



**The Center for Law in the Public Interest
Highlighting Thirty-Five Years of Social Justice
1971-2006
Robert García and Michael McCutcheon**

**MISSION OF THE
CENTER FOR LAW IN THE PUBLIC INTEREST**

The Center for Law in the Public Interest seeks justice for traditionally under-represented people and organizations and engages in advocacy and litigation on a broad range of issues that have a significant impact on the public interest.

**MISSION OF THE CITY PROJECT
AT THE CENTER FOR LAW IN THE PUBLIC INTEREST**

The mission of The City Project at the Center for Law in the Public Interest is to achieve equal justice, democracy, and livability for all by influencing the investment of public resources to achieve results that are equitable, enhance human health and the environment, and promote economic vitality for all communities. Focusing on parks and recreation, schools, human health, and transit, we help bring people together to create the kind of community where they want to live and raise children. The City Project works with diverse coalitions in strategic campaigns to shape public policy and law, and to serve the needs of the community as defined by the community.

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¹ Robert García is Executive Director and Counsel at the Center, and Michael McCutcheon is the Communications Analyst. The timeline for 1971 to 2000 is based in part on a 2001 report by Carlyle Hall, a founder of the Center and Chairman of the Board, and Laura Diamond, a former staff attorney.

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Introduction

The Center for Law in the Public Interest has carried out a commitment to social justice for over 35 years. We have won landmark victories in and out of court in the areas of civil rights, health, environmental quality and environmental justice, affordable housing, employment discrimination, First Amendment rights, criminal justice, and consumer protection. The timeline below highlights some of our major victories, culminating most recently in the work of The City Project on healthy parks, schools, and communities.

The roster of present and former Center attorneys includes: Della Bahan, Walter Cochran-Bond, Ann Carlson, Sophia M. Chang, Carol Codrington, Geoff Cowan, Steve Cutler, Leon Dayan, Laura Diamond, Susan Durbin, Erica Flores Baltodano, Lisa Foster, Robert García, Michael Gendler, Jim Geocaris, David Gold, Janet Goldstein, Susan Goodkin, Lucas Guttentag, Carlyle W. Hall, Eric Havian, Carrie Hempel, David Heubner, Christopher T. Hicks, Eve Hill, Lew Hollman, Ed P. Howard, Thomas Hunt, Brenda Jackson, Susan Jacoby, Evan Kaminker, Michael F. Keeley, Benjamin Kim, Christopher Knauf, Lin Min Kong, Steven Kristovich, Bill Lann Lee, Jan Levine, Felicia Marcus, Gus T. May, Tim McFlynn, Tom McGuire, Katrina McIntosh, LeeAnn Meyer, Jilana Miller, Carl Moor, Mary Nichols, Hari M. Osofsky, John R. Phillips, Joséphine Powe, Joel Reynolds, Cynthia D. Robbins, Bruce Robinson, Peter Roos, Brent N. Rushforth, Lawrence Sarnoff, Gerald Sauer, Helene Smookler, Ric Sutherland, Robin Weiner, Fred D. Woocher, and Jonathan Zasloff.



1971 — The Century Freeway and Environmental Justice

Representing environmental and civil rights groups, the Center launches one of the nation's first "environmental justice" cases to mitigate the environmental and discriminatory impacts of the proposed Century Freeway through South Central Los Angeles neighborhoods. Then-U.S. Secretary of Transportation Neil Goldschmidt heralds the settlement, which provides affordable housing, transit, and jobs, as a "precedent for the rest of the USA. . . . We are building more than a freeway; we are building neighborhoods and a better community." *Keith v. Volpe*.

1972 — A Seminal Victory for the Environment

In California's seminal environmental case, the California Supreme Court adopts the Center's interpretation of the California Environmental Quality Act requiring environmental impact reports for *private* as well as public projects. *Friends of Mammoth v. Board of Supervisors*.

