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6 Attorneys for the CITY OF SACRAMENTO

7  
8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF SACRAMENTO

10  
11 PEOPLE OF THE STATE OF  
CALIFORNIA,

12  
13 Plaintiff,

14 vs.

15 CITY OF SACRAMENTO and DOES 1  
through 100, inclusive,

16  
17 Defendants.

Case No.: 23CV008658

Action Filed: September 19, 2023  
Trial Date: N/A

**CITY OF SACRAMENTO'S  
GENERAL DEMURRER TO  
PLAINTIFF'S COMPLAINT**

Date: January 5, 2024  
Time: 9:00 a.m.  
Dept: 27  
Location: 720 9<sup>th</sup> Street  
Sacramento, CA 95814  
Judge: Hon. Jill H. Talley  
Reservation No.: A-08658-003

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20 The City of Sacramento hereby demurs to Plaintiff's Complaint and each cause of action  
21 contained therein on the following grounds:

22 **DEMURRER TO FIRST CAUSE OF ACTION**

23 Plaintiff's first cause of action for Public Nuisance fails to state facts sufficient to  
24 constitute a cause of action against the City pursuant to Code of Civil Procedure § 430.10(e).

25 **DEMURRER TO SECOND CAUSE OF ACTION**

26 Plaintiff's second cause of action for Private Nuisance fails to state facts sufficient to  
27 constitute a cause of action against the City pursuant to Code of Civil Procedure § 430.10(e).

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DEMURRER TO THIRD CAUSE OF ACTION

Plaintiff's third cause of action for Inverse Condemnation fails to state facts sufficient to constitute a cause of action against the City pursuant to Code of Civil Procedure § 430.10(e).

DATED: October 16, 2023

SUSANA ALCALA WOOD,  
City Attorney

By:   
ANDREA M. VELASQUEZ  
Supervising Deputy City Attorney

Attorneys for the  
CITY OF SACRAMENTO