IN THE SUPREME COURT OF THE

STATE OF CALIFORNIA

SAVE THE PLASTIC BAG COALITION, Petitioner and Respondent, v. CITY OF MANHATTAN BEACH, Respondent and Appellant.	)	CASE NO. S180720 Court of Appeal, 2d Appellate District, Division 5 Case No. B215788 (Los Angeles County Superior Court Case No. BS116362)

REPLY BRIEF OF APPELLANT CITY OF MANHATTAN BEACH

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I. INTRODUCTION

Respondent's opposition brief simply reiterates the arguments he has made throughout these proceedings: that the studies submitted by respondent prove that paper bags are worse for the environment than paper; that the City's ordinance will increase the use of paper bags and thus have an impact on the environment; that there is no basis for the City's *de minimis* argument; and that respondent should have standing because it is serving the important interest of "environmental truth." The opposition brief makes it clear that the Save The Plastic Bag Coalition depends upon the exceptionally low court created standard of proof under the "fair argument" test to sustain its argument that an EIR is required. The burden, it asserts, is on the City.

Appellant's response is that the studies submitted by respondent are insufficient to justify requiring an EIR, that if the current "Fair Argument" test does not permit weighing of evidence by the lead agency it should, that the *de minimis* analysis in the City's initial study is a practical, common sense, approach based on the actual impacts of the project being considered and that respondent must have a real environmental motivation to bring suit under CEQA, not just an asserted, abstract goal.

II.

THE EVIDENCE RELIED UPON BY RESPONDENT IS INADEQUATE

The essence of respondent's argument that Ordinance 2115 required an EIR is that some studies show the manufacture of plastic bags as having a lesser impact on the environment than manufacture of paper bags and a ban of plastic bags would result in an unspecified increase in use of paper bags which would, at some unspecified threshold, be detrimental to the environment. (App., Vol. III, p. 514, lines 7-11.) In support of this argument respondents relied primarily on two studies, the "Scottish Report" (AR, Vol. II, pages 419-470) and the ULS Report (AR, Vol. II, pages 537-542.)

a.) The Scottish Report.

The "Scottish Report" was a 2005 report which attempts to analyze the impacts of a proposed tax on disposable bags in Scotland. Obviously it contains no data for Los Angeles County or California and admits that its conclusions were not even based on actual plastic bag use data for Scotland. (AR, Vol. II, p. 447.) The bags discussed in the study are European made bags (AR, Vol. II, p. 451) not those in circulation in Manhattan Beach or elsewhere in California or the U.S. The study's analysis assumes single use paper bags and multiple use plastic bags. (AR, Vol. II, p. 452.) However, data for Los Angeles County shows that less than 5% of plastic bags are recycled (AR, Vol. I, p. 267) and the EPA estimates 21% recycling for paper bags in the U.S.. (AR, Vol. I, p. 17.) So

this study involves speculative estimates of bag use by the population of Scotland in response to a proposed levy for bags which are different than those used in Southern California and have different use patterns. The study considers the environmental impacts from changes in use (from a levy not a ban) which are already different than those in Los Angeles County. Analysis of the impacts are based on a change in behavior of a European nation with a population of 5,116,900 as opposed to a seaside Southern California town of 33,852. Conclusions in the report regarding the scale of the impacts are clearly inapplicable to Ordinance 2115. There is little about the Scottish study that is applicable in any way to the environmental effects of Ordinance 2115 and nowhere do respondents attempt to extrapolate the data in the Scottish report to be meaningful to the impacts (if any) of Ordinance 2115.

b.) The ULS Report.

The ULS report is a "Review of Life Cycle Data Relating To Disposable, Compostable and Reusable Grocery Bags" prepared in March 2008 by a group called "Use Less Stuff."[1] The report, which appears to be based almost entirely on research in other publications, provides broad brush discussion of the nonbiodegradability of both paper and plastic and the potential respective greenhouse gas, waste and energy consumption impacts from their manufacture. The report admits that plastic bags account for more litter but argues that this is offset by their manufacturing advantages. There is no

[1] According to its website use-less-stuff.com the editor of "Use Less Stuff," Bob Lillienfeld, has served on industry advisory boards for Wal-Mart and is the president of a strategic marketing company called the Cygnus Group which advises the industry regarding branding, marketing and packaging (Cygnus-group.com).

discussion of per capita bag usage or recycling rates and no analysis of a ban or levy on plastic bags on any scale. Again respondents failed to extrapolate any of the findings of the ULS report to the specific impacts of the Manhattan Beach plastic bag ban. The ULS Report, which is largely a plastic bag propaganda piece, never says (or attempts to say) how much of an increase in paper bag use has to occur before degradation of the environment is felt. Is it twenty million bags or two? Respondents never provide their own analysis to counter the issues raised by the City's initial study.

c.) The Franklin Report.

