

1 XAVIER BECERRA  
Attorney General of California  
2 RICHARD T. WALDOW  
Supervising Deputy Attorney General  
3 GREGORY M. CRIBBS  
Deputy Attorney General  
4 State Bar No. 175642  
300 South Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6259  
6 Fax: (213) 897-2805  
E-mail: Gregory.Cribbs@doj.ca.gov  
7 *Attorneys for Respondents*  
*California Department of Social Services and Will*  
8 *Lightbourne, in his official capacity as Director,*  
*California Department of Social Services*  
9

*Fee Exempt Per Govt. Code § 6103*

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF LOS ANGELES - CENTRAL DISTRICT  
12

13 **JOE SOZA, ESTHER ORTEGA,**

14 Petitioners,

15 v.

16  
17 **WILL LIGHTBOURNE, in his official**  
**capacity as Director, California Department**  
18 **of Social Services; and the CALIFORNIA**  
**DEPARTMENT OF SOCIAL SERVICES,**

19 Respondents.  
20

Case No. BS172114

**RESPONDENTS' ANSWER TO  
FIRST AMENDED PETITION FOR  
WRIT OF AND COMPLAINT FOR  
DECLARATORY AND INJUNCTIVE  
RELIEF (Code Civ. Proc. Sections 1085  
AND 1094.5; Welf. & Inst. Code Section  
10962)**

Dept: 86  
Judge: Hon. Amy D. Hogue  
Action Filed: January 22, 2018

21 COME NOW respondents Will Lightbourne, as Director of the California Department of  
22 Social Services, and the California Department of Social Services (collectively, Department or  
23 respondents), in response to the "First Amended Petition for Writ of Mandate and Complaint for  
24 Declaratory and Injunctive Relief [Code of Civ. Proc., §§ 1094.5, 1085; Welf. & Inst. Code §  
25 10962]" (Petition), in the above-captioned action, and admit, deny and allege as follows:  
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27 1. Answering the allegations in paragraph 1 of the Petition, the Department asserts  
28 that there are no allegations contained therein that require admission or denial, and on that basis

1 denies each and every purported allegation contained therein. To the extent that it can be  
2 construed that paragraph 1 of the Petition contains proper allegations, the Department lacks  
3 sufficient information or belief to enable it to admit or deny the matters alleged in paragraph 1 of  
4 the Petition, and on that basis denies each and every purported allegation contained therein.

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6 2. Answering the allegations in the first and second sentences of paragraph 2 of the  
7 Petition, the Department lacks sufficient information or belief to enable it to admit or deny the  
8 matters alleged therein, and on that basis denies each and every allegation contained within the  
9 first and second sentences of paragraph 2 of the Petition. Answering the allegations in the third  
10 sentence of paragraph 2 of the Petition, the Department affirmatively asserts that on January 17,  
11 2017, it adopted the Proposed Decision (Case No. 2016273045), denying petitioner Soza's  
12 request for reimbursement of stolen CalFresh benefits in the amounts of \$17.19, \$61.66, \$10.31,  
13 and \$76.22. The Department further asserts that the Proposed Decision speaks for itself, and  
14 therefore the allegations regarding it do not require admission or denial. If a response is required,  
15 the Department denies all allegations that differ from the plain language of the Proposed  
16 Decision. Except as affirmatively asserted herein, the Department denies each and every  
17 remaining allegation contained in paragraph 2 of the Petition.

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19 3. Answering the allegations in the first and second sentences of paragraph 3 of the  
20 Petition, the Department lacks sufficient information or belief to enable it to admit or deny the  
21 matters alleged therein, and on that basis denies each and every allegation contained within the  
22 first and second sentences of paragraph 3 of the Petition. Answering the allegations in the third  
23 sentence of paragraph 3 of the Petition, the Department affirmatively asserts that on August 22,  
24 2017, it adopted the Proposed Decision (Case No. 2017151334), denying petitioner Ortega's  
25 request for reimbursement of stolen CalFresh benefits in the amounts of \$81.13, \$32.01, \$115.45,  
26 and \$112.21. The Department further asserts that the Proposed Decision speaks for itself, and  
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1 therefore the allegations regarding it do not require admission or denial. If a response is required,  
2 the Department denies all allegations that differ from the plain language of the Proposed  
3 Decision. Except as affirmatively asserted herein, the Department denies each and every  
4 remaining allegation contained in paragraph 3 of the Petition.  
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6 4. Answering the allegations contained in paragraph 4 of the Petition, the Department  
7 lacks sufficient information or belief to enable it to admit or deny the matters alleged therein, and  
8 on that basis denies each and every allegation of paragraph 4 of the Petition.

