

DISTRIBUTED
NOV 17 1981

FILE COPY

No. 89, Original

Office-Supreme Court, U.S.
FILED

NOV 17 1981

ALEXANDER L. STEVAS,
CLERK

In the Supreme Court

OF THE

United States

OCTOBER TERM, 1981

STATE OF CALIFORNIA ex rel.
STATE LANDS COMMISSION,
Plaintiff,

vs.

UNITED STATES OF AMERICA,
Defendant.

On Bill of Complaint

**MEMORANDUM FOR THE STATE OF CALIFORNIA
EX REL. STATE LANDS COMMISSION IN
OPPOSITION TO UNITED STATES' MOTION
FOR JUDGMENT ON THE PLEADINGS**

GEORGE DEUKMEJIAN

Attorney General of the State of California

N. GREGORY TAYLOR

Assistant Attorney General

DENNIS M. EAGAN

BRUCE S. FLUSHMAN

(Counsel of Record)

PATRICIA SHEEHAN PETERSON

Deputy Attorneys General

6000 State Building

San Francisco, CA 94102

Telephone: (415) 557-1152

Attorneys for Plaintiff

No. 89, Original

In the Supreme Court

OF THE

United States

OCTOBER TERM, 1981

STATE OF CALIFORNIA ex rel.
STATE LANDS COMMISSION,
Plaintiff,

vs.

UNITED STATES OF AMERICA,
Defendant.

On Bill of Complaint

**MEMORANDUM FOR THE STATE OF CALIFORNIA
EX REL. STATE LANDS COMMISSION IN
OPPOSITION TO UNITED STATES' MOTION
FOR JUDGMENT ON THE PLEADINGS**

The State of California ex rel. State Lands Commission ("California") agrees that there is no disputed issue between the United States and California as to any material fact. California submits, however, that the facts alleged in the Complaint and admitted in the Answer, and the facts of which judicial notice has been requested entitle California as a matter of law to judgment as prayed for in its Complaint. On such basis, California submits that the motion

of the United States for judgment on the pleadings must be denied and requests that the Court set down this motion for argument in due course and invite the parties to file briefs in support of their respective positions.

Dated: November 18, 1981

GEORGE DEUKMEJIAN

Attorney General of the State of California

N. GREGORY TAYLOR

Assistant Attorney General

DENNIS M. EAGAN

BRUCE S. FLUSHMAN

(Counsel of Record)

PATRICIA SHEEHAN PETERSON

Deputy Attorneys General

By

BRUCE S. FLUSHMAN

Deputy Attorney General