As respondent admits this study was prepared for the plastic industry in 1990. (AR, Vol. II, p. 404.) Those two elements alone make the report irrelevant to serious consideration of a plastic bag ban in 2008. Nor did respondent greatly rely upon this report as it did with the Scottish and ULS reports. Like those reports this analysis was done on a macro scale with no geographical or jurisdictional frame of reference. At no time did respondent attempt to extrapolate the findings of this study to the actual effects of the Manhattan Beach plastic bag ban.

d.) The Boustead Report.

This report (AR, Vol. II, pp. 473-536) was also prepared for a plastic bag advocacy group. The copy of the report submitted into the record by respondents has no information regarding date of preparation. Again this report is prepared in the abstract and contains no thresholds for environmental impacts. It contains no geographical or

jurisdictional frame of reference. Nor does respondent provide any extrapolation of its data to the Manhattan Beach plastic bag ban. While the study contains references to global warming, ozone depletion, acid rain and other negative environmental impacts it does not quantify or calculate the specific thresholds of those impacts. Nor does the report factor in the disparate recycling rates for plastic and paper bags or discuss the potential replacement of plastic bags with reusable bags. It uses a flawed plastic to paper bag replacement ratio of 1.5 plastic to one paper bag (AR, Vol. II, p. 479) when a single paper bag may replace up to three to four plastic bags (AR, Vol. I, p. 117a; Vol. II, p. 603, lines 1-3.) Ultimately respondent does not rely heavily on this report focusing instead on the Scottish and ULS studies.

e.) The Los Angeles County Study.

Respondent discusses the record in this case as if the Swedish report is the only one relied upon or even placed in the record supporting the City's decision. It ignores the Los Angeles County Report entirely. The Los Angeles County Study (AR, Vol. I, p. 259-315) contains a detailed study of plastic waste which is, unlike the studies provided by petitioners, local in focus. It makes a definitive finding that "plastic bags have been found to significantly contribute to litter and have other negative impacts on marine wildlife and the environment." (AR, Vol. I, p. 312.) The report has detailed information regarding local bag usage and documents the local recycling rate for plastic (5%) (AR, Vol. I, p. 267) and paper (21%) bags (AR, Vol. I, p. 268). The study cites evidence that 25% of debris pulled from Los Angeles County storm drains is made up of plastic bags. (AR,

Vol. I, p. 100, p. 289.) It contains detailed case studies from jurisdictions which have banned plastic bags and an assessment of the local litter impact from bag usage.

f.) The City Carefully Weighed The Evidence Before It On Its Merits.

None of the studies relied upon by respondent addresses the issue of litter impact (although the ULS study does grudgingly admit that "some litter reduction might take place" from a legislative restriction on plastic bags – AR, Vol. II, p. 541). Yet this was obviously an important reason for the Manhattan Beach City Council to consider a ban on plastic bags. (AR, Vol. I, p. 78, lines 24-28; Vol. II, p. 600, lines 19-24, p. 626, lines 5-18, p. 650 lines 23-28, p. 651, lines 1-28, p. 652, lines 1-17.) Evidence was provided that 25% of debris pulled from storm drains is made up of plastic bags. (AR, Vol. I, p. 100, p. 289.) Indeed, the Los Angeles County Study (AR, Vol. I, p. 260-315) contains a detailed study of plastic waste which is, unlike the studies provided by petitioners, local in focus. It makes a definitive finding that "plastic bags have been found to significantly contribute to litter and have other negative impacts on marine wildlife and the environment." (AR, Vol. I, p. 312.) Heal the Bay's director, Dr. Mark Gold, testified at length about the plastic litter problem and its impact on marine life. (AR, Vol. II, p. 632, lines 25-28, p. 633, lines 1-23.) Information about the "great pacific gyre" a massive floating plastic repository in the Pacific Ocean was provided to the Council. (AR, Vol. I, p. 342-347; Vol. II, p. 596, lines 15-21.) A study documenting the negative impacts of plastic in the San Gabriel river watershed was also introduced. (AR, Vol. I, p. 333-341.)