9 5. Answering the allegations contained in paragraph 5 of the Petition, the Department  
10 lacks sufficient information or belief to enable it to admit or deny the matters alleged therein, and  
11 on that basis denies each and every allegation of paragraph 5 of the Petition.  
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13 6. The Department admits the allegations contained in paragraph 6 of the Petition.

14 7. The Department admits the allegations contained in paragraph 7 of the Petition.

15 8. Answering the allegations contained in the first and second sentences of paragraph  
16 8 of the Petition, the Department lacks sufficient information or belief to enable it to admit or  
17 deny the matters alleged therein, and on that basis denies the first and second sentences of  
18 paragraph 8 of the Petition. The Department denies the allegations contained in the third sentence  
19 of paragraph 8 of the Petition. Answering the allegations contained in the fourth sentence of  
20 paragraph 8 of the Petition, the Department affirmatively asserts that administrative hearings were  
21 held on December 20, 2016 (Case No. 2016273045) and on July 3, 2017 (Case No. 2017151334),  
22 which resulted in the adoption of Proposed Decisions on January 17, 2017 (Case No.  
23 2016273045) and on August 22, 2017 (Case No. 2017151334), respectively. In response to the  
24 allegations contained in paragraph 8 of the Petition regarding the Proposed Decisions, the  
25 Department asserts that the Proposed Decisions speak for themselves, and therefore the  
26 allegations regarding them do not require admission or denial. If a response is required, the  
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1 Department denies all allegations that differ from the plain language of the Proposed Decisions.

2 Except as affirmatively asserted herein, the Department denies each and every remaining  
3 allegation contained in paragraph 8 of the Petition.

4 9. Answering the allegations contained in paragraph 9 of the Petition, the Department  
5 lacks sufficient information or belief to enable it to admit or deny the matters alleged therein, and  
6 on that basis denies each and every allegation of paragraph 9 of the Petition.

7 10. Answering the allegations contained in paragraph 10 of the Petition, the  
8 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
9 therein, and on that basis denies each and every allegation of paragraph 10 of the Petition.

10 11. Answering the allegations contained in paragraph 11 of the Petition, the  
11 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
12 therein, and on that basis denies each and every allegation of paragraph 11 of the Petition.

13 12. Answering the allegations contained in paragraph 12 of the Petition, the  
14 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
15 therein, and on that basis denies each and every allegation of paragraph 12 of the Petition.

16 13. Answering the allegations contained in paragraph 13 of the Petition, the  
17 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
18 therein, and on that basis denies each and every allegation of paragraph 13 of the Petition.

19 14. Answering the allegations contained in paragraph 14 of the Petition, the  
20 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
21 therein, and on that basis denies each and every allegation of paragraph 14 of the Petition.

22 15. Answering the allegations contained in paragraph 15 of the Petition, the  
23 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
24 therein, and on that basis denies each and every allegation of paragraph 15 of the Petition.

1           16.     Answering the allegations contained in the first, second, third, and fourth  
2 sentences of paragraph 16 of the Petition, the Department lacks sufficient information or belief to  
3 enable it to admit or deny the matters alleged therein, and on that basis denies each and every  
4 allegation contained in the first, second, third, and fourth sentences of paragraph 16 of the  
5 Petition. Answering the allegations contained in the fifth sentence of paragraph 16 of the  
6 Petition, the Department affirmatively asserts that petitioner Joe Soza requested an administrative  
7 hearing on September 21, 2016, and that an administrative hearing (Case No. 2016273045) was  
8 held on December 20, 2016. Except as affirmatively asserted herein, the Department denies each  
9 and every remaining allegation contained in the fifth sentence of paragraph 16 of the Petition.  
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11           17.     Answering the allegations in paragraph 17 of the Petition, to the extent that these  
12 allegations purport to paraphrase, interpret, or characterize ACL 13-67 or the November 22, 2016  
13 denial notices, no admission or denial thereof is required because the ACL and denial notices  
14 speak for themselves. To the extent an admission or denial is required, the Department denies all  
15 allegations that differ from the plain language of ACL 13-67 or the November 22, 2016, denial  
16 notices.  
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18           18.     The Department admits the allegations in paragraph 18 of the Petition.  
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20           19.     Answering the allegations contained in paragraph 19 of the Petition, the  
21 Department affirmatively asserts that an administrative hearing was held on December 20, 2016  
22 (Case No. 2016273045) which resulted in the adoption of a Proposed Decision on January 17,  
23 2017. In response to the allegations contained in paragraph 19 of the Petition regarding the  
24 Proposed Decision, the Department asserts that the Proposed Decision speaks for itself, and  
25 therefore the allegations regarding it do not require admission or denial. If a response is required,  
26 the Department denies all allegations that differ from the plain language of the Proposed  
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1 Decision. Except as affirmatively asserted herein, the Department denies each and every  
2 remaining allegation contained in paragraph 19 of the Petition.

