

ZACKS, FREEDMAN & PATTERSON, PC
601 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94111

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8 *Attorneys for Petitioners/Plaintiffs*
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11 Spencer K. Jones, Christopher Beahn,
12 Christine Han Beahn, Alexander E. Apke,
13 Anna M. Munoz, Michel Bechirian, and
14 Niloo Tehranchi

11 **SUPERIOR COURT – STATE OF CALIFORNIA**
12 **COUNTY OF SAN FRANCISCO – UNLIMITED JURISDICTION**

13 PETER M. OWENS, STEPHEN L. OWENS,
14 CAROLYN A. RADISCH, GEOFFREY
15 PIERCE, SPENCER K. JONES,
16 CHRISTOPHER BEAHN, CHRISTINE
17 HAN BEAHN, ALEXANDER E. APKE,
18 ANNA M. MUNOZ, MICHEL BECHIRIAN,
19 and NILOO TEHRANCHI,

20 Petitioners/Plaintiffs,

21 vs.

22 CITY AND COUNTY OF SAN
23 FRANCISCO, SAN FRANCISCO BOARD
24 OF SUPERVISORS,

25 Respondents/Defendants.

Case No.: CPF-18-516203

~~[PROPOSED]~~ WRIT OF MANDATE

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1 TO RESPONDENTS CITY AND COUNTY OF SAN FRANCISCO AND SAN
2 FRANCISCO BOARD OF SUPERVISORS (collectively, "Respondents"):

3 WHEREAS, on May 24, 2018, Petitioners PETER M. OWENS, STEPHEN L. OWENS,
4 CAROLYN A. RADISCH, GEOFFREY PIERCE, SPENCER K. JONES, CHRISTOPHER
5 BEAHN, CHRISTINE HAN BEAHN, ALEXANDER E. APKE, ANNA M. MUNOZ,
6 MICHEL BECHIRIAN, and NILOO TEHRANCHI (collectively, "Petitioners") filed and
7 served their verified Petition for Writ of Mandate (the "Petition") against Respondents, which
8 sought a declaration and writ overturning Respondents' April 24, 2018 denial of Petitioners'
9 application to convert their subject property into condominiums ("Application");

10 WHEREAS, the Petition was heard on June 6, 2019 in the San Francisco Superior
11 Court, Honorable Charles F. Haines, presiding, and was denied in full that same day;

12 WHEREAS, the Order Denying Petitioners' Writ of Mandate (the "Judgment") was
13 entered on June 10, 2019, and Petitioners appealed that Judgment to the California Court of
14 Appeal, First District, on July 8, 2019, Case No. A157981;

15 WHEREAS, after briefing and oral argument, the Court of Appeal reversed the
16 Judgment, and remanded the matter to this Court, directing this Court to (1) grant a writ of
17 mandate directing the City to set aside its denial and approve the Application and (2) to conduct
18 any other proceedings consistent with the views expressed in the Court of Appeal's opinion;

19 WHEREAS the Court of Appeal issued the remittitur in Case. No. A157981 on April 7,
20 2021;

21 WHEREAS Petitioners have no other plain, speedy, and adequate remedy in the
22 ordinary course of law;

23 THEREFORE, you, Respondents, ARE HEREBY COMMANDED, upon receipt of this
24 writ, to set aside your decision denying Petitioners' Application and approve that Application
25 forthwith.

26 YOU ARE FURTHER COMMANDED to file with this Court a return to this writ on or
27 before May 28, 2021, stating what you have done to comply.

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Witness the Honorable Charles F. Haines, Judge of the Superior Court. Attest my hand
and the seal of this Court this 28th day of April of 2021.

Charles Haines

THE HONORABLE CHARLES F. HAINES
JUDGE OF THE SUPERIOR COURT

36
7/29/2021

Dated:

Bowman Liu

Clerk of the Court

BOWMAN LIU

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