Respondents' response to the issue of plastic waste was anecdotal, noting a picture of a turtle eating a plastic bag which appears over and over again on the internet (AR, Vol. II, p. 612, lines 18-28, p.613, lines1-4) and pointing to a picture in the LA County report of plastic waste in the Los Angeles River which their representative claimed contained no plastic bags (AR, Vol. II, p. 628, lines 5-28.). In respondents' view these somehow proved that plastic litter is no problem in Los Angeles County. Petitioners otherwise failed to address the litter issue entirely. The "Scottish Report" (AR, Vol. II, p. 419-472), which was heavily relied upon by petitioners, obviously contains no data for Los Angeles County or California and admits that its conclusions were not based on actual plastic bag use data for Scotland. (AR, Vol. II, p. 447.) In fact, its conclusions regarding litter are entirely speculative predictions. (AR, Vol. II, p. 450.) The study fails to factor into its conclusions that uncollected paper bags are biodegradable in a marine environment both on the beach and in the ocean.

Ultimately the Manhattan Beach City Council considered the evidence submitted by respondent and balanced it against the other evidence in the record and the findings in the initial study that considered the potential for impacts from increased paper bag use. Respondent argues that such a balancing is not permitted. "If there is evidence supporting a fair argument of significant environmental impact, it cannot be overcome by substantial evidence to the contrary." (Respondent's "Answer Brief On The Merits" p. 8.) In respondent's view once it submitted its flawed, biased, and non project specific studies into the record the debate was over, no amount of counterbalancing evidence could even

be considered and the analysis in the initial study must be disregarded. Perhaps this is what the "Fair Argument" test has devolved into but such a rigid and inflexible approach insures anomalous outcomes.

III.

THE *DE MINIMIS* ANALYSIS IN THE INITIAL STUDY RELATES TO THE POTENTIAL SUBSTANTIAL IMPACT OF THE PROJECT

Both the courts and respondent assert that the *de minimis* conclusions in the City's initial study are unsupported by any legal standard. The appellate majority somewhat sarcastically noted that "There is no statutory exemption from compliance with the California Environmental Quality Act based on a city's geographical or population size." (*Save The Plastic Bag Coalition v. City of Manhattan Beach* (2010) 181 Cal.App.4th 521, 544 (*Review Granted,* April 22, 2010.) This, of course, is correct, the size of a jurisdiction by itself is not a criteria with which to consider environmental impacts. However, the threshold for determining whether or not an EIR is required is whether or not a project is likely to have "significant" environmental impact. (*No Oil, Inc. v. City of Los Angeles* (1975) 13 Cal.3rd 68, 75.) In order to determine whether or not an impact is significant the scope of the project is relevant. In a case where the "project" is an ordinance which limits distribution of a product, the displacement of which could cause environmental impacts, the volume of the product being displaced is relevant as is the

threshold of impact. None of respondent's studies identify that threshold, is it one extra paper bag or one million extra paper bags? The City reviewed the scope of the project, acknowledging the possibility that production of plastic bags could be less deleterious to the environment as argued by respondent. The City had information from the Los Angeles County report about individual bag usage and county wide bag usage. The record thus reflects the fact that average use of plastic bags in Los Angeles County is 600 bags per person per year (with less than 5% recycled). (AR, Vol. I, p. 17.) Six billion plastic bags are used each year in Los Angeles County. (AR, Vol. I, p. 16.) Manhattan Beach plastic bag use (33,852 population x 600 bags per person = 20,311,200 bags per year) is, at the most, only a bare .003% of the total annual plastic bag consumption in Los Angeles County alone. However, the ban on plastic bags was not to be a ban on the use of bags but a ban on distribution of plastic bags at point of sale within the City. Given the disproportionate residential character of Manhattan Beach and small retail sector noted in the initial study, (AR, Vol. I, p 117a) Manhattan Beach residents get many of their bags at vendors located outside Manhattan Beach. This plastic bag usage would be unaffected by the ban. Therefore, the actual effect on plastic ban usage under the ordinance would have been a considerably smaller percentage than if plastic bag usage in the City were simply to cease. The corresponding increase in paper bag use would have been even smaller given that a single paper bag may replace up to three to four plastic bags (AR, Vol. I, p. 117a; Vol. II, p. 603, lines 1-3) and some usage of reusable bags was anticipated, perhaps as high as 40%. (AR, Vol. II, p. 604, lines 18-23.) Ultimately the increase in paper bag usage would have been extremely modest with absolutely no

evidence in the record to show that such an increase, notwithstanding the studies provided by respondent, would result in a "significant" impact on the environment or any discernable impact at all.