3 20. Answering the allegations in paragraph 20 of the Petition regarding the Proposed  
4 Decision, the Department asserts that the Proposed Decision speaks for itself, and therefore the  
5 allegations regarding it do not require admission or denial. If a response is required, the  
6 Department denies all allegations that differ from the plain language of the Proposed Decision.  
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8 21. Answering the allegations contained in paragraph 21 of the Petition, the  
9 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
10 therein, and on that basis denies each and every allegation of paragraph 21 of the Petition.  
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12 22. Answering the allegations contained in paragraph 22 of the Petition, the  
13 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
14 therein, and on that basis denies each and every allegation of paragraph 22 of the Petition.

15 23. Answering the allegations contained in paragraph 23 of the Petition, the  
16 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
17 therein, and on that basis denies each and every allegation of paragraph 23 of the Petition.

18 24. Answering the allegations contained in paragraph 24 of the Petition, the  
19 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
20 therein, and on that basis denies each and every allegation of paragraph 24 of the Petition.  
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22 25. Answering the allegations contained in paragraph 25 of the Petition, the  
23 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
24 therein, and on that basis denies each and every allegation of paragraph 25 of the Petition.

25 26. Answering the allegations contained in paragraph 26 of the Petition, the  
26 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
27 therein, and on that basis denies each and every allegation of paragraph 26 of the Petition.  
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1           27.     Answering the allegations contained in paragraph 27 of the Petition, the  
2 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
3 therein, and on that basis denies each and every allegation of paragraph 27 of the Petition.

4           28.     Answering the allegations in paragraph 28 of the Petition, to the extent that these  
5 allegations purport to paraphrase, interpret, or characterize the April 21, 2017 denial notices, no  
6 admission or denial thereof is required because the denial notices speak for themselves. To the  
7 extent an admission or denial is required, the Department denies all allegations that differ from  
8 the plain language of the April 21, 2017, denial notices.

9           29.     Answering the allegations contained in paragraph 29 of the Petition, the  
10 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
11 therein, and on that basis denies each and every allegation of paragraph 29 of the Petition.

12           30.     Answering the allegations contained in paragraph 30 of the Petition, the  
13 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
14 therein, and on that basis denies each and every allegation of paragraph 30 of the Petition.

15           31.     Answering the allegations contained in paragraph 31 of the Petition, the  
16 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
17 therein, and on that basis denies each and every allegation of paragraph 31 of the Petition.

18           32.     Answering the allegations contained in paragraph 32 of the Petition, the  
19 Department lacks sufficient information or belief to enable it to admit or deny the matters alleged  
20 therein, and on that basis denies each and every allegation of paragraph 32 of the Petition.

21           33.     Answering the allegations contained in paragraph 33 of the Petition, the  
22 Department affirmatively asserts that petitioner Esther Ortega requested an administrative hearing  
23 on May 24, 2017, and that an administrative hearing (Case No. 2017151334) was held on July 3,  
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1 2017. Except as affirmatively asserted herein, the Department denies each and every remaining  
2 allegation contained in paragraph 33 of the Petition.

3 34. Answering the allegations contained in paragraph 34 of the Petition, the  
4 Department affirmatively asserts that an administrative hearing was held on July 3, 2017 (Case  
5 No. 2017151334) which resulted in the adoption of a Proposed Decision on August 22, 2017. In  
6 response to the allegations contained in paragraph 34 of the Petition regarding the Proposed  
7 Decision, the Department asserts that the Proposed Decision speaks for itself, and therefore the  
8 allegations regarding it do not require admission or denial. If a response is required, the  
9 Department denies all allegations that differ from the plain language of the Proposed Decision.  
10 Except as affirmatively asserted herein, the Department denies each and every remaining  
11 allegation contained in paragraph 34 of the Petition.  
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14 35. Answering the allegations in paragraph 35 of the Petition regarding the Proposed  
15 Decision, the Department asserts that the Proposed Decision speaks for itself, and therefore the  
16 allegations regarding it do not require admission or denial. If a response is required, the  
17 Department denies all allegations that differ from the plain language of the Proposed Decision.

