1 2	SHERYL L. BRATTON, County Counsel (SBN 144209) JASON M. DOOLEY, Chief Deputy County Counsel (SBN 258570) jason.dooley@countyofnapa.org				
3	OFFICE OF THE NAPA COUNTY COUNSEL 1195 Third Street, Suite 301				
4	Napa, California 94559 Telephone: (707) 254-4521				
5	Facsimile: (707) 259-8220				
6	ARTHUR A. HARTINGER (SBN 121521) ahartinger@publiclawgroup.com				
7	GEOFFREY SPELLBERG (SBN 121079) <u>gspellberg@publiclawgroup.com</u>				
8	RÉNNE PUBLIC LAW GROUP 350 Sansome Street, Suite 300 San Francisco, California 04104				
9					
10	Facsimile:(415) 848-7230Attorneys for Plaintiffs and Cross-Defendants				
11	NAPA COUNTY and THE PEOPLE OF THE STATE OF CALIFORNIA, and Cross-Defendants DAVID				
12					
13	SUPERIOR COURT OF THE	E STATE OF CALIF	ORNIA		
14	COUNTY	OF NAPA			
15	NAPA COUNTY and THE PEOPLE OF THE STATE OF CALIFORNIA ex rel. SHERYL L.	Case No. 22CV001262			
16	BRATTON, as Napa County Counsel,	EXEMPT FROM FEES (GOV. CODE § 6103)			
17	Plaintiffs,		TRY OF PRELIMINARY GAINST ALL DEFENDANTS		
18	V.				
19	HOOPES FAMILY WINERY PARTNERS, LP, HOOPES VINEYARD, LLC, LINDSAY BLAIR	Action Filed: Trial Dates:	October 20, 2022 January 29, 30, 31,		
20	HOOPES, and DOES 1 through 10, inclusive,		February 1, 2, 5, 6, 7, 8, 9, 14, 2024		
21	Defendants.		Hon. Mark Boessenecker		
22	AND RELATED CROSS-ACTION.				
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RENNE PUBLIC LAW GROUP Attorneys at Law

NOTICE OF ENTRY OF PRELIMINARY INJUNCTION AGAINST ALL DEFENDANTS - Case No. 22CV001262 305007.1

	1	TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:				
	2	PLEASE TAKE NOTICE the Court has entered its Preliminary Injunction Against All				
	3	Defendants on February 20, 2025. A true and correct copy is attached hereto.				
	4					
	5	Dated: February 20, 2025	RENNE PUBLIC LAW GROUP			
	6					
	7		By: Arthur A. Hartinger			
	8		Arthur A. Hartinger			
	9 10		Attorneys for Plaintiffs and Cross-Defendants NAPA COUNTY and THE PEOPLE OF THE STATE OF CALIFORNIA, and Cross-			
	11		Defendants DAVID MORRISON and AKENYA ROBINSON-WEBB			
	12		KODINSON-WEDD			
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RENNE PUBLIC LAW GROUP Attorneys at Law	15					
WE PUBLIC LAW GE Attorneys at Law	16					
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		PROOF OF SERVICE - CASE NO. 22CV00126 305007.1	2			

