the amount of $10,829.84. Defendant filed an Answer in which Defendant generally denied each statement in the Complaint and asserted no affirmative defenses. After the case was filed, Plaintiff propounded Requests for Admission to Defendant, which were deemed admitted. The September 21, 2026 Order includes admissions that Defendant applied for the credit card, received the customer agreement and card, used the card and agreed to be bound by the agreement, agreed to pay U.S. Bank and it successors for charges and interest, Defendant used the card to purchase goods or obtain cash advances, received monthly statements, did not sent written notes of any disputes, and that all payments made were applied to the account. Defendant also admitted that Defendant is the sole owner of the debt and that Defendant did not cancel the card or report it lost or stolen. Finally, Defendant admitted that every statement or allegation contained in the Complaint is true and correct.

Plaintiff properly pleaded a breach of contract cause of action. While Defendant generally denied each allegation in her Answer, no affirmative defenses were pleaded and the September 21, 2026 Order that the Court took judicial notice of includes Defendant admitting that every allegation in the Complaint is true.

The motion is **GRANTED**. Judgment will be in favor of Plaintiff in the amount of $10,829.84. The Court notes that costs were included in the proposed Judgment. However, costs were not specifically requested in the Notice of Motion and will not be awarded at this time. The Court further notes that a Memorandum of Costs was filed on September 28, 2026 and directs the clerks to proceed per the normal course. A proposed Order and proposed Judgment were lodged with the Court. Both will be modified to reflect the Court's final ruling. The trial date of March 29, 2027 is vacated and the file will be closed when Judgment is entered.

THE PEOPLE OF THE STATE OF CALIFORNIA, ET AL. VS. COUNTY OF SHASTA, ET AL.
CASE NUMBER: 26CV-0211092
Tentative Ruling on Motion for Judgment on the Pleadings: Petitioners the People of the State of California, by and through Rob Bonta, Attorney General of the State of California and Shirley N. Weber, Ph.D., in her official capacity as California Secretary of State move for judgment on the pleadings pursuant to Code of Civil Procedure section 438 on the grounds that Measure B violates state law, both because it exceeds the County's authority under the California Constitution, and because it is preempted by state laws.

Petitioners have satisfied the meet and confer requirement pursuant to CCP § 439. Real Parties in Interest Laura Hobbs, Deidre Holliday, Kari Chilson, Jim Burnett, and Richard Gallardo oppose the Motion. Respondents County of Shasta and Clint Curtis, in his official capacity as Shasta County Clerk and Registrar of Voters take no position on the Motion.

I. Background

Measure B was approved by Shasta County voters in the June 2, 2026 primary election. Measure B is an amendment to the County's charter, that purports to make certain changes to the County's election processes. The People of the State of California's June 30, 2026 Petition for Writ of Mandate argues that Measure B exceeds Shasta County's authority and is unconstitutional. The Petition seeks the following relief:

1. Writ of mandate invalidating Measure B and directing Respondents to cease implementation or enforcement of Measure B, and directing Respondents to undo any steps taken to implement or enforce it;
2. Preliminary and permanent injunctive relief barring implementation or enforcement of Measure B, and requiring Respondents to undo any steps taken to implement or enforce it;
3. A declaration that Measure B violates and is preempted by California law;
4. Costs and attorney fees.

On August 7, 2026 this Court granted Petitioner's Motion for Preliminary Injunction, finding a high likelihood of success on the merits and a balance of harms favoring Petitioners. Proponents appealed and petitioned for a writ of supersedeas, arguing that the injunction was overbroad and that a "severed" version should take immediate effect. On August 27, the Court of Appeal denied the petition, leaving the injunction in place.

II. Requests for Judicial Notice and Objections

Both parties have requested the Court take judicial notice of ballot materials, legislative enactments, and records of this court and the appellate court. The requests are GRANTED pursuant to Evidence Code sections 452 and 453.

Real Parties in Interest have filed Evidentiary Objections and Objections to Requests for Judicial Notice. Objections 1-7, 9, and 10 are OVERRULED. Objection 8 is SUSTAINED.