1973 — Standing Up to Big Oil

At the Center's suit, the California Supreme Court blocks Occidental Petroleum's oil drilling activities adjacent to Will Rogers State Beach, and the company finally deeds the site to the City of Los Angeles for a park. *No Oil, Inc. v. City of Los Angeles*.

1974 — Birth Control Information vs. The Comstock Act

The Center wins a case on First Amendment grounds against the Postal Service for refusing to deliver information about birth control and abortion under the Comstock Act.

1975 — “Hush Money” and Bribes

The Center files a shareholder lawsuit against the Northrop Corporation over corporate funds used for President Richard Nixon's “hush money” payments to E. Howard Hunt in Watergate. The Center reveals a pattern of foreign bribes and payoffs to sell arms abroad, leading to Congressional and Securities and Exchange Commission investigations and a world-wide scandal toppling foreign governments. *Springer v. Jones*.

1976 — Holding Nuclear Power Accountable

The Center leads the battle against a license for PG&E's Diablo Canyon Nuclear Power Plant. The lengthy proceedings, together with the high capital cost of constructing nuclear power plants, ended the industry in California.

1977 — A Victory for Cleaner Air

The Center wins a ruling against inadequate air quality plans prepared by California agencies to prevent high-level smog episodes in the Los Angeles air basin. The Center filed several lawsuits in the 1970's and '80's to enforce the Clean Air Act mandates. In the mid-1970s, L.A. was experiencing first-stage smog alerts on more than 100 days annually; by 2000, this number dropped nearly to zero. *California Lung Association v. Air Resources Board*.

1978 — A Blow against Exclusionary Land Use Planning

The Center wins a settlement for the Irvine Company to build, and the City of Irvine to approve, some 725 units of affordable housing. The lawsuit is one of the first in California to focus on the obligations of local government for a “fair share” of affordable housing. *Orange County Fair Housing Council v. City of Irvine*.

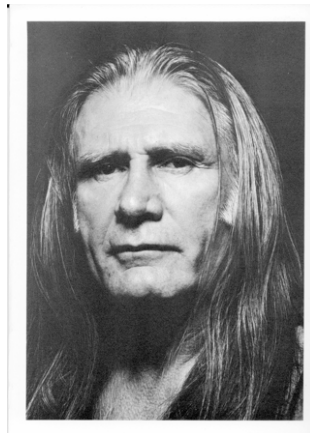


1979 — Saving Watts Towers, a Los Angeles Masterpiece

The Center obtains a California Supreme Court ruling to save Watts Towers after the City of Los Angeles fails to maintain the Towers. The Towers are a public art masterpiece, now listed in the National Registry of Historic Places, constructed by hand over a 33-year period by Italian immigrant Simon Rodia. *Committee for Simon Rodia's Towers in Watts v. City of Los Angeles.*

1980 — A More Humane Way – Decriminalizing Public Inebriation

In the Center's *Sundance* litigation, the court rules that the LAPD's mass arrest and incarceration practices violate the due process rights of public inebriates. When the case was filed, public intoxication was the highest volume "crime" in California, with more than 50,000 arrests annually in Los Angeles County alone. With public inebriation handled in the less expensive, more effective public health system as a result of the suit, arrests plunge to less than 300 per year. The lead plaintiff, Robert Sundance, enters the new civil detox and rehab facilities, becomes sober, and is appointed head of L.A. County's Indian Alcoholism Commission, a position he holds with distinction for many years. *Sundance v. Municipal Court.*



1981 — A Landmark Discrimination Victory against the LAPD

The Center's reaches a landmark settlement in federal court ending its eight-year class action against the Los Angeles Police Department for sex and race discrimination. The *Blake* consent decree includes the largest back pay award to that time in an employment discrimination case in California, and sets goals for hiring and promoting women and people of color.

In related litigation throughout the 1970's and '80's, the Center sued numerous public agencies in Southern California for employment discrimination against women and people of color. This included cases against the Los Angeles County Fire Department, the Santa Ana Police and Fire Department, the City of Torrance Police Department, the Pasadena Police and Fire Departments, the Los Angeles Department of Water and Power, and the Los Angeles Unified School District, resulting in substantial back pay awards and hiring orders with goals and timetables for future compliance.

