegations.

4 43. The paragraph contains conclusions of law to which no response is required. To the
5 extent that any response is required, Defendant denies the allegations. Defendant lacks sufficient
6 knowledge or information to form a belief as to the truth of the allegations in the final sentence of
7 the paragraph and on that basis denies the allegations.

8 44. The paragraph contains conclusions of law to which no response is required. To the
9 extent that any response is required, Defendant denies the allegations.

10 45. Denied.

11 46. Denied.

12 47. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
13 the allegations in the paragraph and on that basis denies the allegations.

14 48. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
15 the allegations in the paragraph and on that basis denies the allegations.

16 49. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
17 the allegations in the paragraph and on that basis denies the allegations.

18 50. Defendant admits that the seven-day rolling average of reported COVID-19 cases was
19 increasing in California and in Santa Clara County in June 2020. Defendant denies the remaining
20 allegations in the paragraph.

21 51. Defendant admits that the Public Health Department posted to Facebook on or about
22 June 1, 2020 regarding protest activity and COVID-19. Defendant denies the remaining allegations
23 in the paragraph.

24 52. Defendant admits that some protestors did not wear masks or practice social
25 distancing during June 2020. Defendant denies the remaining allegations in the paragraph.

26 53. Defendant denies the allegations in the first sentence of the paragraph. Defendant
27 lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations
28 in the paragraph and on that basis denies the allegations.

1 54. Defendant admits that CDPH issued guidance for places of worship and providers of
2 religious services and cultural ceremonies, and that guidance is the best evidence of its contents.
3 Defendant lacks sufficient knowledge or information to form a belief as to the truth of the remaining
4 allegations in the paragraph and on that basis denies the allegations.

5 55. Denied.

6 56. Denied.

7 57. Effective June 5, 2020, the County updated its shelter-in-place order to allow certain
8 additional activities, including outdoor small ceremonies and religious services. The requirements of
9 that order are set forth therein and in the appendices thereto. Defendant denies the remaining
10 allegations in the paragraph.

11 58. Defendant admits that Dr. Cody issued a risk-reduction order on July 2, 2020, a copy
12 of which is attached as Exhibit 8 to the Complaint. The remaining allegations in the paragraph
13 characterize the contents of that order, which speaks for itself, and to which no response is required.
14 To the extent that any response is required, Defendant denies the allegations.

15 59. Denied.

16 60. The paragraph contains conclusions of law to which no response is required. To the
17 extent that any response is required, Defendant denies the allegations.

18 61. Defendant admits that CDPH issued guidance for schools and school-based programs,
19 and that guidance is the best evidence of its contents. Defendant lacks sufficient knowledge or
20 information to form a belief as to the truth of the remaining allegations in the paragraph and on that
21 basis denies the allegations.

22 62. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
23 the allegations in the paragraph and on that basis denies the allegations.

24 63. Defendant admits that CDPH announced the Blueprint for a Safer Economy on
25 August 20, 2020. The allegations in the first and second sentences of the paragraph contain
26 conclusions of law and/or characterize the contents of the Blueprint, which speaks for itself, and to
27 which no response is required. To the extent that any response is required, Defendant denies the
28 allegations. The final sentence of the paragraph contains conclusions of law to which no response is

1 required. To the extent that any response is required, Defendant denies the allegations.

2 64. Defendant admits that Dr. Cody issued a revised risk-reduction order on October 5,
3 2020, a copy of which is attached as Exhibit 11 to the Complaint. The remaining allegations in the
4 paragraph contain conclusions of law and/or characterize the contents of that order, which speaks for
5 itself, and to which no response is required. To the extent that any response is required, Defendant
6 denies the allegations.

7 65. Defendant admits that on October 13, 2020, the County issued a revised Mandatory
8 Directive for Gatherings. The remaining allegations in the paragraph contain conclusions of law
9 and/or characterize the contents of that directive and the State Blueprint, which speak for
10 themselves, and to which no response is required. To the extent that any response is required,
11 Defendant denies the allegations.