18 36. Answering the allegations contained in the first and second sentences of paragraph  
19 36 of the Petition, the Department admits the allegations contained therein. Answering the  
20 allegations contained in the third sentence of paragraph 36 of the Petition, to the extent that these  
21 allegations purport to paraphrase, interpret, or characterize 7 U.S.C. § 2011, no admission or  
22 denial thereof is required because the federal code speaks for itself. To the extent an admission or  
23 denial is required, the Department denies all allegations that differ from the plain language of the  
24 code.  
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26 37. Answering the allegations contained in paragraph 37 of the Petition, to the extent  
27 that these allegations purport to paraphrase, interpret, or characterize 7 U.S.C. § 2013(c), 7 C.F.R.  
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1 § 272.2(a)(2), and/or 7 C.F.R. § 276.1(a)(2), no admission or denial thereof is required because  
2 the federal code and regulations speak for themselves. To the extent an admission or denial is  
3 required, the Department denies all allegations that differ from the plain language of the code  
4 and/or regulations.

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6 38. Answering the allegations contained in the first sentence of paragraph 38 of the  
7 Petition, the Department admits the allegations contained therein. Answering the allegations  
8 contained in the second and third sentences of paragraph 38 of the Petition, to the extent that  
9 these allegations purport to paraphrase, interpret, or characterize the Department's Manual of  
10 Policies and Procedures (MPP) Division 63 and the case of *Gregory v. State Bd. of Control*  
11 (1999) 73 Cal.App.4th 584, 595, no admission or denial thereof is required because the MPP and  
12 case law speak for themselves. To the extent an admission or denial is required, the Department  
13 denies all allegations that differ from the plain language of the MMP and/or case law.

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15 39. Answering the allegations contained in paragraph 39 of the Petition, to the extent  
16 that these allegations purport to paraphrase, interpret, or characterize MPP section 63-101.1, no  
17 admission or denial thereof is required because the MPP speaks for itself. To the extent an  
18 admission or denial is required, the Department denies all allegations contained therein.

19 40. The Department admits the allegations in paragraph 40 of the Petition.

20 41. The Department denies the allegations in paragraph 41 of the Petition.

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22 42. Answering the allegations contained in the first sentence of paragraph 42 of the  
23 Petition, the Department affirmatively asserts that Congress passed the Personal Responsibility  
24 and Work Opportunity Reconciliation Act of August 22, 1996. Except as affirmatively asserted  
25 herein, the Department denies each and every remaining allegation contained in the first sentence  
26 of paragraph 42 of the Petition. Answering the allegations contained in the second and third  
27 sentences of paragraph 42 of the Petition, to the extent that these allegations purport to  
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1 paraphrase, interpret, or characterize MPP section 16-001.1, no admission or denial thereof is  
2 required because the MPP speaks for itself. To the extent an admission or denial is required, the  
3 Department denies all allegations that differ from the plain language of the MMP.

4 43. Answering the allegations contained in paragraph 43 of the Petition, to the extent  
5 that these allegations purport to paraphrase, interpret, or characterize Welfare and Institutions  
6 Code sections 10065, et al. and 10553(b), (e), and MPP sections 16-001.2 and 16-001.3, no  
7 admission or denial thereof is required because the statutes and MPP speak for themselves. To  
8 the extent an admission or denial is required, the Department denies all allegations that differ  
9 from the plain language of the statutes or MPP.

10 44. Answering the allegations contained in the first sentence of paragraph 44 of the  
11 Petition, the Department denies the allegations contained therein. Answering the allegations  
12 contained in the second and third sentences of paragraph 44 of the Petition, to the extent that  
13 these allegations purport to paraphrase, interpret, or characterize MPP section 16-501.1, no  
14 admission or denial thereof is required because the MPP speaks for itself. To the extent an  
15 admission or denial is required, the Department denies all allegations that differ from the plain  
16 language of the MPP.