IV.

RESPONDENT'S STANDING ARGUMENT ALLOWS A LITIGANT TO PROCLAIM ITS OWN ENVIRONMENTAL MOTIVES

In essence respondent argues that it initiated the instant litigation for environmental reasons because it says so and therefore should have standing. Respondent was created for the express purpose of defending and preserving the much maligned plastic bag. Coincidentally its membership is made up of corporations and individuals involved in the manufacture or sale of plastic bags. The proposed projects which have been the target of respondent's environmental concerns happened to be programs to ban distribution of plastic bags.

Respondent says that the interest it asserts ". . .is not 'rank commercialism,' but rather the need for an EIR to address specific environmental issues." (Respondent's "Answer Brief On the Merits," p. 26.) Based on this assertion respondent argues that it is entitled to the public right/public duty exception to the beneficial interest requirement for standing. As authority respondent curiously cites *Bozung v. Local Agency Formation Com.* (1975) 13

Cal.3rd 263. In fact, *Bozung* involved an individual, not an unincorporated association, nonprofit or corporation and the court determined that the plaintiff did in fact have a beneficial interest because he lived only 1,800 feet from the annexed property. (*Bozung,* 13 Cal.3rd at 272.) The case hardly stands for the proposition that an unincorporated association with no beneficial interest has standing to bring citizen's suit to enforce a public duty.

While respondent argues that appellant's opening brief mischaracterizes the holding in *Waste Management of Alameda County v. County of Alameda* (2000) 79 Cal.App.4th 1223 that case makes fundamental distinctions that should be relevant to any CEQA standing case involving those with clear commercial interests. The *Waste Management* court characterized the citizen's action to enforce a legal duty as an exception to the beneficial interest rule. (*Id.* at 1237.) The court further noted that a corporation could not bring a citizen's action because " . . .it is not a citizen . . . 'Citizens' are natural persons who are born and/or reside within a community." (*Id.* at 1237.) Like the plaintiff in *Waste Management* respondent is not a natural person and was not born nor ever resident in the community affected by the challenged project. The *Waste Management* court states the cynical but realistic maxim that:

> ". . .where a corporation attempts to maintain a citizen suit, it is appropriate to require the corporation to demonstrate it should be accorded the attributes of a citizen litigant, since

> it generally is to be expected that a corporation will act out of a concern for what is expedient for the attainment of corporate purposes [citations] rather than by virtue of the neutrality of citizenship." (*Id.* at 1238.)

Respondent, which is an unincorporated association made up primarily of corporations is clearly not a natural person. Because of its commercial interest in the subject of this litigation it is reasonable to expect it to be most concerned with what is expedient for the plastic bag industry rather than approaching the issue with the neutrality of an actual citizens group like Heal The Bay or Citizens Against Waste organizations which were founded to pursue broad environmental goals unrelated to commercial interests of their members. Respondent's argument seems to be that if it expresses its motivation as environmental that should be sufficient for it to be treated as a citizen allowing it to circumvent the *Waste Management* doctrine and file a suit to enforce a legal duty with no beneficial interest affected. We think that the *Waste Management* court meant what it said about non natural persons filing citizens' suits. The simple ruse of expressing an environmental motivation as a counterbalance to an obvious commercial interest should not be sufficient to afford a litigant the right to file a citizens' suit if they are not citizens.

Contrary to respondent's assertion there is nothing in the facts of *Waste Management* to indicate that the plaintiff blatantly admitted that its only interest in bringing a CEQA action was its commercial interest. Like respondent Waste Management asserted its right

to bring a citizens suit to enforce a legal duty. (*Id.* at 1233-1234) In analyzing the plaintiff's right to bring a citizen suit the court was not concerned with Waste Management's profession of its intent but instead analyzed the right to standing based on ". . .the particular circumstances presented, including the strength of the nexus between the artificial entity and human beings and the context in which the dispute arises." (*Id.* at 1238.) This is a far superior test than simply taking the artificial entity's word that it is only concerned with environmental issues.

In the instant case this analysis would factor in the circumstance that the primary membership of respondent is nonhuman entities engaged in the business of manufacturing or selling plastic bags, that neither respondent nor any of its members is directly nor indirectly affected by the effects of the proposed project, that respondent is not dedicated to broad environmental goals but instead is narrowly focused on one issue, the preservation of plastic bags, which happens to be identical to its commercial interests. Clearly, the facts and circumstances and the context of the dispute give rise to a strong inference that respondent's dominant interest, indeed the very reason that respondent exists, is to represent the commercial interests of the plastic bag industry and that CEQA is merely a medium to defend that interest.

