

ORIGINAL

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**FILED**  
 SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF RIVERSIDE

MAY 24 2018

E. Usher

MAY 25 2018

7 Catherine W. Short (SBN 117442)  
 Allison K. Aranda (SBN 215021)  
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 13 Dr. Laurence Boggeln, Dr. George Delgado, Dr.  
 Philip Dreisbach, Dr. Vincent Fortanasce, Dr.  
 14 Vincent Nguyen, and American Academy of  
 Medical Ethics, d/b/a of Christian Medical and  
 15 Dental Society

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF RIVERSIDE

18 DR. SANG-HOON AHN, DR. LAURENCE  
 BOGGELN, DR. GEORGE DELGADO, DR.  
 19 PHIL DREISBACH, DR. VINCENT  
 FORTANASCE, DR. VINCENT NGUYEN,  
 20 and AMERICAN ACADEMY OF  
 MEDICAL ETHICS, d/b/a of CHRISTIAN  
 21 MEDICAL AND DENTAL SOCIETY

Case No.: RIC 1607135

**[PROPOSED] JUDGMENT**

Complaint filed: June 8, 2016

Plaintiffs,

v.

23 MICHAEL HESTRIN, in his official capacity  
 as District Attorney of Riverside County;  
 24 ATTORNEY GENERAL OF THE STATE OF  
 CALIFORNIA, KAMALA D. HARRIS, and  
 25 the STATE OF CALIFORNIA by and through  
 the CALIFORNIA DEPARTMENT OF  
 26 PUBLIC HEALTH.

Defendants

FAXED

28

1 **[PROPOSED] JUDGMENT**

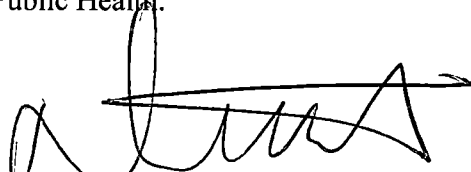
2 Please take notice that, on May 15, 2018, Plaintiffs SANG-HOON AHN, M.D.,  
3 LAURENCE BOGGELN, M.D., GEORGE DELGADO, M.D., PHILIP DREISBACH, M.D.,  
4 VINCENT FORTANASCE, M.D., VINCENT NGUYEN, D.O., and the AMERICAN  
5 ACADEMY OF MEDICAL ETHICS, d/b/a of the CHRISTIAN MEDICAL AND DENTAL  
6 SOCIETY's (collectively, "Plaintiffs") Motion for Judgment on the Pleadings ("Motion") came  
7 on regularly in Department 4 of the above-entitled Court.

8 The Court granted Plaintiffs' Motion without leave to amend Defendant-Intervenors  
9 Attorney General of the State of California and the California Department of Public Health's  
10 Complaint-in-Intervention. The Court held the End of Life Option Act ("Act") was passed by a  
11 special session of the Legislature in violation of Article IV § 3(b) of the California Constitution  
12 because the Act is not encompassed by any "reasonable construction" of the Proclamation  
13 granting the special session the authority to legislate. The Court therefore held that the Act was  
14 void as unconstitutional. The Court further permanently enjoined Defendant State of California  
15 from recognizing or enforcing the Act and permanently enjoined the District Attorney of  
16 Riverside County ("District Attorney") from recognizing any exceptions the Act creates to  
17 existing criminal law in the exercise of the District Attorney's criminal enforcement duties.

18 The Court entered the order granting Plaintiffs' Motion on May 21, 2018. A true and  
19 correct copy of the Court's order is attached hereto as **Exhibit A**.

20 Therefore, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that judgment is  
21 ordered in favor of Plaintiffs and against Defendant-Intervenors Attorney General of the State of  
22 California and the California Department of Public Health.

23  
24 Dated: 5/24 2018

25   
26 Honorable Daniel A. Ottolia  
27 Judge of the Superior Court  
28

# EXHIBIT A

ORIGINAL

FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

MAY 21 2018

E. Usher *[Signature]*

MAY 21 2018

FEB 13 2018

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Philip Dreisbach, Dr. Vincent Fortanasce, Dr.  
Vincent Nguyen, and American Academy of  
Medical Ethics, d/b/a of Christian Medical and  
Dental Society

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF RIVERSIDE

DR. SANG-HOON AHN, DR. LAURENCE  
BOGGELN, DR. GEORGE DELGADO, DR.  
PHIL DREISBACH, DR. VINCENT  
FORTANASCE, DR. VINCENT NGUYEN,  
and AMERICAN ACADEMY OF  
MEDICAL ETHICS, d/b/a of CHRISTIAN  
MEDICAL AND DENTAL SOCIETY

Plaintiffs,

v.

MICHAEL HESTRIN, in his official capacity  
as District Attorney of Riverside County;

Case No.: RIC 1607135

~~PROPOSED~~ ORDER RE:  
PLAINTIFFS' MOTION FOR  
JUDGMENT ON THE PLEADINGS

*[Lodged Concurrently with Plaintiffs' Motion  
for Judgment on the Pleadings and Request  
for Judicial Notice]*

Date: March 12, 2018

Time: 8:30 a.m.

