

ZACKS, FREEDMAN & PATTERSON

A PROFESSIONAL CORPORATION

Clerk of Court
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

March 8, 2023

Re: No. 22-739, *Kagan et al. v. City of Los Angeles et al.*
Rule 32.3 Letter of Amici Curiae San Francisco Apartment Association and
California Apartment Association

To the Honorable Court:

Pursuant to Supreme Court Rule 32.3, Amici Curiae San Francisco Apartment Association and California Apartment Association respectfully request the Court permit Amici Curiae to lodge the following non-record material with the Court cited in Amici Curiae's brief in support of Petitioners' Petition ("Amici Curiae's Brief"):

1. *California Apartment Association v. Alameda Cnty.*, No. 3:22-cv-02705-LB, 2022 WL 17169833, (N.D. Cal. Nov. 22, 2022), Complaint for Damages, Injunctive, and Declaratory Relief; Petition for Writ of Mandate, Filed May 5, 2022.
2. *Williams v. Alameda Cnty.*, No. 3:22-CV-01274-LB, 2022 WL 17169833, (N.D. Cal. Nov. 22, 2022), Complaint for Damages; Petition for Writ and Request for Immediate Stay, Filed March 1, 2022.

These complaints may be properly considered by the Court because, as detailed in Amici Curiae's Brief, lower courts' misinterpretation of *Yee v. City of Escondido* 530 U.S. 519 (1992) has resulted in continued substantial detriment to California housing providers, examples of which are set forth in these complaints.

Respectfully submitted,

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