

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: 222757 NAME: Matthew J. Sanders FIRM NAME: Environmental Law Clinic, Mills Legal Clinic at Stanford Law School STREET ADDRESS: Crown Quadrangle, 559 Nathan Abbott Way CITY: Stanford STATE: CA ZIP CODE: 94305-8610 TELEPHONE NO.: 650-725-8571 FAX NO.: 650-723-4426 E-MAIL ADDRESS: matthewjsanders@stanford.edu ATTORNEY FOR (name): Xerces Society for Ivertebrate Conservation; Defenders of Wildlife, et al	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO STREET ADDRESS: 720 9th Street MAILING ADDRESS: 720 9th Street, Room 102 CITY AND ZIP CODE: Sacramento 95814 BRANCH NAME: Gordon D. Schaber Sacramento County Courthouse	
PLAINTIFF/PETITIONER: Almond Alliance of California, et al DEFENDANT/RESPONDENT: California Fish and Game Commission, et al	
<input checked="" type="checkbox"/> NOTICE OF APPEAL <input type="checkbox"/> CROSS-APPEAL (UNLIMITED CIVIL CASE)	CASE NUMBER: 34-2019-80003216-CU-WM-GDS

Notice: Please read *Information on Appeal Procedures for Unlimited Civil Cases* (Judicial Council form APP-001) before completing this form. This form must be filed in the superior court, not in the Court of Appeal. A copy of this form must also be served on the other party or parties to this appeal. You may use an applicable Judicial Council form (such as APP-009 or APP-009E) for the proof of service. When this document has been completed and a copy served, the original may then be filed with the court with proof of service.

1. NOTICE IS HEREBY GIVEN that (name): Xerces Soc'y for Invertebrate Conservation; Defs. of Wildlife; Center for Food Safety appeals from the following judgment or order in this case, which was entered on (date): November 13, 2020
- Judgment after jury trial
 - Judgment after court trial
 - Default judgment
 - Judgment after an order granting a summary judgment motion
 - Judgment of dismissal under Code of Civil Procedure, §§ 581d, 583.250, 583.360, or 583.430
 - Judgment of dismissal after an order sustaining a demurrer
 - An order after judgment under Code of Civil Procedure, § 904.1(a)(2)
 - An order or judgment under Code of Civil Procedure, § 904.1(a)(3)–(13)
 - Other (describe and specify code section that authorizes this appeal):
2. For cross-appeals only:
- a. Date notice of appeal was filed in original appeal:
 - b. Date superior court clerk mailed notice of original appeal:
 - c. Court of Appeal case number (if known):

Date: February 5, 2021

Matthew J. Sanders

 (TYPE OR PRINT NAME)



 (SIGNATURE OF PARTY OR ATTORNEY)

PROOF OF SERVICE (Court of Appeal) <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Personal Service	
Notice: This form may be used to provide proof that a document has been served in a proceeding in the Court of Appeal. Please read <i>Information Sheet for Proof of Service (Court of Appeal)</i> (form APP-009-INFO) before completing this form. Do not use this form for proof of electronic service. See form APP-009E.	
Case Name: Almond All. of California et al. v. California Fish and Game Comm'n et al. Court of Appeal Case Number: Superior Court Case Number: 34-2019-80003216	

