

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO**

**DATE: November 16, 2006 DEPT. 74 REPORTER: NOT REPORTED
CSR#:
PRESENT HON: LINDA B. QUINN,
JUDGE
CLERK: MARY JEAN BARHAM**

**REPORTER'S ADDRESS:
P.O. BOX 120128
SAN DIEGO, CA 92112-4104**

GIC 867378 TAXPAYER FOR RESPONSIBLE LAND
USE et al.,
Plaintiffs and Petitioners,
vs.
CITY OF SAN DIEGO et al.,
Defendants and Respondents.

**EX PARTE MINUTE ORDER ON SUBMITTED MATTER AFTER
ORAL ARGUMENT ON 11/09/06**

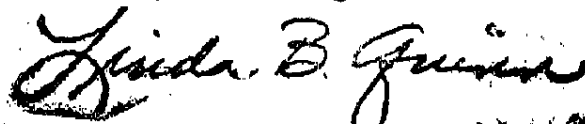
Following oral argument on November 9, 2006, the Court rules as follows:

The Motion for Preliminary Injunction brought by Petitioners/Plaintiffs is denied.

The objection to all evidence filed with Plaintiffs' Reply memorandum is sustained.

Petitioners/Plaintiffs have failed to show irreparable harm. Their cause of action for waste is not rendered moot by a denial of the motion. The terms of the purchase contract provide for a return of the property to the City, or rescission of the sale, in the event the plaintiffs/petitioners prevail in the case. Further, Plaintiffs/Petitioners have failed to make the requisite showing of the likelihood of their prevailing in the case.

DATED: 11/16/06


HONORABLE LINDA B. QUINN
JUDGE OF THE SUPERIOR COURT