12 66. Admitted.

13 67. The paragraph contains conclusions of law and/or characterizes the contents of the
14 guidance to which no response is required. To the extent that any response is required, Defendant
15 denies the allegations.

16 68. The paragraph contains conclusions of law and/or characterizes the contents of the
17 guidance to which no response is required. To the extent that any response is required, Defendant
18 denies the allegations.

19 69. Defendant denies the allegations as to the County; otherwise, Defendant lacks
20 sufficient knowledge or information to form a belief as to the truth of the allegations in the
21 paragraph and on that basis denies the allegations.

22 70. Defendant admits that CDPH issued guidance for hair salons and barbershops, and
23 that guidance is the best evidence of its contents. The paragraph contains conclusions of law and/or
24 characterizes the contents of the guidance to which no response is required. To the extent that any
25 response is required, Defendant denies the allegations. Defendant lacks sufficient knowledge or
26 information to form a belief as to the truth of the allegations in the final sentence of the paragraph
27 and on that basis denies the allegations.

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1 71. Defendant admits that CDPH issued guidance for public and private passenger
2 carriers, transit, and intercity passenger rail, and that guidance is the best evidence of its contents.
3 The paragraph contains conclusions of law and/or characterizes the contents of the guidance to
4 which no response is required. To the extent that any response is required, Defendant denies the
5 allegations. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
6 the allegations in the second-to-last sentence of the paragraph and on that basis denies the
7 allegations.

8 72. Defendant admits that CDPH issued guidance for personal care services, and that
9 guidance is the best evidence of its contents. The paragraph contains conclusions of law and/or
10 characterizes the contents of the guidance to which no response is required. To the extent that any
11 response is required, Defendant denies the allegations. Defendant lacks sufficient knowledge or
12 information to form a belief as to the truth of the allegations in the final sentence of the paragraph
13 and on that basis denies the allegations.

14 73. Defendant admits that on or about November 16, 2020, the State announced that
15 Santa Clara County was moving into the Purple Tier (Tier 1) of the Blueprint, and that the County
16 issued a revised Mandatory Directive on Capacity Limitations, effective November 17, 2020. The
17 remainder of the paragraph contains conclusions of law and/or characterizes the contents of the
18 revised directive to which no response is required. To the extent that any response is required,
19 Defendant denies the allegations.

20 74. Defendant admits that CDPH issued guidance for restaurants, and that guidance is the
21 best evidence of its contents. The paragraph contains conclusions of law and/or characterizes the
22 contents of the guidance to which no response is required. To the extent that any response is
23 required, Defendant denies the allegations. Defendant lacks sufficient knowledge or information to
24 form a belief as to the truth of the allegations in the second sentence of the paragraph and on that
25 basis denies the allegations.

26 75. The paragraph contains conclusions of law to which no response is required. To the
27 extent that any response is required, Defendant denies the allegations.

28 76. Denied.

1 77. Defendant admits that CDPH announced a Regional Stay at Home Order on or about
2 December 3, 2020. The remainder of the paragraph contains conclusions of law and/or characterizes
3 the contents of the order to which no response is required. To the extent that any response is
4 required, Defendant denies the allegations. Defendant lacks sufficient knowledge or information to
5 form a belief as to the truth of the allegations in the final sentence of the paragraph and on that basis
6 denies the allegations.

7 78. The paragraph contains conclusions of law to which no response is required. To the
8 extent that any response is required, Defendant denies the allegations.

9 79. Denied.

10 80. Defendant admits that the County's Board of Supervisors adopted the Urgency
11 Ordinance on August 11, 2020, to establish a civil enforcement program and authorize
12 administrative fines for violations of the Health Officer's orders and other laws related to the
13 COVID-19 pandemic. Defendant further admits that the County issued notices of violation and
14 assessed fines against Calvary Chapel San Jose beginning in August 2020, and that the County filed
15 a civil enforcement action in the Superior Court for the County of Santa Clara where it seeks to
16 collect over \$2.8 million in accrued, but unpaid, fines. Defendant denies the remaining allegations
17 in the paragraph.