1982 — Free Speech for Public Radio and Television

The Center wins a major free speech case in the United States Supreme Court (one of five of the the Center's cases that has been decided by the Court), which strikes down the provision prohibiting non-commercial television and radio stations from editorializing under the Public Broadcasting Act. *League of Women Voters v. Federal Communications Commission*.

1983 — Making Toxic Cleanups Safe

The Center intervenes on behalf of local residents in the litigation against toxic waste dumpers over the infamous Stringfellow Acid Pits. The state is eventually found to have principal liability for the cleanup.

1984 — Putting Planning First

After the City of Los Angeles fails to conform zoning to its general plan, the Center's litigation results in the rezoning of almost one third of the City – an area the size of Chicago. The City Planning Department calls the resulting rezoning program effort its “biggest accomplishment” of the decade. The lawsuit revitalized the City's community plans with a new stress on comprehensive planning, including citizen involvement. *Federation of Hillside and Canyon Homeowners Association v. City Los Angeles*.

1985 — Equal Access to Jobs

The Center settles an employment discrimination suit against the *Ralph's* grocery chain. Throughout the 1970's and '80's, the Center successfully prosecuted a wide variety of employment discrimination cases on behalf of women and people of color against both public and private employers, including Ralph's, Von's, and Lucky's grocery chains, and Chevron. The hiring orders in these cases resulted in thousands of jobs and more than \$5 billion in wages for thousands of plaintiff class members in Southern California.

1986 — California Consumers Are the Winners

The California Supreme Court adopts the Center's position that, in consumer class actions with large numbers of injured victims but relatively small amounts of individual damages, a “consumer trust fund” can be established to better distribute the damages on behalf of the injured consumers. The ensuing settlement creates the California Consumer Protection Foundation, which distributes more than \$5 million statewide to non-profit groups. One grant to Consumers Union leads to a charitable endowment of \$3 billion to establish the California Endowment Foundation when Blue Cross “goes private.” *People of California v. Levi Strauss*.

1987 — Planning to Protect Los Angeles's Open Spaces

After 15 years of litigation, the Center's lawsuit over the Los Angeles County general plan successfully concludes. The County adopts a substantially revised plan that protects environmentally sensitive areas in Malibu, the Santa Monica Mountains, the eastern San Gabriel Valley, the Santa Clarita Valley, and the Antelope Valley. *Coalition for Los Angeles County Planning in the Public Interest v. Board of Supervisors*.

1987 — Stopping the LANCER Incinerator

The Center representing Concerned Citizens of South Central Los Angeles persuades the City of Los Angeles to scrap plans for a garbage incinerator that would disproportionately affect people of color in one of the most densely-populated, polluted communities in the Los Angeles area.



1988 — Making Room for Affordable Housing

Orange County settles the Center's challenge to its alleged exclusionary planning and zoning activities, agreeing to commit \$7.7 million to construct 650 affordable housing units. Following the settlement, Orange County finds that its provisions are so beneficial that it contributes more than \$56 million to produce 1,578 housing units for very low and low income households – exceeding its settlement funding obligation by more than 600 percent. *Orange County Fair Housing Council v. City of Irvine*.

1989 — The El Segundo Blue Butterfly

In response to the Center's advocacy, the Los Angeles Department of Airports restores the El Segundo Dunes, virtually the only remaining habitat of the endangered El Segundo Blue Butterfly. As a result, the butterfly's population grows from fewer than 500 to as many as 80,000.

1990 — Restoring the Ballona Wetlands

After five years of hard-fought litigation, the Center reaches a landmark settlement preserving the Ballona Wetlands, Los Angeles County's last major coastal marsh. The developer agrees to preserve and restore wetlands and reduce environmental impacts by redesigning the project. *Friends of Ballona Wetlands v. California Coastal Commission*.