It is true that *Waste Management* involves a direct attack by one commercial entity on the activities of a competitor. The commercial interest in such a case is readily transparent. However there is no sound reason why the analysis in this case should not apply to a case

where an association of commercial entities, with a common commercial interest, is attacking regulatory activity which directly threatens the commercial viability of its product. The court should not consider only the expressed motivation of the party seeking to bring a citizens' suit but should, as the *Waste Management* court did, look to the facts, circumstances and context of the dispute and the identity of the artificial entity to ascertain if the suit is truly environmental or commercial. Unlike the instant case in most cases where true environmental impacts are a legitimate possibility from a project those with commercial interests will be joined by others whose interests are environmental, and who qualify for legitimate standing. Such a rule will help keep industry battles from being dragged into an environmental forum.

V.

JUSTICE MOSK'S DISSENT RAISES LEGITIMATE ISSUES

Respondent brushes aside Justice Mosk's dissent in the appellate court opinion as being inconsistent with CEQA and proposing that small cities should operate under different rules especially if they "believe" they are acting in an environmentally friendly way. This, of course, completely mischaracterizes the dissent.

Justice Mosk is urging a practical, common sense approach to evaluating the evidence in the record regarding the scope and substantiality of the likely environmental impacts from Ordinance 2115. The dissent points out that the State legislature has identified

plastic bags as an environmental problem. [2] The dissent is also concerned that a regulatory action like Ordinance 2115 should be considered a "project" for purposes of CEQA:

> ". . .to consider this ordinance a project requires that virtually all actions taken by a public agency be deemed projects. It is difficult to conceive of a public agency action that would *not* Cause some theoretical 'reasonably foreseeable indirect physical change in the environment." (*Save The Plastic Bag Coalition*, 181 Cal.App4th at 547 (*Review Granted*).)

The dissent reviews and evaluates the evidence presented for and against the substantial environmental impacts predicted for Ordinance 2115 dismissing the generic reports submitted by respondents as not constituting substantial evidence that such a limited distribution ban could have a substantial impact on the environment. (*Id.* at 549.)

Primarily, however, Justice Mosk asserts that a threshold of significance has not been reached regarding the environmental impacts of the proposed project. He is concerned that if the lenient test favored by the majority is really the law the ability of a local agency to do any thing is severely restricted and EIR's must be prepared for everything,

[2] There is currently pending before the State legislature AB 1998 which would ban distribution of plastic bags throughout the State. AB 1998 has already been passed by the Assembly and is working its way through committees in the State Senate.

thus severely limiting the ability of a public agency to take action. "In this day of limits, we must interpret statutes reasonably so as not to require the unnecessary expenditure of public monies for no corresponding benefit." (*Id.* at 551.) Far from being inconsistent with CEQA or anti-environment Justice Mosk's dissent is an argument that CEQA should be reasonable and balanced not dogmatic and rigid.

VI.

REMAND IS AN APPROPRIATE REMEDY ASSUMING *ARGUENDO* THE UNDERLYING CEQA ANALYSIS WAS FLAWED

Respondent is uncomfortable with the notion that the appellate court should properly have remanded this matter back to the Manhattan Beach City Council if, as stated in their majority opinion, the initial study and negative declaration were flawed. As should be apparent from the other arguments City makes this is not an admission that these documents were actually flawed but an argument that if the appellate decision were to be upheld that the remedy would be improper. Respondent's argument that City should have filed a petition for rehearing is incorrect. First, contrary to respondent's assertion this issue was raised in the appellate court proceedings. (Appellant's Appellate Court Reply Brief, pages 10-12.) Second, a petition for rehearing is essential only in situations where the appellate court opinion misstates an issue or material fact. (*Soule v. General Motors*

Corp. (1994) 8 Cal.4th 548, 557.) That was not the situation in the instant case where the City is now simply questioning the appellate majority's conclusion (clearly expressed in its opinion) that an EIR is required.

As the City argued in it opening brief CEQA clearly envisions the basic environmental decisions being made not by a court but by the lead agency. Nothing in the CEQA statute gives a court the right to abrogate that decision making power unless the record is absolutely clear that, as a matter of law, an EIR must be prepared. In fact, in the present case the situation is quite the contrary. The appellate majority itself suggested that if certain findings had been included in the initial study that they might have accepted its conclusions. (*Save The Plastic Bag Coalition* 181 Cal.App.4th at 544 (*Review Granted).*) Accepting the appellate majority at their word the inescapable conclusion was that an EIR was not mandatory as a matter of law based on the record before them and further proceedings at the administrative level were appropriate and consistent with the CEQA statute.