Dept.: 4

RES ID: RES75144

[PROPOSED] ORDER RE: MOTION FOR JUDGMENT ON THE PLEADINGS

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ATTORNEY GENERAL OF THE STATE OF CALIFORNIA, KAMALA D. HARRIS, and the STATE OF CALIFORNIA by and through the CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

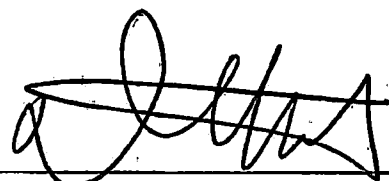
Complaint filed: June 8, 2016

Defendant

On March 12, 2018, Plaintiffs' Motion for Judgement on the Pleadings ("Motion") came before this Court for hearing. Appearances were stated on the record. The Court, having received and considered all of the papers and evidence filed in support of the Motion, and having considered oral argument of counsel, and having found good cause, hereby order that the Motion is GRANTED.

IT IS HEREBY ORDERED AND ADJUDGED that Plaintiffs' Motion for Judgment on the Pleadings is GRANTED.

DATED: 5-21-18



JUDGE OF THE SUPERIOR COURT

Daniel A. Ottola

**PROOF OF SERVICE**

I am a citizen of the United States. My business address is Larson O'Brien LLP, 555 S. Flower Street, Suite 4400, Los Angeles, CA. I am employed in the County of Los Angeles where this service occurs. I am over the age of 18 years, and not a party to the within cause.

On the date set forth below, according to ordinary business practice, I served the foregoing document(s) described as:

**[PROPOSED] ORDER RE: PLAINTIFFS' MOTION FOR JUDGMENT  
ON THE PLEADINGS**

(BY E-MAIL) On this date, I personally transmitted the foregoing document(s) via electronic mail to the e-mail address(es) of the person(s) on the attached service list.


(BY MAIL) I placed a true copy of the foregoing document in a sealed envelope addressed to each interested party, as stated on the attached service list. I placed each such envelope, with postage thereon fully prepaid, for collection and mailing at Larson O'Brien LLP, Los Angeles, California. I am readily familiar with Larson O'Brien LLP's practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, the correspondence would be deposited in the United States Postal Service on that same day in the ordinary course of business.

(BY PERSONAL SERVICE) On this date, I delivered by hand envelope(s) containing the document(s) to the persons(s) on the attached service list.

(BY OVERNIGHT DELIVERY) On this date, I placed the documents in envelope(s) addressed to the person(s) on the attached service list, and caused those envelopes to be delivered to an overnight delivery carrier, with delivery fees provided for, for next-business-day delivery to whom it is to be served.

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

Executed on February 9, 2018, at Los Angeles, California.

  
\_\_\_\_\_  
Jacqueline Neal

Dr. Sang-Hoon Ahn, et al. v. Michael Hestrin, etc., et al.  
Case No.: RIC 1607135

**SERVICE LIST**

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Hon. Michael Hestrin  
District Attorney  
Office of the District Attorney  
County of Riverside  
3960 Orange Street  
Riverside, CA 92501

3 **PROOF OF SERVICE**

4 I am a citizen of the United States. My business address is Larson O'Brien LLP, 555 S.  
5 Flower Street, Suite 4400, Los Angeles, CA. I am employed in the County of Los Angeles where  
6 this service occurs. I am over the age of 18 years, and not a party to the within cause.

7 On the date set forth below, according to ordinary business practice, I served the  
8 foregoing document(s) described as:

9 **[PROPOSED] JUDGMENT**

10  (BY FAX) I transmitted via facsimile, from facsimile number 213-623-2000, the  
11 document(s) to the person(s) on the attached service list at the fax number(s) set  
12 forth therein, on this date before 5:00 p.m. A statement that this transmission was  
reported as complete and properly issued by the sending fax machine without error  
is attached to this Proof of Service.

13  (BY E-MAIL) On this date, I personally transmitted the foregoing document(s) via  
14 electronic mail to the e-mail address(es) of the person(s) on the attached service list.

15  (BY MAIL) I placed a true copy of the foregoing document in a sealed envelope  
16 addressed to each interested party, as stated on the attached service list. I placed  
17 each such envelope, with postage thereon fully prepaid, for collection and mailing  
18 at Larson O'Brien LLP, Los Angeles, California. I am readily familiar with Larson  
O'Brien LLP's practice for collection and processing of correspondence for mailing  
with the United States Postal Service. Under that practice, the correspondence  
would be deposited in the United States Postal Service on that same day in the  
ordinary course of business.

19  (BY PERSONAL SERVICE) On this date, I delivered by hand envelope(s)  
20 containing the document(s) to the persons(s) on the attached service list.

21  (BY OVERNIGHT DELIVERY) On this date, I placed the documents in  
22 envelope(s) addressed to the person(s) on the attached service list, and caused those  
envelopes to be delivered to an overnight delivery carrier, with delivery fees  
provided for, for next-business-day delivery to whom it is to be served.

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



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Executed on May 22, 2018, at Los Angeles, CA.



Haewon Park

3 **SERVICE LIST**

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15 Kelli M. Catlett  
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