III. Standard on Motion for Judgment on the Pleadings

Code Civ. Proc. § 438(c)(1)(A) provides a plaintiff may move for judgment on the pleadings if the complaint states sufficient facts to constitute a cause of action and the answer does not state facts sufficient to constitute a defense to the complaint. The grounds for the motion shall appear on the face of the challenged pleading or from any other matter of which the court may take judicial notice. CCP § 438(d). A motion for judgment on the pleadings has the same function as a general demurrer but is made after the time for demurrer has expired. Except as provided by CCP § 438, the rules governing demurrers apply. *Cloud v. Northrop Grumman Corp*. (1998) 67 CA4th 995, 999.

IV. Merits of Petitioner's Motion

Petitioners argue that Measure B exceeds the County's authority and is preempted by state and local law. Petitioners also argue that Elections Code section 15270 and 19207.5 are not unconstitutional. Finally, Petitioners argue that no part of Measure B can be saved by severance. Petitioners seek declaratory, mandamus and injunctive relief.

A. Authority of the County Based on Charter Status

Under the California Constitution, a county may adopt a charter "for its own government." (Cal. Const. art. XI, §3, subd.(a).) Charter status conveys with it a certain level of self-government or "home rule", defined as "the right of the populace of a local area to create… their own local governments, define its powers, describe the boundaries within which it is to exist, and prevent interference by the state government with what they have created". (*Younger v. Bd. of Supervisors* (1979) 93 Cal.App.3d 864, 869.) Shasta County is a charter county.

A charter county's power to legislate is not without limit, however. While an additional level of local control is afforded by virtue of charter status, that status comes "with the limitation that anything in the charters, so authorized, shall be consistent with the Constitution and shall relate only to matters authorized by that fundamental law." (*Id.* at 869-870.)

Each of this state's 58 counties is a political subdivision of the state. (Cal. Const. art. XI, §1, subd. (a).) As such, they only possess the legislative authority expressly given them by the Constitution and state law. (*Id.*). It is therefore axiomatic that, to the extent a charter county seeks to legislate beyond its authority, any such legislation is invalid.

Charter status is available to both cities and counties under California law. The powers and authority of each are separately set forth in sections 4 (county charter) and 5 (city charter) of Article XI of the Constitution. While cities may provide for "the conduct of city elections", no such parallel permission is given to charter counties in section 4.

This distinction was pointed out in *County of Sacramento v. Fair Political Practices Com* (1990) 222 Cal.App.3d 687, in which Sacramento County (a charter county) sought to amend its charter to allow for partial public financing of county election contests. In holding that such an action was beyond the authority of a charter county, the court of appeal explained: "[c]harter counties have only such legislative authority as has been expressly conferred by the Constitution and laws of the state. If these sources are silent as to the delegation of authority, the authority remains with the Legislature. Matters expressly placed within the scope of a charter county's authority by article XI, section 4, include, *inter alia*, the composition of the governing body and the compensation, terms and removal of its members and other county officers. Article XI, section 4, does not expressly authorize a county charter to provide for the conduct of elections." (*Id.* at 690, internal citations omitted.)

Measure B seeks to add an amendment to the Shasta County Charter that changes how elections are conducted in this county. The law is clear that such an amendment is beyond Respondents' authority as a charter county under the state constitution.

B. General Principles of State Law Preemption in Elections

As explained above, charter cities and charter counties have differing levels of authority under the Constitution. Whereas certain limited powers are given to charter cities for conduct of city elections, the Constitution provides for no such authority to charter counties. Whether city or county, a charter jurisdiction's authority to enact legislation is not unlimited. (*Jauregui v. City of Palmdale* (2014) 226 Cal.App.4th 781, 795; *County of Sacramento, supra*.)

In the context of a charter city's legislative action, our Supreme Court has set forth a four-step analysis to determine whether contradiction of a state statute is permitted as part of a charter jurisdiction's right to home rule.

> "First, a court must determine whether the city ordinance at issue regulates an activity that can be characterized as a 'municipal affair.' Second, the court 'must satisfy itself that the case presents an actual conflict between [local and state law].' Third, the court must decide whether the state law addresses a matter of 'statewide concern.' Finally, the court must determine whether the law is 'reasonably related to … resolution' of that concern and 'narrowly tailored' to avoid unnecessary interference in local governance. "If … the court is persuaded that the subject of the state statute is one of statewide concern and that the statute is reasonably related to its resolution [and not unduly broad in its sweep], then the conflicting charter city measure ceases to be a 'municipal affair' pro tanto and the Legislature is not prohibited by article XI, section 5(a), from addressing the statewide dimension by its own tailored enactments."

