

COLANTUONO  
HIGSMITH  
WHATLEY, PC

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Our File No. 99904.0191

October 22, 2021

VIA ELECTRONIC MAIL

Hon. Teri L. Jackson, Presiding Justice  
Hon. Gordon B. Burns, Associate Justice  
Hon. Mark B. Simons, Associate Justice  
Court of Appeal, First Appellate District, Division 5  
350 McAllister Street  
San Francisco, CA 94102

Re: *Host International, Inc. v. City of Oakland*, Appeal Case No. A160692 —  
Request for Publication

Honorable Justices:

I write on behalf of the League of California Cities to request publication of the opinion in the case identified above for the reasons stated in the City of Oakland's request.

The League of California Cities (Cal Cities) is an association of 479 California cities dedicated to protecting and restoring local control to provide for the public health, safety, and welfare of their residents, and to enhance the quality of life for all Californians. Cal Cities is advised by its Legal Advocacy Committee, comprised of 24 city attorneys from all regions of the State. The Committee monitors litigation of concern to municipalities, and identifies those cases that have statewide or nationwide significance. The Committee has identified this case as having such significance.

Disputes regarding local taxes and other revenues measures are common and litigation becoming more so, but published appellate cases are few. Those few which reach the appellate courts are opportunities for published guidance to assist local

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governments, all who deal with them, and counsel for both to know and apply the law and to resolve disputes. This case is worthy of publication for that reason, too.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michael G. Colantuono". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael G. Colantuono  
State Bar No. 143554

MGC:mgc

c: Harveen Gill, Assistant General Counsel, League of California Cities

Enclosure (Proof of Service)

Document received by the CA 1st District Court of Appeal.

**PROOF OF SERVICE**  
*Host International, Inc. v. City of Oakland*  
First District Court of Appeal, Division 5, Case No. A160692

I, Ashley A. Lloyd, declare:

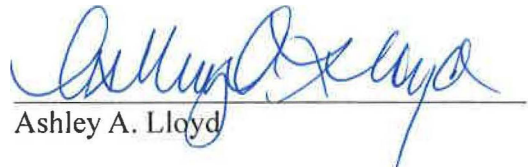
I am employed in the County of Nevada, State of California. I am over the age of 18 and not a party to the within action. My business address is 420 Sierra College Drive, Suite 140, Grass Valley, California 95945-5091. My email address is: ALloyd@chwlaw.us. On October 22, 2021, I served the document(s) described as **REQUEST FOR PUBLICATION** on the interested parties in this action addressed as follows:

**SEE ATTACHED FOR METHOD OF SERVICE**

- ☒ **BY MAIL:** The envelope was mailed with postage thereon fully prepaid. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Grass Valley, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after service of deposit for mailing in affidavit.
- ☒ **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, by causing the documents to be sent to the persons at the e-mail addresses listed on the service list on October 22, 2021, from the court authorized e-filing service at TrueFiling.com. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

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

Executed on October 22, 2021, at Grass Valley, California.

  
Ashley A. Lloyd

Document received by the CA 1st District Court of Appeal.

**SERVICE LIST**

*Host International, Inc. v. City of Oakland*  
First District Court of Appeal, Division 5, Case No. A160692

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Document received by the CA 1st District Court of Appeal.