18 81. Defendant denies the first sentence of the paragraph. Pursuant to the Court's October
19 6, 2022 order (ECF 222), the remaining allegations have been stricken from the case and no response
20 is required. To the extent that any response is required, Defendant denies the allegations.

21 82. Pursuant to the Court's October 6, 2022 order (ECF 222), the allegations in the
22 paragraph have been stricken from the case and no response is required. To the extent that any
23 response is required, Defendant denies the allegations.

24 83. Pursuant to the Court's October 6, 2022 order (ECF 222), the allegations in the
25 paragraph have been stricken from the case and no response is required. To the extent that any
26 response is required, Defendant denies the allegations.

27 84. Pursuant to the Court's October 6, 2022 order (ECF 222), the allegations in the
28 paragraph have been stricken from the case and no response is required. To the extent that any

1 response is required, Defendant denies the allegations.

2 85. Pursuant to the Court's October 6, 2022 order (ECF 222), the allegations in the
3 paragraph have been stricken from the case and no response is required. To the extent that any
4 response is required, Defendant denies the allegations.

5 86. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
6 the allegations in the paragraph and on that basis denies the allegations.

7 87. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
8 the allegations in the paragraph and on that basis denies the allegations.

9 88. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
10 the allegations in the paragraph and on that basis denies the allegations.

11 89. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
12 the allegations in the first through fourth sentences of the paragraph and on that basis denies the
13 allegations. Defendant denies the allegations in the fifth and sixth sentences of the paragraph.

14 90. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
15 the allegations in the paragraph and on that basis denies the allegations.

16 91. Defendant lacks sufficient knowledge or information to form a belief as to the truth of
17 the allegations in the paragraph and on that basis denies the allegations.

18 92. Denied.

19 93. Denied.

20 94. The paragraph contains legal and rhetorical argument to which no response is
21 required. To the extent that any response is required, Defendant denies any factual allegations.

22 **FIRST CAUSE OF ACTION**

23 95. Defendant incorporates its responses to Paragraphs 1-94 and otherwise denies the
24 allegations in the paragraph.

25 96. The paragraph contains conclusions of law to which no response is required. To the
26 extent that any response is required, Defendant denies the allegations.

27 97. The paragraph contains conclusions of law to which no response is required. To the
28 extent that any response is required, Defendant denies the allegations.

1 extent that any response is required, Defendant denies the allegations.

2 113. Denied.

3 114. Denied.

4 115. Denied.

5 116. Denied.

6 117. Denied.

7 118. Denied.

8 119. The paragraph contains conclusions of law to which no response is required. To the
9 extent that any response is required, Defendant denies the allegations. Defendant denies that
10 Plaintiffs are entitled to any relief.

11 **FOURTH CAUSE OF ACTION**

12 120. Defendant incorporates its responses to Paragraphs 1-119 and otherwise denies the
13 allegations in the paragraph.

14 121. The paragraph contains conclusions of law to which no response is required. To the
15 extent that any response is required, Defendant denies the allegations.

16 122. The paragraph contains conclusions of law to which no response is required. To the
17 extent that any response is required, Defendant denies the allegations.

18 123. Denied.

19 124. The paragraph contains conclusions of law to which no response is required. To the
20 extent that any response is required, Defendant denies the allegations.

21 125. The paragraph contains conclusions of law to which no response is required. To the
22 extent that any response is required, Defendant denies the allegations. Defendant denies that
23 Plaintiffs are entitled to any relief.

24 **FIFTH CAUSE OF ACTION**

25 126. Defendant incorporates its responses to Paragraphs 1-125 and otherwise denies the
26 allegations in the paragraph.

27 127. The paragraph contains conclusions of law to which no response is required. To the
28 extent that any response is required, Defendant denies the allegations.