(*State Bldg. & Construction Trades Council of Cal. v. City of Vista* (2012) 54 Cal.4th 547, 556; quoting *California Fed. Savings & Loan Assn. v. City of Los Angeles* (1991) 54 Cal.3d 1, 12.)

Since the authority of a charter city is broader than that afforded to a charter county, it necessarily follows that the same analysis should apply when charter county legislation is being challenged. (*San Bernardino County Bd. of Supervisors v. Monell* (2023), 91 Cal.App.5th 1248, 1275, fn 6.)

Our supreme court has made it clear that "the integrity of the electoral process, at both the state and local level, is undoubtedly a statewide concern." (*Johnson v. Bradley* (1992) 4 Cal.4th 389, 409.) Such matters of statewide concern are better delegated to the Legislature in order to ensure uniformity of the laws throughout the state and the laws' equal application to all Californians.

The challenged provisions of Measure B clearly address matters of statewide concern in that they seek to make fundamental changes to the way elections are conducted in Shasta County. To the extent that these proposed changes are in conflict with state law, they are therefore preempted.

1. Measure B's Photo ID Provisions

Measure B mandates that individuals use "a government-issued photo ID" when registering to vote and also when voting.

State law sets forth a detailed scheme for Californians to establish their eligibility to vote, register to vote, and exercise their right to vote. This system provides for various checks on a person's eligibility to vote. These checks are designed to ensure that only those persons who are eligible to vote can vote, while simultaneously preserving the right to vote to all eligible persons.

Notably, there exists nowhere in the Elections Code a requirement similar to the voter identification requirement in Measure B. In fact, state law expressly prohibits the type of voter identification requirement mandated by Measure B. Section 10005 of the Elections Code provides that "a local government shall not enact or enforce any charter provision, ordinance, or regulation requiring a person to present identification for the purpose of voting or submitting a ballot…"

Recently, the Court of Appeal for the Fourth Appellate District had occasion to interpret section 10005 in light of a charter city ordinance mandating voter identification. In their ruling, that court found the ordinance illegal, ruling that "[p]ermitting the City to make its own rules, in violation of the state Elections Code, would upset the state's delicate balance and could impugn the integrity of the City's elections." (*People ex rel. Bonta v. City of Huntington Beach* (2025) 115 Cal.App.5th 962, 971.)

What was true for the City of Huntington Beach is true for Shasta County. The voter identification provisions of Measure B improperly infringe on the state's interest in ensuring access to voting for all qualified individuals. As was pointed out in *Huntington Beach*, "each additional barrier to voting, even if facially neutral, has the well-documented effect of discouraging certain voters- voters who are fully qualified and authorized to vote- from participating in the political process." (*Id.*) In enacting section 10005 and other related provisions of the Elections Code, the Legislature addressed a matter of statewide concern which requires statewide uniform application.

The voter identification provisions of Measure B are in clear conflict with state law in an area that addresses a matter of statewide concern. These provisions are therefore preempted by state law.

2. Measure B's Provisions for In-Person, Election Day Voting

Petitioners also challenge those portions of Measure B that seek to limit voting in elections to one-day with significant limitations on absentee voting.

Each of these provisions is in direct contradiction to existing state law. State law provides that all registered voters are eligible to vote by mail (Elec. Code § 3003). State law provides that ballots are to be mailed to all eligible voters and that all eligible voters may return their ballot by mail. (Elec. Code §§ 3000.5, 3016.7.) The law also specifically requires an early voting location prior to election day. (Elec. Code § 3016.3.)

Because the Legislature has already spoken on this issue of statewide concern, Shasta County is preempted from enacting legislation contrary to the existing law. These provisions of Measure B are clearly preempted by state law.

3. Measure B's Hand Counting Provisions

Measure B also seeks to mandate that the ballots be "hand-counted at the precincts" and that these hand-counted results "will be used for the official canvass of Shasta County."

Once again, these provisions are in direct conflict with existing state law.

Specifically, section 19207.5(a)(2) of the Elections Code requires that elections officials use a certified "voting machine" or "voting system" to tabulate votes.