VII.

CONCLUSION

Respondent argues in its opposition brief that "If there is evidence supporting a fair argument of significant environmental impact, it cannot be overcome by substantial evidence to the contrary." (Respondent's "Answer Brief On the Merits," p. 8.) It says

later on ". . .if there is any credible evidence that negative environmental impacts may occur, then an EIR must be prepared regardless of any substantial evidence to the contrary." (Respondent's "Answer Brief On the Merits," p. 37.) Finally, respondent concedes "The City calls the court of Appeal's decision 'rigid and inflexible.' [citations] The City is correct, the decision rigidly and inflexibly complies with the law." (Respondent's "Answer Brief On the Merits," p. 42.) Over time the courts have created a system that is so deferential to environmental concerns and creates such a rigid and minimal threshold requirement that there are very few actions which a public agency takes which arguably do not require an EIR. If evidence cannot be weighed and evaluated, if a scintilla of evidence controls the outcome with no reference to or consideration of contrary evidence then absurd results are inevitable. As the Justice Mosk's dissent points out the instant case is itself one which " . . . stretches the California Environmental Quality Act and the requirement for an EIR to an absurdity." (*Save The Plastic Bag Coalition*, 181 Cal.App4th at 545-546 (*Review Granted*).)

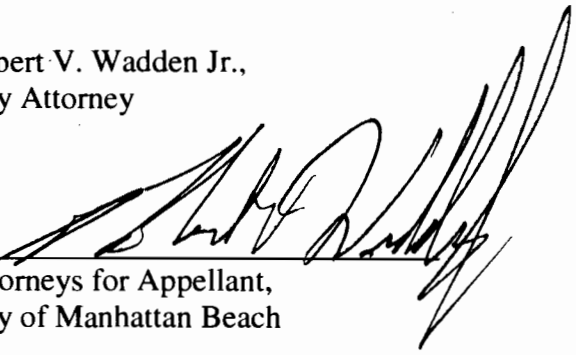
Respondent's argument that it should be accorded standing because it professes environmental motives even though the reason for its existence is commercial self preservation essentially negates any test to determine CEQA standing. If respondent's argument is correct then there is really no test for standing at all and everyone who wants to sue under CEQA should have standing so long as they express their concern for the environment.

CEQA is a valuable weapon for any one desiring to stop a "project" regardless of their motive. The pendency of a CEQA action will usually stop a project before it gets started even if no restraining order is obtained, lenders will suspend loans, investors will back out and even if the action has little or no merit the delay it causes can be fatal to a project which may actually be in full compliance with CEQA. In many CEQA lawsuits victory is not the goal, it is the leverage that delay can cause.

For all of the reasons set forth above we respectfully request that the appellate court decision be reversed.

Dated: July 2, 2010

Robert V. Wadden Jr.,
City Attorney

By 
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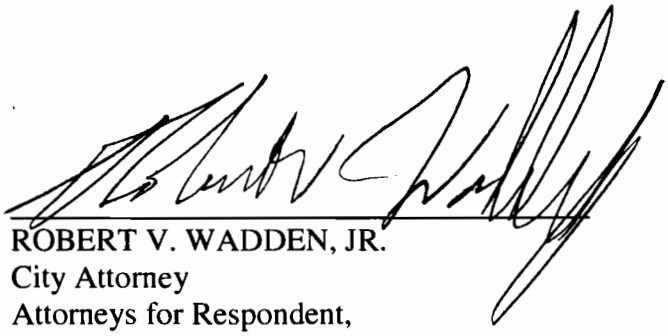
CERTIFICATE OF COMPLIANCE

The word count on the word processor indicates that there were 4,807 words in the document including this certificate of compliance.

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

Dated: July 2, 2010



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PROOF OF SERVICE

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I am employed in the County of Los Angeles, State of California. I am over the age of 18 years, and not a party to the within action; my business address is 1400 Highland Avenue, Manhattan Beach, California 90266. I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service.

On July 6, 2010, following ordinary business practice, I served the within **REPLY BRIEF OF APPELLANT CITY OF MANHATTAN BEACH;** on the party or parties named below, by U.S. Mail, addressed as follows:

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on July 6, 2010, at Manhattan Beach, California.

WENDY PICKERING
Printed Name

Wendy Pickering
Signature