1 2 3 4 5 6	JEFFREY D. DINTZER (SBN 139056) MATTHEW C. WICKERSHAM (SBN 241733) DANA L. CRAIG (SBN 251865) GIBSON, DUNN & CRUTCHER LLP 333 South Grand Avenue, 54th Floor Los Angeles, CA 90071-3197 Telephone: (213) 229-7000 Facsimile: (213) 229-7520 Electronic Mail: jdintzer@gibsondunn.com Attorneys for Petitioners and Plaintiffs		
7 8 9 10	CHEVRON U.S.A. INC.; KEY ENERGY SERVICES, LLC; ENSIGN UNITED STATES DRILLING (CALIFORNIA) INC.; MAUREEN WRUCK; PETER ORRADRE; MARTIN ORRADRE; JAMES ORRADRE; STEPHEN MAURICE BOYUM; and SAN ARDO UNION ELEMENTARY SCHOOL DISTRICT		
11	[Additional Counsel listed on subsequent page]		
12 13	SUPERIOR COURT OF THE STATE OF CALIFORNIA		
14	FOR THE COUNTY OF MONTEREY		
15 16 17 18 19 20 21 22	CHEVRON U.S.A. INC.; KEY ENERGY SERVICES, LLC; ENSIGN UNITED STATES DRILLING (CALIFORNIA) INC.; MAUREEN WRUCK; PETER ORRADRE, as Trustee to the 2002 Peter Orradre Revocable Trust and the 1994 Foletta Children's Trust; MARTIN ORRADRE, as Trustee to the 2008 Martin Orradre Revocable Trust; JAMES ORRADRE, as Trustee to the 2004 James Orradre Revocable Trust; STEPHEN MAURICE BOYUM, as Trustee to the Boyum Family Trust; and SAN ARDO UNION ELEMENTARY SCHOOL DISTRICT,	4	
23	Petitioners and Plaintiffs,		
<ul><li>24</li><li>25</li></ul>	V.		
26	COUNTY OF MONTEREY, a municipal corporation; and DOES 1 through 25, inclusive,		
27	Respondents and Defendants.		
28			

Gibson, Dunn & Crutcher LLP

**TODD W. SMITH (SBN 235566)** AMY HIGUERA (SBN 232876) THE THOMAS LAW GROUP 455 Capitol Mall, Suite 801 Sacramento, CA 95814 Telephone: (916) 715-4288 Facsimile: (916) 737-5858 Electronic Mail: tsmith@thomaslaw.com Attorneys for Petitioners and Plaintiffs CHEVRON U.S.A. INC.; KEY ENERGY SERVICES, LLC; ENSIGN UNITED STATES DRILLING (CALIFORNIA) INC.; MAUREEN WRUCK; and SAN ARDO UNION ELEMENTARY SCHOOL DISTRICT 

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### TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on December 14, 2016, the Court issued an Order and Stay, staying immediately the effective date of Measure Z. A true and correct copy of the Court's Order is attached hereto as Exhibit A.

DATED: December 14, 2016

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

By: Jeffrey D. Dintzer

Attorneys for Petitioners and Plaintiffs

CHEVRON U.S.A. INC., KEY ENERGY SERVICES,

LLC; ENSIGN UNITED STATES DRILLING

(CALIFORNIA) INC.; MAUREEN WRUCK; PETER

ORRADRE; MARTIN ORRADRE; JAMES

ORRADRE; STEPHEN MAURICE BOYUM; and SAN ARDO UNION ELEMENTARY SCHOOL DISTRICT

# EXHIBIT A

UPON GOOD CAUSE SHOWN, IT IS ORDERED that:

- 1. The effective date for the "Initiative to Prohibit Fracking and Oil and Natural Gas Well Stimulation Treatments, Prohibit Oil and Natural Gas Wastewater Injection and Impoundment, and Limit New Oil and Natural Gas Operations in Unincorporated Monterey County" adopted by the voters of Monterey County on November 8, 2016 and designated as Measure Z ("Measure Z"), is stayed effective immediately.
- 2. During the pendency of the Stay, all oil and gas operators within Monterey County shall refrain from applying for or obtaining any well stimulation treatment ("WST") permit from the Division of Oil, Gas and Geothermal Resources ("DOGGR") in the California Department of Conservation, as required by Article 3 of Chapter 1 of Division 3 of the Public Resources Code, as added by Senate Bill No. 4, to conduct any well stimulation treatment to the extent that Article 3 or DOGGR's regulations would require a WST permit as of December 13, 2016;
- 3. The County is not stayed from developing and approving procedures necessary to implement Measure Z, including, but not limited to, procedures to implement the exemption process contained in Section 6 of Measure Z, and, once procedures are developed and approved by the County, from accepting applications for and implementing the exemption process set forth in Measure Z;
- 4. This Stay shall remain in effect as provided therein or until otherwise ordered by the Court. The County may, in its discretion, elect to terminate this Stay by providing Plaintiffs/Petitioners and the Court with written notice of termination. This Stay shall be automatically lifted 180 days after the Court and the Parties receive such written notice from the County, unless, on proper motion of any affected party, the Court finds that a temporary restraining order or preliminary injunction should issue enjoining implementation and enforcement of Measure Z; and

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5. In stipulating to the Stay and seeking this Order, no Party has waived any rights with respect to any claims or defenses that may be asserted in any legal or administrative proceeding challenging the validity of Measure Z or seeking an exemption from its effect.

IT IS SO ORDERED. in 16CV003978

Dated: December 14, 2016

Judge of the Superior Court

Monterey County Superior Court

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PROOF OF SERVICE

I, Kim Niz, hereby declare as follows:

I am employed in the County of Los Angeles, State of California; I am over the age of eighteen years and am not a party to this action; my business address is located at 333 South Grand Avenue, Los Angeles, California 90071. In said County and State, on December 14, 2016, I served a true and correct copy of the following documents:

#### NOTICE OF ORDER AND STAY

on the following persons:

Gene Tanaka, Esq. Best Best & Krieger 2001 North Main Street, Suite 390 Walnut Creek, CA 94596 gene.tanaka@bbklaw.com Attorneys for Defendant COUNTY OF **MONTEREY** 

Charles McKee, Esq. County Counsel County of Monterey 168 West Alisal Street, 3rd Floor Salinas, CA 93901-2439 mckeeci@co.monterey.ca.us Attorneys for Defendant COUNTY OF

**MONTEREY** 

by the methods indicated:

- BY OVERNIGHT MAIL: I placed a true copy in a sealed envelope addressed as indicated below on attached service list, on the above-mentioned date. I am familiar with the firm's practice of collection and processing correspondence for delivery by UPS. Pursuant to that practice, envelopes placed for collection at designated locations during designated hours are delivered to UPS with a fully completed airbill, under which all delivery charges are paid by Gibson, Dunn & Crutcher LLP, that same day in the ordinary course of business.
- BY ELECTRONIC MAIL: Based on an agreement of the parties to accept electronic  $\checkmark$ service, I caused the documents to be sent to the persons at the electronic service addresses listed above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the foregoing document(s) were printed on recycled paper.

Executed at Los Angeles, California, on December 14, 2016.