Section 19207.5 was enacted at the same time as section 15270.1, which specified that "an elections official shall not conduct a manual vote count in any election unless than manual count is conducted pursuant to a plan adopted by the Secretary of State." (Elec. Code § 15270.1(a).)

In enacting these provisions, the Legislature was addressing the integrity of election results, which is clearly a matter of statewide concern. Because Measure B's hand counting provisions conflict with existing state law, they are therefore preempted and invalid.

Regarding the hand-counting provisions, in this motion Proponents additionally argue that Elections Code 19207.5 and 15270 are unconstitutional on the grounds that they are prohibited special legislation and violate the Equal Protection Clause.

Cal. Const., art. IV, § 16(b) provides that a local or special statute is invalid in any case if a general statute can be made applicable. A special statute "applies only to particular members of a class, in contrast to 'general' legislation, which applies uniformly to all members of a class. (*City of Malibu v. California Coastal Com.* (2004) 121 Cal.App.4th 989, 993.) Assembly Bill no. 969 applies uniformly to counties throughout the state; it is not specific to Shasta County. The legislation is therefore general, not special, and article IV, section 16(b) is not implicated.

Proponents Equal Protection challenge on the hand-counting provisions is resolvable on a motion for judgment on the pleadings. "Whether a statute or regulation is rational is, as a general rule, a legal question for the courts to resolve, not a factual question requiring an evidentiary hearing. In conducting rational-basis equal protection analysis, a legislative choice is not subject to courtroom factfinding and may be based on rational speculation unsupported by evidence or empirical data." *In re Jenkins* (2010) 50 Cal.4th 1167, 1181. Here, the Legislature reasonably restricted hand counts to small elections in order to protect accuracy and timeliness of election results. "Absent an arbitrary or unreasonable delineation, it is not the prerogative of the courts to second-guess the legislative decision." *Ewing v. City of Carmel-By-The-Sea* (1991) 234 Cal.App.3d 1579, 1593. Sections 19207.5 and 15270 do not violate the Equal Protection Clause.

4. Measure B's Provisions for Independent County Voter Registration System and Voter Rolls

Measure B also seeks to cut ties with the state's voter registration system by creating a new voter roll "maintained on a computer not connected to the State of California nor any third party." This voter roll is also to be kept "clean" by periodically cancelling registrations for certain voters at the discretion of the elections official. The

measure also prohibits "third party and DMV voter registrations" from being added to Shasta County's rolls unless they are "verified for eligibility."
These provisions are directly in conflict with existing state law.

Section 2168 of the Elections Code mandates the secretary of state to "establish and maintain a statewide system to facilitate the reporting of election results and voter and candidate information, and to otherwise administer and enhance election administration." This provision is in place to ensure compliance with the federal requirements of the Help America Vote Act (52 U.S.C. § 20901, *et seq*.)

State law also already addresses eligibility to vote, cancellation of voter registration, and the processing of voter registration applications.

These are matters of statewide concern that are appropriately addressed through a uniform statewide system of statutes and regulations. Measure B's provisions for an independent county voter registration system and voter roll are preempted and invalid.

C. Severance

Real Parties in Interest argue that, even if certain provisions of Measure B are preempted by existing state law, this Court should issue a limited order and sever the preempted provisions from those portions of the measure not challenged by Petitioners. Petitioners argue that no part of Measure B can be saved by severance.

"When part of a local ordinance is preempted or otherwise invalid, local officials may enforce the remainder of the ordinance if the preempted or invalid part can be severed." (*People v. Nguyen* (2014) 222 Cal.App.4th 1168, 1191.) Severability can be grammatical, functional, or volitional. (*Id.*)

Functional severability exists when the invalid portion of a measure is not necessary to the measure's operation and purpose. (*Jevne v. Superior Court* (2005) 35 Cal.4th 935, 961.)
A measure is volitionally severable if the invalid part "was not of critical importance to the measure's enactment." (*Id.*) In the case of a voter-approved initiative such as the one at issue here, "the volitional requirement concerns whether the voters would have adopted the initiative without the invalid provisions." (*Alameda County Taxpayers' Assn. v. City of Oakland* (2026) 118 Cal.App.5th 1264, 1277.)

