

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
NORTH JUSTICE CENTER

MINUTE ORDER

DATE: 08/27/2026

TIME: 01:30:00 PM

DEPT: N14

JUDICIAL OFFICER PRESIDING: Julianne Bancroft

CLERK: C. Sanchez

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: B. Espinosa

CASE NO: **30-2026-01559183-CU-JR-NJC** CASE INIT.DATE: 03/26/2026

CASE TITLE: **City of Newport Beach vs. Newport Beach Stewardship Association**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Judicial Review - Other

EVENT ID/DOCUMENT ID: 74939409

EVENT TYPE: Ex Parte

MOVING PARTY: Newport Beach Stewardship Association, Marshall Duffield

CAUSAL DOCUMENT/DATE FILED: Ex Parte Application - Other, 08/26/2026

APPEARANCES

No Appearance by all parties

NBSA'S EX PARTE APPLICATION RE CITY OF NEWPORT BEACH'S UNLAWFUL DELAY OF LOCAL VOTE

There are no appearances by any party.

Ex Parte Application, Declarations in Support, Proof of Service, and Opposition are read and considered.

Having reviewed the ex parte application, the opposition thereto, and all documents filed in support of and in opposition to the ex parte application, and having considered all documents filed in both case Nos. 30-2026-01559183 and 30-2026-01580961, the Court **GRANTS** the request for ex parte relief.

The Court finds that the Newport Beach City Council Resolution No. 2026-73, which was adopted by the City of Newport Beach at its May 25, 2026 Regular City Council Meeting, and a copy of which was attached as Exhibit A to the declaration of William Ihrke filed 08/26/2026 (ROA #284) expresses the City's Council's exercise of its discretion. Having reviewed that resolution, and in consideration of the City parties' filings, contentions, arguments, and stated positions throughout this litigation, as well as the Court's previous orders, the Court finds that the City Council abused its discretion by placing the three initiatives on the November 7, 2028 ballot. Therefore, this Court has the authority in this mandamus proceeding to order the City Council to immediately take the necessary steps to place these three initiatives on the November 3, 2026 ballot, including but not limited to forwarding all necessary materials to the Orange County Registrar of Voters.

The Court will reserve a decision on NBSA's request that the Court set an OSC re sanctions at this time.

Court orders Clerk to give notice.