17 45. Answering the allegations contained in paragraph 45 of the Petition, to the extent  
18 that these allegations purport to paraphrase, interpret, or characterize Welfare and Institutions  
19 Code section 10065(b), no admission or denial thereof is required because the statute speaks for  
20 itself. To the extent an admission or denial is required, the Department denies all allegations that  
21 differ from the plain language of the statute.

22 46. Answering the allegations contained in paragraph 46 of the Petition, to the extent  
23 that these allegations purport to paraphrase, interpret, or characterize 7 C.F.R. section 271.2, no  
24 admission or denial thereof is required because the federal regulation speaks for itself. To the  
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1 extent an admission or denial is required, the Department denies all allegations that differ from  
2 the plain language of the federal regulation.

3 47. Answering the allegations contained in paragraph 47 of the Petition, to the extent  
4 that these allegations purport to paraphrase, interpret, or characterize MPP section 63-102(a)(1),  
5 no admission or denial thereof is required because the MPP speaks for itself. To the extent an  
6 admission or denial is required, the Department denies all allegations that differ from the plain  
7 language of the MPP.  
8

9 48. Answering the allegations contained in paragraph 48 of the Petition, to the extent  
10 that these allegations purport to paraphrase, interpret, or characterize 7 C.F.R. section 274.8(b)(9),  
11 no admission or denial thereof is required because the federal regulation speaks for itself. To the  
12 extent an admission or denial is required, the Department denies all allegations that differ from  
13 the plain language of the federal regulation.  
14

15 49. The Department denies the allegations in paragraph 49 of the Petition

16 50. Answering the allegations contained in paragraph 50 of the Petition, to the extent  
17 that these allegations purport to paraphrase, interpret, or characterize MPP section 63-603.1  
18 and/or Government Code section 29853.5, no admission or denial thereof is required because the  
19 MPP and statute speak for themselves. To the extent an admission or denial is required, the  
20 Department denies all allegations that differ from the plain language of the MPP and/or statute.  
21

22 51. Answering the allegations contained in paragraph 51 of the Petition, to the extent  
23 that these allegations purport to paraphrase, interpret, or characterize MPP section 63-603.12, no  
24 admission or denial thereof is required because the MPP speaks for itself. To the extent an  
25 admission or denial is required, the Department denies all allegations that differ from the plain  
26 language of the MPP.  
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1           52.     Answering the allegations contained in paragraph 52 of the Petition, to the extent  
2 that these allegations purport to paraphrase, interpret, or characterize MPP section 63-603.15, no  
3 admission or denial thereof is required because the MPP speaks for itself. To the extent an  
4 admission or denial is required, the Department denies all allegations that differ from the plain  
5 language of the MPP.  
6

7           53.     Answering the allegations contained in paragraph 53 of the Petition, to the extent  
8 that these allegations purport to paraphrase, interpret, or characterize MPP section 63-603.2, no  
9 admission or denial thereof is required because the MPP speaks for itself. To the extent an  
10 admission or denial is required, the Department denies all allegations that differ from the plain  
11 language of the MPP.  
12

13           54.     Answering the allegations contained in paragraph 54 of the Petition, to the extent  
14 that these allegations purport to paraphrase, interpret, or characterize 7 C.F.R. section 276.2(b)(7),  
15 no admission or denial thereof is required because the federal regulation speaks for itself. To the  
16 extent an admission or denial is required, the Department denies all allegations contained therein.  
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18           55.     Answering the allegations contained in paragraph 55 of the Petition, to the extent  
19 that these allegations purport to paraphrase, interpret, or characterize Welfare and Institutions  
20 Code section 15125, no admission or denial thereof is required because the statute speaks for  
21 itself. To the extent an admission or denial is required, the Department denies all allegations  
22 contained therein.

23           56.     The Department denies the allegations contained in paragraph 56 of the Petition.

24           57.     Answering the allegations contained in paragraph 57 of the Petition, to the extent  
25 that these allegations purport to paraphrase, interpret, or characterize Welfare and Institutions  
26 Code section 10500, 7 U.S.C. section 2016(h), 7 C.F.R. sections 274.8(a)(1)(ix) and (b)(3), and  
27 Government Code section 29853.5, no admission or denial thereof is required because the  
28

1 statutes, federal codes, and federal regulations speak for themselves. To the extent an admission  
2 or denial is required, the Department denies all allegations contained therein.

3 58. The Department denies the allegations contained in paragraph 58 of the Petition.

