

O'Melveny & Myers LLP
610 Newport Center Drive, 17th Floor
Newport Beach, California 92660

T: +1 949 823 6900
F: +1 949 823 6994
omm.com

October 13, 2021

John Kappos
D: +1 949 823 6954
jkappos@omm.com

VIA ELECTRONIC MAIL
CONFIDENTIAL

Kevin J. Lane, Clerk
California Court of Appeal
Fourth Appellate District, Division Two
3389 12th Street
Riverside, CA 92501

Re: *Dr. Sang-Hoon Ahn, et al, v. Michael Hestrin, et al.*
Court of Appeal of the State of California, Fourth Appellate District,
Case No. E075547

Dear Mr. Lane:

Pursuant to California Rule of Court 8.254, Intervenor-Respondent Matthew Fairchild submits this notification of recent legal developments relevant to the above-captioned case. On October 5, 2021, the Governor signed Senate Bill No. 380, which amends various sections of the End of Life Option Act (EOLOA) and reenacts the EOLOA by extending its sunset date. Senate Bill No. 380 reenacted the EOLOA during a *regular* legislative session of the California legislature.

The passage of Senate Bill No. 380 thus moots Plaintiff-Appellants' arguments that the EOLOA is unconstitutional because of it was enacted during a *special* legislative session, allegedly in violation of Article IV, Section 3, subdivision (b) of the California Constitution. Intervenor-Respondent's argument regarding the constitutionality of the EOLOA under California Constitution Article IV was addressed in Intervenor-Respondent's Response Brief at pages 22-34.

Sincerely,

/s/ John Kappos

John Kappos
for O'Melveny & Myers LLP

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 610 Newport Center Drive, 17th Floor, Newport Beach, California 92660.

On October 13, 2021, I served true copies of the following document(s) described as **LETTER FROM JOHN KAPPOS TO KEVIN J. LANE, CLERK, CALIFORNIA COURT OF APPEAL** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY E-MAIL OR ELECTRONIC TRANSMISSION: Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission via Court's Electronic Filing System (EFS) operated by ImageSoft TrueFiling (TrueFiling) as indicated on the attached service list.

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

Executed on October 13, 2021, at Newport Beach, California.



Kristin Godfrey

SERVICE LIST
Ahn vs. Hestrin (Fairchild)
California Appellate Case No. E075547

Steven G. Larson
Robert C. O'Brien
Steven E. Bledsoe
Erica Graves
LARSON O'BRIEN LLP
555 S. Flower Street, Suite 4400
Los Angeles, CA .90071
(213) 436-4888

slarson@larsonobrienlaw.com
robrien@larsonobrienlaw.com
sbledsoe@larsonobrienlaw.com
egraves@larsonobrienlaw.com

Daniel Mansueto
907 Westwood Boulevard, #1026
Los Angeles, CA 90024

dmansueto@outlook.com

Catherine W. Short
Allison K. Aranda
Alexandra Snyder
LIFE LEGAL DEFENSE FOUNDATION
P.O. Box 1313
Ojai, CA 93024
(805) 640-1940

lldfojai@cs.com
akaranda@lldf.org
asnyder@lldf.org

Attorneys for Plaintiffs
and Real Parties in
Interest DR. SANG-HOON
AHN, DR. LAURENCE
BOGGELN, DR. GEORGE
DELGADO, DR. PHILIP
DREISBACH, DR.
VINCENT FORTANASCE,
DR. VINCENT NGUYEN
and AMERICAN
ACADEMY OF MEDICAL
ETHICS, d/b/a of
CHRISTIAN MEDICAL
AND DENTAL SOCIETY
(Via *TrueFiling* and *First
Class Mail*)

Attorneys for Plaintiffs
and Real Parties in
Interest
(Via *TrueFiling* and *First
Class Mail*)

Attorneys for Plaintiffs
and Real Parties in
Interest
(Via *TrueFiling* and *First
Class Mail*)

Karen M. Kitterman
8605 Santa Monica Blvd. # 10953
Los Angeles, CA 90069
(650) 787-7306

kmmk@caringcal.com

Rob Bonta, Esq.
Attorney General of California
Cheryl L. Feiner
Senior Assistant General
Gregory D. Brown
Supervising Deputy Attorney General
Kevin L. Quade
Deputy Attorney General
STATE OF CALIFORNIA DEPARTMENT OF
JUSTICE
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
(916) 210-7693

Gregory.Brown@doj.ca.gov
Kevin.Quade@doj.ca.gov

Hon. Michael Hestrin
District Attorney
Sophia Choi
Deputy District Attorney
OFFICE OF THE DISTRICT ATTORNEY
County of Riverside
3960 Orange Street
Riverside, CA 92501
(951) 955-5400

kcatlett@rivcoda.org
SophiaChoi@RivCoDA.org
appellate-unit@rivcoda.org

The Honorable Irma Asberry
Riverside Superior Court of California
Department 5
4050 Main Street
Riverside, CA 92501-3703

Attorneys for Plaintiffs
and Real Parties in
Interest
(Via TrueFiling and First
Class Mail)

Attorneys for Defendants
and Appellants
ATTORNEY GENERAL
OF THE STATE OF
CALIFORNIA and
CALIFORNIA
DEPARTMENT OF
PUBLIC HEALTH
(Via TrueFiling and First
Class Mail)

Attorneys for Respondents
(Via TrueFiling and First
Class Mail)

(Via FedEx)