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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

PACIFIC MEDIA WORKERS GUILD; ANGEL
JOSE FLORES; JULISSA RUIZ RAMIREZ;
ALYSSA LEIVA;

Plaintiffs,

vs.

CITY OF MODESTO, BRANDON
GILLESPIE, in his official capacity as Modesto
Chief of Police,

Defendants.

CASE NO. 2:26-CV-01623-JAM-CKD

**PLAINTIFFS' REQUEST FOR
JUDICIAL NOTICE IN SUPPORT OF
MOTION FOR PRELIMINARY
INJUNCTION**

Judge: Hon. John A. Mendez
Courtroom: 6, 14th Floor
Date: June 16th, 2026
Time: 1:00 p.m.

PLAINTIFFS' REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION
CASE NO. 2:26-CV-01623-JAM-CKD

REQUEST FOR JUDICIAL NOTICE

In connection with the Motion for Preliminary Injunction, Plaintiffs Pacific Media Workers Guild, Angel Jose Flores, Julissa Ruiz Ramirez, and Alyssa Leiva (collectively, “Plaintiffs”) respectfully request that the Court take judicial notice of the following official documents:

<u>Exhibit No.:</u>	<u>RJN No.:</u>	<u>Description:</u>
Exhibit A	0001-0010	City of Modesto Ordinance No. 3701-C.S., dated Aug. 13, 2019
Exhibit B	0011-0018	Transcript of August 13, 2019 Modesto City Council Meeting
Exhibit C	0019-0028	City of Modesto Ordinance No. 3735-C.S., dated Aug. 10, 2021
Exhibit D	0029-0033	City of Modesto, Council Agenda Report, dated June 23, 2021
Exhibit E	0034-0044	Transcript of August 10, 2021 Modesto City Council Meeting
Exhibit F	0045-0094	City of Modesto, Council Agenda Report, dated November 25, 2025
Exhibit G	0095-0115	Transcript of December 2, 2025 Modesto City Council Meeting
Exhibit H	0116-0126	City of Modesto Ordinance No. 3805-C.S., dated Jan. 6, 2026
Exhibit I	0127-0129	City of Modesto, Municode Library, Municipal Code 4-23.02
Exhibit J	0130-0139	Assembly Public Safety Committee Analysis, California Senate Bill No. 98

LEGAL STANDARD

A court may take judicial notice of an “adjudicative fact” as well as other facts not subject to reasonable dispute because they are either “generally known within the trial court’s territorial jurisdiction” or “can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b); *Lee v. City of Los Angeles*, 250 F.3d 668, 689-690 (9th Cir. 2001). Courts in this district regularly grant judicial notice of matters of public record. *See California Rental Hous. Ass’n v. Newsom*, No. 2:21-CV-01394-JAM-JDP, 2022 WL 7099722, at *2 (E.D. Cal. Oct. 12, 2022), *aff’d* No. 22-16675, 2024 WL 277459 (9th Cir. Jan. 25, 2024); *Givens v. Newsom*, 629 F. Supp. 3d 1020, 1024 (E.D. Cal. 2022).

ANALYSIS¹

I. Municipal Ordinances

The Ninth Circuit has held that “[m]unicipal ordinances are proper subjects for judicial notice.” *Tollis, Inc. v. Cnty. of San Diego*, 505 F.3d 935, 938 n.1 (9th Cir. 2007); *see, e.g., Long Beach Area Peace Network v. City of Long Beach*, 574 F.3d 1011, 1025 n.1 (9th Cir. 2009); *Santa Monica Food Not Bombs v. City of Santa Monica*, 450 F.3d 1022, 1025 n.2 (9th Cir. 2006). Courts in this district have similarly granted requests for judicial notice of municipal ordinances. *See Butcher v. City of Marysville*, No. 2:18-CV-02765-JAM-CKD, 2019 WL 918203, at *3 (E.D. Cal. Feb. 25, 2019). That is because municipal code provisions are public records that are “‘not subject to reasonable dispute’ and ‘can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.’” *Castro v. Cnty. Of Los Angeles*, 833 F.3d 1060, 1077 n.11 (9th Cir. 2016) (quoting Fed. R. Evid. 201(b)(2)); *see also Hogan v. City of Rocklin*, No. 2:24-CV-03566-JAM-SCR, 2025 WL 707597, at *1 (E.D. Cal. Mar. 5, 2025) (judicially noticing sections of municipal code as a matter of public record).