4 59. Answering the allegations contained in paragraph 59 of the Petition, to the extent  
5 that these allegations purport to paraphrase, interpret, or characterize Welfare and Institutions  
6 Code section 10072(i)(1), no admission or denial thereof is required because the statute speaks for  
7 itself. To the extent an admission or denial is required, the Department denies all allegations  
8 contained therein.

9 60. The Department admits the allegations contained in paragraph 60 of the Petition.

10 61. Answering the allegations contained in paragraph 61 of the Petition, to the extent  
11 that these allegations purport to paraphrase, interpret, or characterize All County Information  
12 Notice (ACIN) No. I-25-03<sup>1</sup>, dated April 16, 2003, no admission or denial thereof is required  
13 because the ACIN speaks for itself. To the extent an admission or denial is required, the  
14 Department denies all allegations that differ from the plain language of the ACIN.

15 62. The Department denies the allegations contained in paragraph 62 of the Petition.

16 63. Answering the allegations contained in paragraph 63 of the Petition, to the extent  
17 that these allegations purport to paraphrase, interpret, or characterize 2012 Assembly Bill (AB)  
18 2035, no admission or denial thereof is required because the bill speaks for itself. To the extent  
19 an admission or denial is required, the Department denies all allegations that differ from the plain  
20 language of AB 2035.

21 64. Answering the allegations contained in paragraph 64 of the Petition, to the extent  
22 that these allegations purport to paraphrase, interpret, or characterize AB 2035 and Welfare and  
23 Institutions Code section 10072(i)(2)-(3), no admission or denial thereof is required because the

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28 <sup>1</sup> The Petition mistakenly refers to ACIN No. I-25-02.

1 bill and statute speak for themselves. To the extent an admission or denial is required, the  
2 Department denies all allegations that differ from the plain language of AB 2035 and the statute.

3 65. The Department denies the allegations contained in paragraph 65 of the Petition.

4 66. The Department denies the allegations contained in paragraph 66 of the Petition.

5 67. Answering the allegations in paragraph 67 of the Petition, to the extent that these  
6 allegations purport to paraphrase, interpret, or characterize ACL 13-67, no admission or denial  
7 thereof is required because the ACL speaks for itself. To the extent an admission or denial is  
8 required, the Department denies all allegations that differ from the plain language of ACL 13-67.

9 68. The Department denies the allegations contained in paragraph 68 of the Petition.

10 69. The Department admits the allegations contained in paragraph 69 of the Petition.

11 70. Answering the allegations in paragraph 70 of the Petition, to the extent that these  
12 allegations purport to paraphrase, interpret, or characterize Welfare and Institutions Code section  
13 10962 and Code of Civil Procedure section 1094.5, no admission or denial thereof is required  
14 because the statutes speak for themselves. To the extent an admission or denial is required, the  
15 Department denies all allegations that differ from the plain language of the statutes.

16 71. In response to paragraph 71 of the Petition, the Department asserts that there are  
17 no allegations contained therein that require admission or denial, and on that basis denies each  
18 and every purported allegation contained therein. To the extent that it can be construed that  
19 paragraph 71 of the Petition contains proper allegations, the Department denies each and every  
20 purported allegation that differs from the plain language of the statute.

21 72. Answering the allegations in paragraph 72 of the Petition, to the extent that these  
22 allegations purport to paraphrase, interpret, or characterize Welfare and Institutions Code section  
23 10600, no admission or denial thereof is required because the statute speaks for itself. To the

1 extent an admission or denial is required, the Department denies all allegations that differ from  
2 the plain language of the statute.

3 73. The Department denies the allegations contained in paragraph 73 of the Petition.

4 74. The Department admits the allegations contained in paragraph 74 of the Petition.

5 75. The Department denies the allegations contained in paragraph 75 of the Petition.

6 76. The Department denies the allegations contained in paragraph 76 of the Petition.

7 77. The Department denies the allegations contained in paragraph 77 of the Petition.

8 78. Answering the allegations in paragraph 78 of the Petition, to the extent that these  
9 allegations purport to paraphrase, interpret, or characterize Code of Civil Procedure sections 1085  
10 and 1094.5 or 42 U.S.C. § 1983, no admission or denial thereof is required because the statutes  
11 and federal code speak for themselves. To the extent an admission or denial is required, the  
12 Department denies all allegations that differ from the plain language of the statutes or federal  
13 code and specifically denies that it has violated any state or federal laws.  
14

15 79. The Department admits the allegations contained in paragraph 79 of the Petition.

