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News Release

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September 1, 2020

(CUDAHY, CA) – The City of Cudahy applauds the Second Appellate District Court’s decision to dismiss the Appeal in the matter of *Cudahy Citizens Challenging Council Corruption v. City of Cudahy*.

On March 11, 2019, the Honorable Mary H. Strobel dismissed with prejudice a Petition for a Writ of Mandate and Complaint alleging that four (4) members of the Cudahy City Council met in secret, and violated the state’s open meeting laws when they voted in May, 2018, to remove a fellow council member for failing to attend City Council meetings.

The Petitioner, an unincorporated association known as Cudahy Citizens Challenging Council Corruption, filed an appeal to the lower court’s ruling. The Defendants/Respondents named in the Petition were the City of Cudahy, Councilmember Chris Garcia, and former Councilmembers Christian Hernandez, Cristian Markovich and Baru Sanchez.

On July 29, 2020, the Appellate Court held that the appeal was moot, and found no public interest exception applied in this case. The dismissal of the appeal left the lower court ruling undisturbed. The lower court found that Petitioners conceded that Cudahy’s City Council deliberations arose from protected 1st amendment activity, and failed to show a probability of prevailing on its claim that the City Council violated the state’s open meeting laws. The lower court further found that the actual intent of the Petitioners’ complaint was to personally benefit Jack Guerrero, the Councilmember removed from office. Therefore, the lawsuit was not solely in the public interest.

“We hope the Appellate Court’s dismissal of this matter finally puts an end to the costly litigation inflicted upon the Cudahy taxpayers. In the midst of a global pandemic, we should be concentrating on how to best provide relief to residents, rather than defending baseless lawsuits,” said Mayor Elizabeth Alcantar.

“Our residents should feel proud that their City Councilmembers courageously defended them against claims that attempted to label their City as corrupt. Unfortunately, these distorted narratives against honest, hard-working Latino communities often go unanswered,” remarked Councilmember Chris Garcia.

“This appellate decision further vindicates the actions taken by the City Council to follow state law, and hold elected officials representing the residents of Cudahy to a high legal and ethical standard,” stated Councilmember Jose R. Gonzalez. “I’m happy for our residents, and now we must move on to the business of governing for our children and working families.”

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