1991 — Whistleblowers and the False Claims Act

In whistleblower *qui tam* cases brought under the newly amended False Claims Act including *Carton v. Litton*, the Center recovers millions of dollars of overcharges to the federal treasury.

The Center was the key proponent of the 1986 amendments, which provide financial incentives to report fraud and overcharges by guaranteeing “whistleblowers” 15% to 30% of the government recovery. Subsequently, attorneys recover billions in *qui tam* cases.

1992 — Challenging Prop 13’s Property Tax Assessment

The Center brings an equal protection challenge to the Proposition 13 mandate that property taxes must be assessed on the market value of real estate when purchased, rather than at current market value. Although the U.S. Supreme Court agrees that Prop 13 “appears to vest [its] benefits in a broad, powerful and entrenched segment of society” and that “ordinary democratic processes may be unlikely to prompt its reconsideration or repeal,” the Court nonetheless upholds Prop 13 because it is “not palpably arbitrary.” *Nordlinger v. Hahn*.

1993 — Private Gates on Public Streets?

The Center wins a ruling that the City of Los Angeles violated state law when it allowed the Whitley Heights Civic Association to construct gates that exclude the general public from public streets in the wealthy enclave near the Hollywood Bowl. *Citizens Against Gated Enclaves v. City of Los Angeles*.

1994 — Fighting Sex Discrimination in Public Schools

The Center wins a case ordering the California Department of Education to adopt comprehensive regulations or guidelines prohibiting sex discrimination and sexual harassment in public schools. *California Women’s Law Center v. State Board of Education*.

1995 — Taking Prop 187 to Court

The Center joins a coalition of public interest groups to fight Proposition 187’s ban on public education, health care and social services for illegal immigrants. The district court strikes down provisions, because, “taken together, [they] constitute a regulatory scheme designed to deter illegal aliens from entering or remaining in the United States” and are therefore preempted by federal law. *Gregorio T. v. Wilson*.

1996 — Enforcing the Americans with Disabilities Act

The Center launches its project to enforce the Americans with Disabilities Act, the nation’s newest civil rights statute. In one case, *Lindsey v. Bally’s*, Bally’s health club agrees to nationwide policies making clubs more accessible to disabled persons. A second suit forces Los Angeles City to make public facilities more accessible. A third suit on behalf of an HIV-positive man results in damages and a court order forbidding discrimination by a nutrition center.

1997 — Chasing Identity Thieves

Responding to the nationwide “identity theft” epidemic, the Center files suits including *Andrews v. Trans Union* to require credit reporting agencies to use reasonable procedures to assure the privacy of credit reports. Consumer protection groups estimated that more than 40% of credit reports (over 170 million) contained errors enabling imposters to defraud retailers and other credit providers.

1998 — Preserving Open Reservoirs

The Center's litigation to prevent the covering of the Elysian Park Reservoir in downtown Los Angeles discloses plans by the Department of Water and Power to cover most open reservoirs. The City agrees to prepare EIRs and to mediate disputes with citizen groups. The ensuing mediation regarding Hollywood, Stone Canyon and Rowena Reservoirs maintains water quality, while preserving environmental and aesthetic values. *Committee To Preserve Elysian Park V. Department of Water and Power*.

1999 — Probation Department Programs for Deaf Juveniles

Without the aid of an interpreter, plaintiff J.P., a deaf child who understands only sign language, could not communicate with his Los Angeles County Probation Department supervisors at juvenile hall and was often disciplined for disobeying rules about which he was unaware. Representing the Greater Los Angeles Council on Deafness, the Center obtains a federal court consent decree requiring the Department to provide interpreters for key communications between deaf minors and probation officers. *Greater Los Angeles Council on Deafness (GLAD) v. Los Angeles County Probation Department*.

2000 — Expanding into Educational Quality, and Launching The City Project

The Center launches The City Project to empower communities through a collective vision for a web of parks and open space, schools, and transportation that promotes human health and economic vitality, and reflects the diverse cultural urban landscape, as discussed in 2006 below.