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		FILED		
1		FEB 20 2025		
2		Clerk of the Napa Superior Court		
3	SUPERIOR COURT OF THE	By: E STATE OF CALIFORNIA Deputy		
4	COUNTY OF NAPA			
5				
6	NAPA COUNTY and THE PEOPLE OF THE	Case No. 22CV001262		
7	STATE OF CALIFORNIA ex rel. SHERYL L. BRATTON, as Napa County Counsel,	EXEMPT FROM FEES (GOV. CODE § 6103)		
8	Plaintiffs,	PRELIMINARY INJUNCTION AGAINST		
9	v.	ALL DEFENDANTS		
10	HOOPES FAMILY WINERY PARTNERS, LP, HOOPES VINEYARD, LLC, LINDSAY BLAIR			
11	HOOPES, and DOES 1 through 10, inclusive,			
12	Defendants.			
13	AND RELATED CROSS-ACTION.			
14				
15	The hearing on the County's Request for Preliminary Injunction came on regularly for hearing on			
16	February 7, 2025 before this Court.			
17	FOR GOOD CAUSE SHOWN, the request is granted and a Preliminary Injunction is entered			
18	herewith, jointly and severally against Hoopes Family Winery Partners, L.P., Hoopes Vineyard, LLC and			
19	Lindsay Blair Hoopes (collectively "Hoopes Defendants") with regard to the property located at 6204			
20	Washington Street, Napa California, 94558 (the "Property.")			
21	PRELIMINARY INJUNCTION			
22	1. The duties, responsibilities, burdens, a	nd obligations undertaken in connection with this		
23	Preliminary Injunction shall apply to t	he Hoopes Defendants, jointly and severally, and		
24	any affiliates, subsidiaries, successors	and assigns of each, and of any officers and		
25	employees of each.			
26	2. In accordance with Napa County Code	e section 1.20.155(A), and section 17203 of the		
27	California Business and Professions C	ode, the Hoopes Defendants shall comply with the		
28	following:			

1	PROHIBITORY INJUNCTIVE RELIEF		
2	a. Defendants shall cease all winery activities that do not comply with Napa County		dants shall cease all winery activities that do not comply with Napa County
3		Code	sections 18.16.020(H) and 18.08.600 until such time as Defendants have
4		obtair	ned a valid use permit authorizing any such activities and any necessary and
5		relate	d building, grading, or other permits. Such prohibited winery activities
6		inclu	le:
7		i.	All tastings of wine, however described or denoted, characterized by the
8			consumption of any amount of wine for any purpose, by anyone other than
9			Defendants and employees of the Winery;
10		ii.	All tours of the Winery by members of the public;
11	1 iii. All consumption of wine purchased by members of the public on the		All consumption of wine purchased by members of the public on the
12			Winery premises;
13		iv.	All "marketing of wine," as defined by Napa County Code section
14			18.08.370, including all social events of a public nature, but not including
15			advertisement or marketing of lawful activity undertaken by the
16			Defendants at the Winery on any media;
17		v.	All sales of wine-related and non-wine related merchandise, including tote
18			bags, clothing, blankets, wine bottle candle holders, soap, books, ceramic
19			bowls, hats, greeting cards and wine openers;
20		vi.	All occupancy and assembly within winery rooms or spaces that have not
21			been permitted for occupancy or assembly, including the areas designated
22			as storage in the building permits on file with the County, as well as any
23			recreational vehicles on the Property;
24		vii.	All sales of wine not produced on the Property, including any wine
25			produced by or for the Winery at any other site;
26		viii.	All service of food of any kind to any member of the public, whether or not
27			in connection with the retail sale of wine produced on site.
28	b.	Defer	dants shall cease all commercial activity at the Property, which is not
	-2- PRELIMINARY INJUNCTION – Case No. 22CV001262		

## PRELIMINARY INJUNCTION - Case No. 22CV001262

1		autho	rized in the zoning district in which the Property is located. Such commercial
2	activities include:		
3		i.	All sales of non-wine-related merchandise, including tote bags, clothing,
4			blankets, wine bottle candle holders, soap, books, ceramic bowls, hats,
5			greeting cards and wine openers;
6		ii.	All keeping of animals that do not qualify as animal husbandry, which is
7			defined as the rearing or keeping of animals to sell the products they
8			produce, such as meat, fur, dairy or eggs;
9		iii.	Any use of animals as an attraction, enticement, or marketing activity
10			related to a lawful winery use.
11	3.	The Napa Co	ounty Code Compliance Division shall be given full access to the Property at
12		any time bet	ween the hours of 9:00 a.m. and 6:00 p.m., seven days a week, to conduct
13		inspections t	o confirm compliance with the provisions of this injunction. No advance
14		notice is req	uired for inspections during these normal business hours.
15	4.	Defendants shall not participate in any act or practice, or form a separate entity or	
16		corporation	for the purpose of engaging in acts or practices, in whole or in part, that are
17		prohibited by	y this Preliminary Injunction or any other purpose that would otherwise
18		circumvent any term of this Preliminary Injunction. Defendants shall not knowingly	
19	cause, permit, or encourage any other persons or entities acting on its behalf, to engage in		
20		any act or practice prohibited by this Injunction.	
21	5.	If any clause, provision, or section of this Preliminary Injunction shall, for any reason, be	
22		held illegal,	invalid, or unenforceable, such illegality, invalidity, or unenforceability shall
23		not affect an	y other clause, provision, or section of this Preliminary Injunction and this
24		Preliminary Injunction shall be construed and enforced as if such illegal, invalid, or	
25		unenforceab	le clause, provision, or section had not been contained herein.
26	6.	The Court m	naintains jurisdiction over this matter, including with respect to enforcement of
27		the terms of	this Preliminary Injunction.
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1	7. This Preliminary Injunction shal	l remain in full force and effect until it is either
2	incorporated into a final Injuncti	
3		
4	IT IS SO ORDERED.	mm
5	Dated: February <u>20</u> , 2025	Hon. Mark Boessenecker
6		Napa County Superior Court Judge
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	PRELIMINARY INJUNCTION – Case No. 22CV00126	

