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Our File No. 38008.0006

July 10, 2025

Via Electronic Filing

Honorable Scott S. Harris
Clerk of the Supreme Court of the United States
One First Street, NE
Washington, D.C. 20543

Re: *Corrinne Thomas, et al., v. County of Humboldt, California, et al.*,
Case No. 24-1180
Request to Lodge Non-Record Materials

Dear Mr. Harris,

Under Rule 32.3 of the Rules of the Supreme Court, counsel for Respondent County of Humboldt proposes to lodge this material relevant to the pending petition for certiorari in the case identified above:

1. A July 8, 2025 Humboldt County Board of Supervisors meeting staff report, regarding an ordinance amending Title III, Division 5, Chapter 2 of the Humboldt County Code.
2. The ordinance with code amendments, which the Board of Supervisors unanimously adopted on July 8, 2025 and which takes effect in 30 days.

These documents total 35 pages and demonstrate the County's amended code addresses the issues Petitioners raised in their operative pleading in the trial court. The amended ordinance clarifies when administrative fines accrue, caps fines, provides for tolling during remediation of property, limits liability to a responsible party's own conduct, allows for the issuance of permits for remedial work, and sets a deadline for hearings. These amendments may moot Petitioners' claims, or at the very least, narrow

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the issues. The Court may appropriately consider these changes when deciding whether to grant certiorari.

These documents are judicially noticeable under Federal Rule of Civil Procedure 201(b), as their contents are “not subject to reasonable dispute because ... [they] can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” The staff report and ordinance was discussed during the County Board of Supervisors’ public meeting on July 8, 2025, and they are published to the County website at < <https://humboldt.legistar.com/View.ashx?M=A&ID=1267808&GUID=4A0BBB1C-C749-4499-B28D-0BBA8766F680> > (as of July 8, 2025). This was item 9 on the agenda.

The Court may notice “records and reports of administrative bodies,” including the reports generated and relied on by municipal legislative bodies. *Barron v. Reich*, 13 F.3d 1370, 1377 (9th Cir. 1994); *Apartment Ass’n of Los Angeles County, Inc. v. City of Los Angeles*, 10 F.4th 905, 910, fn. 2 (9th Cir. 2021). Federal courts regularly notice local government meeting materials, especially when posted to a website. *E.g.*, *Tyler v. City of Kingston*, 74 F.4th 57, 62 (2d Cir. 2023). Courts also notice legislative history and materials prepared by government agencies. *E.g.*, *Aramark Facility Servs. v. SEIU, Local 1877*, 530 F.3d 817, 826 n.4 (9th Cir. 2008). Municipal ordinances and codes are appropriate records for judicial notice, too. *Tollis, Inc. v. Cty. of San Diego*, 505 F.3d 935, 938 n. 1 (9th Cir. 2007).

Under Rule 32.3, the material proposed to be lodged will not be submitted until and unless requested. This letter has also been sent to counsel of record for Petitioners Corrine Morgan Thomas and Doug Thomas, Blu Graham, Rhonda Olson, and Cyro Glad.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Michael G. Colantuono', with a stylized flourish at the end.

Michael G. Colantuono

MGC:MCS

c: Robert Johnson, Esq.
Jared McClain, Esq.

PROOF OF SERVICE

Thomas v. Humboldt

USDC CA Northern District Case No. 1:22-cv-05725-RMI

Supreme Court of the United States Case No. Case No. 24-1180

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 790 East Colorado Boulevard, Suite 850, Pasadena, California 91101-2109.

On July 10, 2025, I served true copies of the following document(s) described as **REQUEST TO LODGE NON-RECORD MATERIALS** on the interested parties in this action as follows:

BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on July 10, 2025, at Pasadena, California.



Christina M. Rothwell