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10 Attorneys for Respondents
 11 CITY OF CONCORD et al.

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

15 CONCORD COMMUNITIES, L.P., d/b/a)
 16 Adobe Mobile Lodge and d/b/a Diablo Mobile)
 17 Lodge; ADOBE ASSOCIATES, LLC, d/b/a)
 18 Adobe Mobile Lodge; DIABLO)
 19 ASSOCIATES, LLC, d/b/a Diablo Mobile)
 20 Lodge,)

18 Petitioners,

20 v.

21 CITY OF CONCORD; CITY OF CONCORD)
 22 CITY COUNCIL; and CITY OF CONCORD)
 23 RENT REVIEW BOARD,)

23 Respondents,

24 and

25 TENANTS RESIDING AT ADOBE MOBILE)
 26 LODGE AND DIABLO MOBILE LODGE)

26 Real Parties in Interest.)

Case No. C05-04094 JSW

**JOINT STATUS REPORT AND
 REQUEST FOR DISMISSAL OF
 CASE [Federal Rules of Civil
 Procedure, Rule 41(a)]**

AND ORDER THEREON

1 Pursuant to this Court’s February 23, 2006 order granting Respondents’ Motion to
2 Dismiss or Abstain (“Order”) and its March 2, 2009 Order Requiring Joint Status
3 Reports, Respondents City of Concord, City of Concord City Council, and City of
4 Concord Mobilehome Rent Review Board (collectively, “City”), along with Petitioners
5 Concord Communities, L.C., Adobe Associates, LLP, and Diablo Associates, LLP, file
6 this joint status report concerning this case and the related cases in state court.

7 **PETITIONERS’ POSITION AND REQUEST FOR DISMISSAL:**

8 This case arises out of administrative proceedings conducted pursuant to the City
9 of Concord’s mobilehome rent control ordinance. As indicated in the parties’ last joint
10 status report, filed on August 14, 2008, the Petitioners have sold the two mobilehome
11 parks that were the subject of the underlying administrative proceedings. As a result of
12 the sale of the two mobilehome parks, the Petitioners have decided not to pursue this
13 action or the state court administrative mandamus proceedings. Accordingly, the
14 Petitioners request that this action be dismissed, pursuant to Rule 41(a) of the Federal
15 Rules of Civil Procedure, with each party to bear its own attorneys fees and costs.

16 Although the underlying state court administrative mandamus proceedings have
17 not been served on the Respondents, the Petitioners will file a request for dismissal of
18 those state court proceedings within the next thirty (30) days.

19 **RESPONDENTS’ POSITION AND REQUEST FOR DISMISSAL:**

20 The Respondents join in the Petitioners’ request that this action be dismissed
21 pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, with each party to bear its
22 own attorneys fees and costs.

24 Dated: March 13, 2009

SHUTE, MIHALY & WEINBERGER LLP

25 By: _____/s/
26 ROBERT S. PERLMUTTER
27 Attorneys for Respondents
28 CITY OF CONCORD; CITY OF CONCORD CITY
COUNCIL; and CITY OF CONCORD RENT
REVIEW BOARD

1 Dated: March 13, 2009

LAW OFFICES OF ANTHONY C. RODRIGUEZ

2 By: _____ /s/

3 ANTHONY C. RODRIGUEZ

4 Attorneys for Petitioners

5 CONCORD COMMUNITIES, L.P., d/b/a Adobe

6 Mobile Lodge and d/b/a Diablo Mobile Lodge;

7 ADOBE ASSOCIATES, LLC, d/b/a Adobe Mobile

8 Lodge; DIABLO ASSOCIATES, LLC, d/b/a Diablo

9 Mobile Lodge

10 [P:\CONCORD\MAT1\FED\March 13 2009 status report and dismissal.wpd]

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12 March 16, 2009