The Center expands its traditional focus on protecting the civil rights of the most vulnerable populations into the pivotal field of education. Over 91% of the children in the Los Angeles Unified School District are children of color, and over 80% live in or close to poverty. The Center monitors implementation of the consent decree in *Rodriguez v. Los Angeles Unified School District*, an historic precedent to improve educational opportunity. The Center also joins other civil rights organizations to provide better teachers, textbooks, and facilities statewide in *Williams v. California*. We begin work with the LAUSD Citizens' School Bond Oversight Committee to plan school construction and modernization.

2001 — Saving the Community and the Park in Baldwin Hills

In a string of victories that grows into the Urban Park Movement, the Center helps transform underserved areas of Los Angeles with great parks in the Cornfield, Taylor Yard, Baldwin Hills, and Ascot Hills. In Baldwin Hills, the Center helps save the community and the 2-square-mile park in the historic heart of African-American Los Angeles, the largest urban park in the U.S. in over a century. The Center helps defeat a proposal for a power plant there in 2001 during the height of the claimed energy crisis, and stops a proposed garbage dump in 2003. In 2005, the Center helps preserve state funding for the park after Governor Arnold Schwarzenegger's California Performance Review threatens to eliminate the funds.



2002 — The Cornfield and Taylor Yard

The Center spearheads community efforts with the Chinatown Yard Alliance to stop proposed warehouses by the City of Los Angeles and a wealthy developer in favor of a 32 acre park in the last vast open space in Los Angeles. The *Los Angeles Times* calls the Cornfield victory "a heroic monument" and "a symbol of hope." The campaign includes filing an administrative complaint that persuades HUD Secretary Andrew Cuomo to cut off federal subsidies for the warehouses, filing a CEQA suit, and building a diverse alliance to convince the state to buy the site for a park in 2002. The Center continues to work for public art that reflects the flow of history through the Ellis Island of Los Angeles in what is now the Los Angeles State Historic Park.

The Center helps the community stop a commercial development in favor of a 40 acre park in Taylor Yard along the River in Northeast L.A. We went to trial on CEQA grounds and won. With an alliance of community groups including the Anahuak Youth Soccer Association, Friends of the Los Angeles River, and Concerned Citizens of South Central Los Angeles, the Center fights to ensure a balanced park with active and passive recreation, with soccer fields, a running track, natural parkland, picnic areas, and bike paths.

2003 — Improving the Lives of Children in Foster Care

The Center and others reach a groundbreaking settlement that provides children in foster care the quality mental health services they need in their own homes or home-like settings. The presiding judge describes the agreement as "an important step toward improving the lives of children in the dependency system." *Katie A. v. Bonta*.

2004 — Clean Water, Health, and Sewers

On behalf of the Baldwin Hills and Village Green Home Owners Associations as well as Concerned Citizens of South Central Los Angeles, the Center helps reach a \$2 billion settlement against the City of Los Angeles to improve the sewer system under the Clean Water Act. The suit also leads to the passage of local Measure O, which provides \$500 million for flood control, clean water, and parks. *Santa Monica BayKeeper v. City of Los Angeles*.

2005 — Ascot Hills Park

After calls for a park at the site for over 75 years, the community celebrates the groundbreaking of the next great urban park at Ascot Hills in East L.A. in November 2005. Until then the largest green space in East L.A. was Evergreen Cemetery, which sent a message to our children that if they want open space, they have to die first. The Center worked with the community, the Santa

Monica Mountains Conservancy, and the City of Los Angeles to create a 140-acre park in one of the most park poor areas in the City.

2006 and Beyond – The City Project



The Center launched The City Project in 2000 to empower communities implement a collective vision for a web of parks and open space, schools, and transportation that promotes human health and economic vitality, and reflects the diverse cultural urban landscape. As of 2006 we have helped low income communities and communities of color in Los Angeles get their fair share of over \$10 billion in state urban park, clean water, and clean air funds, and over \$20 billion in school construction and modernization funds for public schools.