1. At the time of service I was at least 18 years of age and **not a party to this legal action**.
 2. My residence business address is (*specify*):
559 Nathan Abbott Way, Stanford, California 94305
 3. I mailed or personally delivered a copy of the following document as indicated below (*fill in the name of the document you mailed or delivered and complete either a or b*):
 - a. **Mail**. I mailed a copy of the document identified above as follows:
 - (1) I enclosed a copy of the document identified above in an envelope or envelopes **and**
 - (a) **deposited** the sealed envelope(s) with the U.S. Postal Service, with the postage fully prepaid.
 - (b) **placed** the envelope(s) for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope(s) with postage fully prepaid.
 - (2) Date mailed: February 5, 2021
 - (3) The envelope was or envelopes were addressed as follows:
 - (a) Person served:
 - (i) Name: Paul S. Weiland c/o Nossaman LLP
 - (ii) Address:
18101 Von Karman Avenue, Suite 1800
Irvine, CA 92612
 - (b) Person served:
 - (i) Name: Robert D. Thompson c/o Nossaman LLP
 - (ii) Address:
18101 Von Karman Avenue, Suite 1800
Irvine, CA 92612
 - (c) Person served:
 - (i) Name: Crescent Cheng c/o Nossaman LLP
 - (ii) Address:
18101 Von Karman Avenue, Suite 1800
Irvine, CA 92612
- Additional persons served are listed on the attached page (*write "APP-009, Item 3a" at the top of the page*).
- (4) I am a resident of or employed in the county where the mailing occurred. The document was mailed from (city and state): East Palo Alto, California

Case Name: Almond All. of California et al. v. California Fish and Game Comm'n et al.	Court of Appeal Case Number:
	Superior Court Case Number: 34-2019-80003216

3. b. **Personal delivery.** I personally delivered a copy of the document identified above as follows:

(1) Person served:

(a) Name:

(b) Address where delivered:

(c) Date delivered:

(d) Time delivered:

(2) Person served:

(a) Name:

(b) Address where delivered:

(c) Date delivered:

(d) Time delivered:

(3) Person served:

(a) Name:

(b) Address where delivered:

(c) Date delivered:

(d) Time delivered:

Names and addresses of additional persons served and delivery dates and times are listed on the attached page (*write "APP-009, Item 3b" at the top of the page*).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: February 5, 2021

Ana Villanueva

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)



(SIGNATURE OF PERSON COMPLETING THIS FORM)

APP-009, Item 3a

The Notice of Appeal was also mailed to the following parties:

Adam Levitan c/o California Department of Justice, Office of the Attorney General
1300 I Street, P.O. Box 944255
Sacramento, CA 94244

Jeffrey P. Reusch c/o California Department of Justice, Office of the Attorney General
1300 I Street, P.O. Box 944255
Sacramento, CA 94244

PROOF OF ELECTRONIC SERVICE (Court of Appeal)	
Notice: This form may be used to provide proof that a document has been served in a proceeding in the Court of Appeal. Please read <i>Information Sheet for Proof of Service (Court of Appeal)</i> (form APP-009-INFO) before completing this form.	
Case Name: Almond All. of California, et al v. California Fish and Game Comm'n et al Court of Appeal Case Number: Superior Court Case Number: 34-2019-80003216	

1. At the time of service I was at least 18 years of age.
2. a. My residence business address is (*specify*):
559 Nathan Abbott Way, Stanford, California 94305
- b. My electronic service address is (*specify*): anamv@stanford.edu
3. I electronically served the following documents (*exact titles*):
Notice of Appeal
4. I electronically served the documents listed in 3. as follows:
- a. Name of person served: Paul S. Weiland
On behalf of (*name or names of parties represented, if person served is an attorney*):
Almond Alliance of California, California Ass'n of Pest Control Advisers, California Citrus Mutual, California Cotton Ginners and Growers Ass'n, California Farm Bureau Federation, Western Agric. Processors Ass'n, Western Growers Ass'n.
- b. Electronic service address of person served:
- c. On (*date*):
- The documents listed in 3. were served electronically on the persons and in the manner described in an attachment (*write "APP-009E, Item 4" at the top of the page*).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: February 5, 2021

Ana Villanueva

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)



(SIGNATURE OF PERSON COMPLETING THIS FORM)

APP-009E, Item 4

The documents in Item three were also e-mailed to the following parties:

Robert D. Thornton
rthornton@nossaman.com

Crescent Cheng
ccheng@nossaman.com

Adam Levitan
adam.levitan@doj.ca.gov

Jeffrey P. Reusch
jeffrey.resusch@doj.ca.gov