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July 20, 1998

**SENT VIA U.S. MAIL AND FACSIMILE
(916) 445-0278**

Ms. Paula Higashi
Executive Director
COMMISSION ON STATE MANDATES
1300 I Street, Suite 950
Sacramento, CA 95814

Re: CSM No. 97-TC-01
City of San Diego
Code of Civil Procedure, Evidence Code, and Government Code
Chapter 7/92
Non Profit, Special Use Property Requirements

Dear Ms. Higashi:

Pursuant to California Code of Regulations section 1183.01(c), I am herewith requesting a continuance of the above-referenced hearing. A tornado struck my parents' home in Minnesota and I will be flying home to help them. At this time I am not sure how long I will be out of the State of California. Accordingly, in order to ensure that I adequately represent the needs of the City of San Diego, I respectfully request that this matter be continued until your regularly scheduled hearing on October 29, 1998. If my request is granted, then I am assuming that my rebuttal to the staff analysis would then be due at least five weeks prior to October 29, 1998, meaning the paper would be due approximately September 23, 1998.

I spoke with Mr. Don Detisch (attorney representing St. Marks Church) informing him of my need for a continuance. He indicated that he also had a conflict, so he would not object to such a continuance.

Ms. Paula Higashi

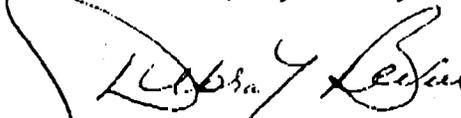
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July 20, 1998

As I will be leaving California this Wednesday (July 22nd) morning, a quick response by fax or telephone would be greatly appreciated. My direct telephone number is (619) 533-5889. Thank you for your consideration.

Sincerely yours,

CASEY GWINN, City Attorney


By Debra J. Bevier
Deputy City Attorney

DJB:djr:Civ

Enc. - Proof of Service

L:BEVIER\STMARKS\LETTERS\HIGASHI

PROOF OF SERVICE

Test Claim Name: Claim of the City of San Diego
Test Claim Number: CSM-97-TC-01 (97-238-01)
Government Code Sec.: SB 821 wherein Code of Civil Proc. Sections 1235.155 & 1263.3
Chapters: Evidence Code section 824 was added and section 823 was amended
Issue: Nonprofit, Special Use Property Requirements
Originated: 09-Sep-97

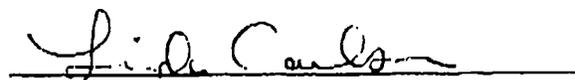
I, the undersigned, declare as follows:

I am employed in the County of San Diego, State of California, I am 18 years of age or older and not a party to the within entitled cause; my business address is 1200 Third Avenue, Suite 1100, San Diego, CA 92101.

On July 20, 1998, I served the attached **Letter to Paula Higashi, Executive Director, Requesting a Continuance of the Hearing Date** to the following state agencies and interested parties by placing a true copy thereof in a sealed envelope with first class postage fully prepaid and placing in the United States mail at San Diego, California, and to the Commission on State Mandates via Federal Express:

SEE ATTACHED MAILING LIST

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on July 20, 1998, at San Diego, California.



Linda Carlson

MAILING LIST

Chief Counsel MIC:83
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State Board of Equalizations
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Sacramento, CA 94279-0001

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Mr. William Ashby (B-8)
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Mr. Paul Minney, Interested Party
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Mr. Steve Smith, CEO, Interested Party
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