Through advocacy and lawsuits in the Urban Park Movement, we have spearheaded the creation of the 32 acre Los Angeles State Historic Park at the Cornfield in downtown L.A., the 40 acre Río de Los Angeles State Park at Taylor Yard, the two square mile Baldwin Hills Park in African American Los Angeles, and the 140 acre Ascot Hills Park in Latino East L.A.

Our suits are pending to keep public lands open to all in historic Millard Canyon from Altadena to the Angeles Forest, and the “Big Wild” in the Santa Monica Mountains near the Sepulveda Pass, where wealthy gated enclaves are trying to cut off public access to public trails.

The Center is keeping California's public beaches open for all. In response to our advocacy, the California Coastal Commission has ordered property owners to take down phony "private beach" signs and stop using security guards on all terrain vehicles to harass the public in Malibu, and the state Attorney General has filed suit to prevent destruction and theft of public beaches.

Chairing the Citizen's School Bond Oversight Committee for the Los Angeles Unified School District for five years from 2000 to 2005, the Center's Executive Director Robert García helped plan the investment of over \$14 billion to build new schools and modernize existing schools, with school yards open after school and on weekends; and to provide local jobs for local workers and an even playing field for small business enterprises. The Los Angeles Times called the largest school construction project in the nation's history “a near-ideal mixture of speed and efficiency,” and the work received best practice awards from the Urban Land Institute and the Environmental Law Institute.

We recently published chapters in books including *The Quest for Environmental Justice: Human Rights and the Politics of Pollution* (2005); *Awakening from the Dream: Civil Rights under Siege*

and the New Struggle for Equal Justice (2005), and *Running on Empty: Transport, Social Exclusion and Environmental Justice (2004)*. The Center's article *Free the Beach! Public Access, Equal Justice, and the California Coast* appears in the *Stanford Journal of Civil Rights and Civil Liberties (2006)*, and our articles on healthy communities appear in the *Journal of Poverty Law and Policy (2005)* and the *Fordham Urban Law Journal (2004)*.

The Center recently received awards from the City of Los Angeles, the Southern California Chapter of the American Society of Landscape Architects, the Los Angeles Regional Water Quality Board, and the Cultural Landscape Foundation for extensively publishing research and findings on urban parks and their benefits for the L.A. River, improving the quality of life in Southern California and beyond, improving water quality and restoring habitat through the greening of the Los Angeles River, and setting a national model for the urban park movement.

Our priorities in the coming years include:

- Greening the Los Angeles and San Gabriel Rivers through healthy parks, schools, and communities, through the L.A. River Revitalization Master Plan Process, the Integrated Resources Water Management Plans, the Heritage Parkscape.
- Ensuring equal access to parks and recreation, implementing the blue print for reform by City Controller Laura Chick and others calling for: a strategic plan to improve parks in every neighborhood and alleviate unfair disparities, a community needs assessment reflecting the needs of diverse users, improved public safety, and a fair system of finance and fees.
- Shared places and policies for physical activity in schools and parks to improve human health and alleviate obesity and diabetes.
- Publishing our Policy Report to alleviate unfair health, park, and school disparities, *Healthy Parks, Schools, and Communities: Green Access and Equity for the Los Angeles Region*, using GIS tools and 2000 Census data. The Report is inspired in part by the classic 1930 Olmsted Report *Parks, Playgrounds, and Beaches for the Los Angeles Region*.
- Ensuring significant funding in infrastructure bonds for parks and schools as part of a comprehensive plan to promote economic, environmental, and equitable development for all, and making sure underserved communities receive a fair share of public benefits.
- Diversifying access to and support for the four forests of Southern California.
- Developing Transit to Trails to take people to forests, parks, beaches, lakes, and other public green spaces.
- Fighting high speed trains that threaten low-income communities, state parks, and the L.A. River.

We will continue to expand the state and national impacts of our work on equal justice, democracy, and livability for all.

The Center for Law in the Public Interest is a 501(c)(3) non-profit organization. Contributions are tax deductible.

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