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IN THE SUPERIOR COURT OF THE COUNTY OF ALAMEDA  
FOR THE STATE OF CALIFORNIA

KENNETH L. BEEBE; and )  
AMERICAN DOG OWNERS )  
ASSOCIATION, INC., a )  
Non-Profit Corporation, )  
Petitioners and plaintiffs, )  
v. )  
CITY OF UNION CITY, )  
CALIFORNIA; and DOES 1-20. )  
Respondents and defendants. )

No. H-138361-6  
ORDER AND JUDGMENT

The Court, having considered the petition for writ of  
mandate and the papers submitted by all parties on the petition,  
and having heard oral argument by the parties on March 16, 1989,  
hereby rules that Chapter 8.36 of the Union City Municipal Code  
violates the California and United States Constitutions because it  
(1) is unconstitutionally vague and (2) violates procedural due  
process for failure to provide for a hearing before or after  
seizure of a dog.

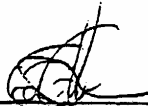
Therefore, a Writ of Mandate, as attached hereto, shall  
issue directing respondent City of Union City to cease enforcing  
any of the provisions of Chapter 8.36 of the Union City Municipal  
Code.

DATED:  
Presented and Signed  
APR 13 1989


DEMETRIOS AGRETELIS  
Honorable Demetrios P. Agretelis

Approved as to form:

DATED: 4/3/89

  
Gary T. Galliano  
Attorney for Respondent  
City of Union City

DATED: 3/22/89

  
Ephraim Margolin  
Attorney for Petitioners  
Kenneth L. Beebe and  
American Dog Owners Association