16 80. The Department denies the allegations contained in paragraph 80 of the Petition.

17 81. In response to paragraph 81 of the Petition, the Department asserts that there are  
18 no allegations contained therein that require admission or denial, and on that basis denies each  
19 and every purported allegation contained therein. To the extent that it can be construed that  
20 paragraph 81 of the Petition contains proper allegations, the Department incorporates by reference  
21 each and every response in this Answer as though fully set forth herein.  
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23 82. The Department denies the allegations contained in paragraph 82 of the Petition.

24 83. The Department denies the allegations contained in paragraph 83 of the Petition.

25 84. The Department denies the allegations contained in paragraph 84 of the Petition.

26 85. The Department denies the allegations contained in paragraph 85 of the Petition.  
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1           86. In response to paragraph 86 of the Petition, the Department asserts that there are  
2 no allegations contained therein that require admission or denial, and on that basis denies each  
3 and every purported allegation contained therein. To the extent that it can be construed that  
4 paragraph 86 of the Petition contains proper allegations, the Department incorporates by reference  
5 each and every response in this Answer as though fully set forth herein.  
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7           87. The Department denies the allegations contained in paragraph 87 of the Petition.

8           88. The Department denies the allegations contained in paragraph 88 of the Petition.

9           89. The Department denies the allegations contained in paragraph 89 of the Petition.

10          90. In response to paragraph 90 of the Petition, the Department asserts that there are  
11 no allegations contained therein that require admission or denial, and on that basis denies each  
12 and every purported allegation contained therein. To the extent that it can be construed that  
13 paragraph 90 of the Petition contains proper allegations, the Department incorporates by reference  
14 each and every response in this Answer as though fully set forth herein.  
15

16          91. The Department denies the allegations contained in paragraph 91 of the Petition.

17          92. The Department lacks sufficient information or belief to enable it to admit or deny  
18 the matters alleged in paragraph 92 of the Petition, and on that basis denies each and every  
19 allegation contained therein.  
20

21          93. The Department denies the allegations contained in paragraph 93 of the Petition.

## 22                           **AFFIRMATIVE DEFENSES**

### 23                           **FIRST AFFIRMATIVE DEFENSE**

24          Because the Petition is couched in conclusionary terms, the Department cannot anticipate  
25 fully all affirmative defenses that may be applicable to this matter. Accordingly, the Department  
26 hereby reserves the right to assert additional affirmative defenses, if and to the extent such  
27 affirmative defenses are applicable.  
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1 d. That this Court issue a statement of decision pursuant to Code of Civil  
2 Procedure section 632; and

3 e. For such other and further relief as the Court deems just and proper.  
4

5 Dated: August 13, 2018

Respectfully submitted,

6 XAVIER BECERRA  
7 Attorney General of California  
8 RICHARD T. WALDOW  
9 Supervising Deputy Attorney General

10 GREGORY M. CRIBBS  
11 Deputy Attorney General  
12 *Attorneys for Respondents*  
13 *California Department of Social Services*  
14 *and Will Lightbourne, in his official*  
15 *capacity as Director, California*  
16 *Department of Social Services*  
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**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Javier Porras v. Will Lightbourne, California Department of Social Services, et al.**

Case No.: **BS1722114**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

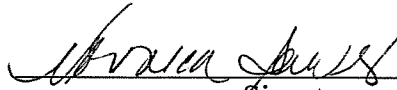
On August 14, 2018, I served the attached **RESPONDENTS' ANSWER TO FIRST AMENDED PETITION FOR WRIT OF AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF (Code Civ. Proc. Sections 1085 And 1094.5; Welf. & Inst. Code Section 10962)** by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 300 South Spring Street, Suite 1702, Los Angeles, CA 90013, addressed as follows:

Mr. Andrew Kazakes  
Mr. Tyler Sutherland  
Ms. Yolanda Arias  
LEGAL AID FOUNDATION OF LOS  
ANGELES  
5228 Whittier Boulevard  
Los Angeles, California 90022

Mr. Alexander Prieto  
Mr. Richard Rothschild  
WESTERN CENTER OF LAW AND  
POVERTY  
3701 Wilshire Boulevard, Suite 208  
Los Angeles, California 90010

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on August 14, 2018, at Los Angeles, California.

\_\_\_\_\_  
Veronica Sawers  
Declarant

\_\_\_\_\_  
  
Signature