Accordingly, the Court may properly take judicial notice of the current Modesto Municipal Code, entitled “Restrictions on Use of Specified Items During Public Assembly,” as amended by Ordinance No. 3805-C.S. (Exhibit H), as well as prior versions of the Ordinance as amended by No. 3735-C.S. (Exhibit C), and No. 3701-C.S. (Exhibit A). Judicial Notice is appropriate because these materials are legislative enactments that are not reasonably subject to dispute. The same is true of the Ordinance available on Municode Library, a platform used by the City of Modesto to publish its codified ordinances (Exhibit I).

¹ Plaintiffs offer transcripts of City Council meetings for the Court’s convenience. The transcripts subject to this Request for Judicial Notice were prepared by a certified court reporter, who transcribed the specific City Council meetings from the City’s publicly available video recordings of those meetings. *See Decl. of Dylan Verner-Crist in Supp. of Mot. for Prelim. Inj.*, ¶¶ 4-5; *see also id.*, ¶ 3 (explaining Modesto’s official public website and materials linked thereto).

II. Meeting Minutes, Transcripts, Agenda Reports and Other Legislative History

Judicial notice is also proper for the minutes of official government meetings, meeting transcripts, and agenda reports discussing the adoption of ordinances or other enactments whose “accuracy is not in dispute.” *Vincent v. City of California City*, No. 1:18-CV-00549-LJO-JLT, 2018 WL 3524621, at *3 (E.D. Cal. July 20, 2018).

In particular, city council meetings, including transcripts and video records, are properly considered public records for the purpose of judicial notice. *See Insight Psychology & Addiction, Inc. v. City of Costa Mesa*, 801 F. Supp. 3d 942, 954 (C.D. Cal. 2025). Courts routinely grant requests for judicial notice of local city council minutes and agendas when their authenticity and accuracy are undisputed. *See Barich v. City of Cotati*, No. 21-CV-00034-EMC, 2022 WL 17551983, at *4 (N.D. Cal. Dec. 9, 2022); *Brown v. City of Los Angeles*, No. 5:25-CV-01215-SRM-JDE, 2025 WL 3158107, at *3 (C.D. Cal. Oct. 8, 2025), *report & recommendation adopted*, No. 5:25-CV-01215-SRM-JDE, 2025 WL 3645155 (C.D. Cal. Dec. 12, 2025).

Courts also routinely grant requests for judicial notice of legislative history records, such as committee reports, bill analyses, and other official documents produced as part of the legislative process. *See Stone v. Sysco Corp.*, No. 16-CV-01145-DAD-JLT, 2016 WL 6582598, at *4 (E.D. Cal. Nov. 7, 2016) (citing *Ass’n des Eleveurs de Canards et d’Oies du Quebec v. Harris*, 729 F.3d 937, 945 n.2 (9th Cir. 2013)) (granting request for judicial notice of legislative history, “including committee reports”).

Accordingly, the Court may properly take judicial notice of City Council materials concerning discussions and adoption of the Ordinance and amendments, including the agendas and agenda reports attached as Exhibits D and F. These materials are official public records created and maintained by the City of Modesto and are therefore appropriate subjects of judicial notice. The Court may likewise take judicial notice of the legislative history of California Senate Bill 98 attached as Exhibit J, which constitutes official legislative materials. Finally, the Court may take judicial notice of the video recordings of the Modesto City Council meetings that considered and took actions related to the Ordinance, including transcripts of those meetings

1 attached as Exhibit B, E, and G. These recordings and transcripts are derived from official
2 government proceedings.

3 **CONCLUSION**

4 For the foregoing reasons, Plaintiffs request that the Court take judicial notice of
5 **Exhibits A-J** attached hereto.

6 Date: May 14, 2026

Respectfully Submitted,

7 AMERICAN CIVIL LIBERTIES UNION
8 FOUNDATION OF NORTHERN
CALIFORNIA, INC.

9 /s/ Chessie Thacher

10 Chessie Thacher (SBN 296767)
Angelica Salceda (SBN 296152)
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11 *Attorneys for Plaintiffs*