



Ken Stone <kens@timesofsandiego.com>

Response to March 2 article

Dolan, Jill <jdolan@mtsac.edu>
To: "kens@timesofsandiego.com" <kens@timesofsandiego.com>

Wed, Mar 14, 2018 at 9:30 AM

Mr. Stone,

On behalf of Mt. San Antonio College, I am writing to address several misrepresentations and inaccuracies included in your story ("Mt. SAC on track to lose Olympic Trials? Lawsuits pose major hurdles" March 2, 2018) and provide a more complete and truthful picture of the recent legal proceedings.

You wrote that on Feb. 21, 2018, a judge issued a tentative ruling aimed at halting grading on the stadium project. This is not true. He did not issue a ruling. Following arguments from Mt. SAC's counsel and the attorney for the City of Walnut, the judge decided his earlier tentative decision was wrong, and asked for additional review on the issue of showing of harm. The judge stated it was unlikely the City could rely on a presumption of harm and wanted to review the issue of harm more closely, but in the meantime, he allowed our grading to continue.

Contrary to claims by Mr. McClendon, we have not ignored City orders to stop grading. The city decided to attack Mt. SAC's project by treating the Stadium as a non-educational facility and stall construction. The judge ruled, however, that the Stadium is an educational facility and did not grant the City's request on January 3, 2018 to stop the project based on the City's previous four stop-work orders. I have attached the judge's January 3, 2018 order denying the City's application to stop our grading. The judge did limit the days and hours Mt. SAC may engage in truck hauling, and Mt. SAC has not objected to this limitation.

Mr. McClendon further distorts recent legal proceedings by claiming Mt. SAC's attorney, Sean Absher, would agree to a stop-work order. This is false. Mr. Absher did not make any such statement.

Craig Sherman, attorney for the United Walnut Taxpayers (UWT), claims the Physical Education project was not specified in the voter-approved 2008 Measure RR bond. This is not true. His previous efforts on January 12, 2018 to prevent Mt. SAC from using bond funds for the stadium project have failed. The judge entered an order finding that the taxpayer group "has not persuaded this court that there is a reasonable probability that the plaintiff will prevail on the merits at trial." In simpler terms, Mt. SAC would win; United Walnut Taxpayers and Mr. Sherman would lose. I have attached a copy of the judge's January 12, 2018 order.

Your piece also includes an outrageous claim, based on unsubstantiated speculation by Mr. McClendon and a hunch of Mr. Sherman's, that Mt. SAC broke laws and withheld information to win the Olympic Trials bid. These statements are false, deliberately deceitful and irresponsible on your part, as well as Mr. McClendon's and Mr. Sherman's.

It is unfortunate that the lawsuits have cast a pall over the stadium construction and the Trials. We, however, choose to focus on the real task at hand: standing by our commitment to USA Track & Field, the local organizing committee, and the world's athletes to host a first-class and successful Olympic Trials in 2020.

Jill Dolan

2 attachments

 **Court's Order Dated 01-12-18 DENYING UWT's Ex Parte App for TRO.pdf**
598K

 **City.TRO Order Final.signed.pdf**
984K