EIGHTH CAUSE OF ACTION

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2 141. Defendant incorporates its responses to Paragraphs 1-140 and otherwise denies the
3 allegations in the paragraph. Pursuant to the Court's October 6, 2022 order (ECF 222), Plaintiffs'
4 Bane Act claim has been dismissed with prejudice and no response is required. To the extent that
5 any response is required, Defendant denies the allegations.

6 142. Pursuant to the Court's October 6, 2022 order (ECF 222), Plaintiffs' Bane Act claim
7 has been dismissed with prejudice and no response is required. To the extent that any response is
8 required, Defendant denies the allegations.

9 143. Pursuant to the Court's October 6, 2022 order (ECF 222), Plaintiffs' Bane Act claim
10 has been dismissed with prejudice and no response is required. To the extent that any response is
11 required, Defendant denies the allegations.

12 144. Pursuant to the Court's October 6, 2022 order (ECF 222), Plaintiffs' Bane Act claim
13 has been dismissed with prejudice and no response is required. To the extent that any response is
14 required, Defendant denies the allegations.

15 145. Pursuant to the Court's October 6, 2022 order (ECF 222), Plaintiffs' Bane Act claim
16 has been dismissed with prejudice and no response is required. To the extent that any response is
17 required, Defendant denies the allegations. Defendant denies that Plaintiffs are entitled to any relief.

18 Any allegation not expressly admitted is hereby denied.

19 Defendant denies that the Plaintiffs were injured by any of the Defendant's acts or omissions.

PLAINTIFFS' PRAYER FOR RELIEF

20
21 No response is required to Plaintiffs' prayer for relief. To the extent that any response is
22 required, Defendant denies that Plaintiffs are entitled to any relief.

FIRST AFFIRMATIVE DEFENSE

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24 The Court lacks jurisdiction to hear Plaintiffs' claims for injunctive relief under *Younger v.*
25 *Harris*, 401 U.S. 37 (1971).

SECOND AFFIRMATIVE DEFENSE

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27 Plaintiffs' Complaint, and each cause of action, fails to state facts sufficient to constitute a
28 cause of action against Defendant.

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THIRD AFFIRMATIVE DEFENSE

Plaintiffs’ Complaint, and each cause of action, is barred by failure to comply with the claim provisions of Government Code Sections 900 et seq.

FOURTH AFFIRMATIVE DEFENSE

Plaintiffs failed to exhaust administrative and judicial remedies.

FIFTH AFFIRMATIVE DEFENSE

Plaintiffs’ Complaint, and each cause of action, is barred by the doctrines of res judicata and/or collateral estoppel.

SIXTH AFFIRMATIVE DEFENSE

Plaintiffs are estopped by their own conduct from asserting any cause of action against Defendant.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiffs’ Complaint is barred by the absolute privilege for prosecutorial functions.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiffs’ Complaint is barred by federal and state litigation privileges, including the *Noerr-Pennington* doctrine.

EIGHTH AFFIRMATIVE DEFENSE

Plaintiff’s Complaint, and each cause of action, is barred by the law of the case and the orders of this Court, including the Court’s October 6, 2022 order (ECF 222) on Defendant’s motions to dismiss this Complaint.

NINTH AFFIRMATIVE DEFENSE

Plaintiffs’ Complaint, and each cause of action, is barred on the grounds that Plaintiffs have waived any and all defenses to the collection of the administrative fines levied against Calvary Chapel San Jose.

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DEFENDANT’S PRAYERS

WHEREFORE, Defendant COUNTY OF SANTA CLARA prays as follows:

- 1. That Plaintiffs take nothing by their Complaint.
- 2. That Plaintiffs’ Complaint be dismissed with prejudice;
- 3. That Defendant be awarded their costs of suit incurred herein including attorney’s fees; and
- 4. For such other and further relief as the Court deems proper.

Dated: October 20, 2022

Respectfully submitted,

JAMES R. WILLIAMS
COUNTY COUNSEL

By: /s/ Robin M. Wall
ROBIN M. WALL
Deputy County Counsel

Attorneys for Defendant
COUNTY OF SANTA CLARA

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