## **Superior Court of California**

County of Napa 825 Brown Street Napa. CA 94559

Case #: 22CV001262 NAPA COUNTY et al vs Lindsay Blair Hoopes et al

Katharine Heldt Falace kfalace@buchalter.com jgleffe@buchalter.com

Arthur Anthony Hartinger ahartinger@publiclawgroup.com

Sheryl L Bratton sheryl.bratton@countyofnapa.org

Lindsay Blair Hoopes lindsay@hoopesvineyard.com

## **Certificate of Mailing/Service**

I hereby certify that I am not a party to this cause and that a copy of the foregoing document was:

🛛 E-mailed

certified copy faxed to Napa Sheriff's Department at (707) 253-4193

personal service – personally delivered to the party listed above

Delaced in attorney/agency folders in the Criminal Courthouse Historic Courthouse

at Napa, California on this date and that this certificate is executed at Napa, California this Date. I am readily familiar with the Court's standard practice for collection and processing of correspondence for mailing within the United States Postal Service and, in the ordinary course of business, the correspondence would be deposited with the United States Postal Service on the day on which it is collected at the Courthouse.

Date: 2/20/2025

**Robert E Fleshman, Court Executive Officer** 

Isabel Rodriguez, Deputy Court Executive Officer

	1	PROOF OF SERVICE							
	2	I, the undersigned, am employed by RENNE PUBLIC LAW GROUP. My business address is 350 Sansome Street, Suite 300, San Francisco, California 94104. I am readily familiar with the business practices of this office. I am over the age of 18 and not a party to this action.							
	3								
	4	On February 20, 2025, I served the following document(s):							
	5	5 NOTICE OF ENTRY OF PRELIMINARY INJUNCTION AGAINST ALL DEFENDA							
	6								
	7 8	Electronic Mail. Based on an agreement of the parties to accept service by e-mail, copies of the above document(s) in PDF format were transmitted to the e-mail addresses of the parties on the attached Service List.							
	9	SERVICE LIST							
	10								
	11	Katherine H. Falace BUCHALTER	Counsel for Defendants HOOPES FAMILY WINERY PARTNERS, LP,						
	12	1230 Pine Street St. Helena, CA 94574-1106	HOOPES VINEYARD, LLC and LINDSAY BLAIR HOOPES						
	13	Email: <u>kfalace@buchalter.com</u> jgleffe@buchalter.com							
ď	14	Lindsay Blair Hoopes	Co-Counsel for Defendants						
v Grol	15	P.O. Box 3600	HOOPES FAMILY WINERY PARTNERS, LP,						
LIC LAW GROUP eys at Law	16	Yountville, CA 94599 Email: <u>lindsay@hoopesvineyard.com</u>	HOOPES VINEYARD, LLC and LINDSAY BLAIR HOOPES						
RENNE PUBI Attorne	17								
REN	18	I declare under penalty of perjury under the la true and correct. Executed on February 20, 2025 at Sa	ws of the State of California that the foregoing is an Francisco, California.						
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