While the text of Measure B does address issues other than the four main areas preempted by state law, these areas are inextricably linked to the portions which the Court has determined are invalid. For example, the portions of Measure B that deal with the makeup, identification, and compensation of counting teams are connected directly to the invalid provisions for hand counting. Similarly, the provisions for paper pollbooks are directly related to the invalid process for creating a voter registration system not connected to the State of California. It is simply not possible to functionally sever the provisions of Measure B without the Court turning Measure B into a statute wholly divorced from what the voters approved.

Nor is Measure B volitionally severable. The invalid portions were prominently featured in the ballot arguments. Indeed, the four bullet points presented by the proponents as the official "Argument in Favor of Measure B" directly correspond to the four areas the Court has found are preempted by state law. It strains credulity to believe that Measure B would have passed on the strength of its paper pollbook and bipartisan counting team provisions alone, absent voter ID, one-day elections, and offline voter rolls.

The Court finds that the unchallenged portions of Measure B are not severable from the provisions which are preempted by state law.

D. Laches and Judicial Estoppel

Finally, Proponents contend that the Court cannot resolve their affirmative defense of laches on the pleadings. Laches requires unreasonable delay in bringing suit plus either acquiescence in the challenged act or prejudice to the defendant resulting from the delay. *Miller v. Eisenhower* Medical Center, 27 Cal. 3d 614, 624 (1980). Proponents argue that Petitioners unreasonably waited until after Measure B had passed to challenge it, rather than bringing their Petition prior to the election.

This argument is barred by judicial estoppel. "Judicial estoppel precludes a party from gaining an advantage by taking one position, and then seeking a second advantage by taking an incompatible position. [Citations.] The doctrine's dual goals are to maintain the integrity of the judicial system and to protect parties from opponents' unfair strategies. [Citation.] Application of the doctrine is discretionary."' [Citation.] The doctrine applies when '(1) the same party has taken two positions; (2) the positions were taken in judicial or quasi-judicial administrative proceedings; (3) the party was successful in asserting the first position (i.e., the tribunal adopted the position or accepted it as true); (4) the two positions are totally inconsistent; and (5) the first position was not taken as a result of ignorance, fraud, or mistake.'" *Vaghashia v. Vaghashia* (2024) 106 Cal.App.5th 188, 195.

Proponents successfully argued that the validity of Measure B was not ripe for review prior to the election, in *Katske v. Shasta County Board of Supervisors* (Mar. 26, 2026, 26CV-0209919). Therefore, judicial estoppel applies to defeat the affirmative defense of laches in this action.

V. Conclusion

Measure B seeks to address the integrity of the electoral process by enacting provisions that are wholly contrary to existing state law. The regulation and administration of the electoral process is a matter of statewide concern, and Shasta County's status as a charter county does not entitle it to enact invalid legislation simply because some in this community do not agree with the existing law.

Petitioners are entitled to declaratory, mandamus, and injunctive relief. The Motion for Judgment on the Pleadings is **GRANTED** without leave to amend. The proposed order will be executed.

KATSKE VS. SHASTA COUNTY BOARD OF SUPERVISORS, ET AL.
CASE NUMBER: 26CV-0209919

Tentative Ruling on Motion for Attorney Fees: Intervenors Laura Hobbs, Deidre Holliday, Kari Chilson, Jim Burnett and Richard Gallardo ("Intervenors") move for an order awarding attorney fees pursuant to Code of Civil Procedure section 1021.5. Intervenors request an award of $123,445 jointly and severally against Petitioner Jennifer Katske ("Petitioner") and Respondents Shasta County Board of Supervisors and Clint Curtis, in his official capacity as Shasta County Registrar of Voters ("Respondents"). The motion is opposed.

Request for Judicial Notice. Intervenors request the Court take judicial notice of the Shasta County Board of Supervisors Summary of Proceedings for the public meeting held on June 16, 2026 attached as Exhibit A. The request is granted.

Background. Petitioner initiated these proceedings on February 17, 2026 with the filing of a "Verified Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief." Petitioner sought declaratory and injunctive relief to bar Respondents from placing the "Shasta County Voder ID, Hand-Counted Ballots, and Absentee Voting Limits Initiative" on the June 2, 2026 Shasta County ballot. Petitioner contended that certain provisions of the Initiative violated California law. On March 5, 2026, the Court granted leave for the Intervenors to enter the case.