

1 BROWNSTEIN HYATT FARBER SCHRECK, LLP  
Jonathan C. Sandler, Bar No. 227532  
2 jsandler@bhfs.com  
2049 Century Park East, Suite 3550  
3 Los Angeles, California 90067-3007  
Telephone: 310.500.4600  
4 Facsimile: 310.500.4602

5 *Attorneys for Brentwood School*

6  
7  
8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10  
11 JEFFREY POWERS, et al.,

12 Plaintiffs,

13 v.

14 DENIS RICHARD MCDONOUGH, in  
his official capacity, Secretary of  
15 Veterans Affairs, et al.,

16 Defendants,

17 BRIDGELAND RESOURCES, LLC,

18 Intervenor.  
19

Case No. 2:22-cv-08357-DOC-KS

**BRENTWOOD SCHOOL'S  
NOTICE OF APPEAL**

**Judge: Honorable David O. Carter**

20  
21 Notice is hereby given that Brentwood School appeals to the United States  
22 Court of Appeals for the Ninth Circuit from the Final Judgment and Permanent  
23 Injunction dated October 11, 2024 (ECF No. 358), and from all rulings and orders  
24 that merged into that Final Judgment and Permanent Injunction, including, but not  
25 limited to, the Permanent Injunction Re: Former Brentwood School Leased Grounds  
26 dated October 11, 2024 (ECF No. 357), and Post-Trial Opinion; Findings of Fact &  
27 Conclusions of Law dated October 11, 2024 (ECF No. 359) (collectively, the "Final  
28 Judgement").

BROWNSTEIN HYATT FARBER SCHRECK, LLP  
Attorneys at Law  
2049 Century Park East, Suite 3550  
Los Angeles, CA 90067-3007

1 Pursuant to Ninth Circuit Rule 3-2(b), a Representation Statement is attached  
2 hereto.


3 Prior and pending appeals in this case are Ninth Circuit Case Nos. 24-06137,  
4 24-06138, 24-06338, 24-06576, 24-06578, and 24-06603.

5 On November 4, 2024, Brentwood School filed an unopposed motion to  
6 intervene in this Court (ECF No. 398), which remains pending. Out of an abundance  
7 of caution, this notice of appeal is being filed prior to the 30-day deadline to appeal  
8 the Final Judgment. FRAP 4(a). To the extent the motion to intervene is denied by  
9 this Court, Brentwood School intends to file a motion to intervene with the Ninth  
10 Circuit.

11 Nevertheless, Brentwood School has the right to appeal the Final Judgement  
12 because: (1) it participated heavily in the district court proceedings that resulted in  
13 the Final Judgment, and (2) the Final Judgement expressly impairs Brentwood  
14 School’s property and contract rights. *See Hilao v. Estate of Marcos*, 393 F.3d 987,  
15 992 (9th Cir. 2004) (holding that nonparties may appeal “when (1) the appellant,  
16 though not a party, participated in the district court proceedings, and (2) the equities  
17 of the case weigh in favor of hearing the appeal) (internal quotations omitted); *see*  
18 *also* ECF No. 357 at 3:21-22 (“Brentwood School has participated in the hearing on  
19 injunctive relief and other conferences with Plaintiffs’/Class counsel, the Monitor,  
20 and the Court”); ECF No. 359 at 54:15-20 (declaring that the “lease between the VA  
21 and the Brentwood School ... is void.”).

22  
23 Dated: November 8, 2024

BROWNSTEIN HYATT FARBER  
SCHRECK, LLP

24  
25  
26 By:   
27 Jonathan C. Sandler  
28 Attorneys for Third-Party Defendant  
BRENTWOOD SCHOOL

BROWNSTEIN HYATT FARBER SCHRECK, LLP  
Attorneys at Law  
2049 Century Park East, Suite 3550  
Los Angeles, CA 90067-3007

**REPRESENTATION STATEMENT**

*Counsel for Brentwood School:*

Jonathan C. Sandler (jsandler@bhfs.com)  
Brownstein Hyatt Farber Schreck, LLP  
2049 Century Park East, Suite 3550  
Los Angeles, California 90067  
(310)500-4600

*Counsel for Bridgeland Resources, LLC (appellant in No. 24-6578)*

Ernest J. Guadiana (eguadiana@elkinskalt.com)  
Julie Z. Kimball (jkimball@elkinskalt.com)  
Sean A. McCormick (smccormick@elkinskalt.com)  
Angela M. Butcher (abutcher@elkinskalt.com)  
Justin R. Trujillo (jtrujillo@elkinskalt.com)  
Elkins Kalt Weintraub Reuben Gartside LLP  
10345 W. Olympic Blvd.  
Los Angeles, California 90064  
(310) 746-4400

*Counsel for Plaintiffs-Appellees:*

Mark D. Rosenbaum (mrosenbaum@publiccounsel.org)  
Kathryn A. Eidmann (keidmann@publiccounsel.org)  
Amanda K. Pertusati (apertusati@publiccounsel.org)  
Amanda Mangaser Savage (asavage@publiccounsel.org)  
Amelia Piazza (apiazza@publiccounsel.org)  
Public Counsel Law Center  
610 S. Ardmore Avenue  
Los Angeles, CA 90005  
(213) 385-2977

Roman M. Silberfeld (rsilberfeld@robinskaplan.com)  
David Martinez (dmartinez@robinskaplan.com)  
Tommy H. Du (tdu@robinskaplan.com)  
Robins Kaplan LLP  
2121 Avenue of the Stars, Ste. 2800  
Los Angeles, CA 90067

Eve L. Hill (ehill@browngold.com)  
Jamie Strawbridge (jstrawbridge@browngold.com)  
Brown Goldstein & Levy LLP  
120 East Baltimore St., Suite 2500  
Baltimore, MD 21202  
(410) 962-1030

T.E. Glenn (tglenn@innercitylaw.org)  
Amanda Powell (apowell@innercitylaw.org)  
Charles Kohorst (ckohorst@innercitylaw.org)  
Inner City Law Center  
1309 East Seventh St.  
Los Angeles, CA 90021  
(213) 891-2880

BROWNSTEIN HYATT FARBER SCHRECK, LLP  
Attorneys at Law  
2049 Century Park East, Suite 3550  
Los Angeles, CA 90067-3007

1 *Counsel for Defendants-Appellees:*

2 Charles W. Scarborough (charles.scarborough@usdoj.gov)  
3 Daniel Winik (daniel.l.winik@usdoj.gov)  
4 Amanda L. Mundell (amanda.l.mundell@usdoj.gov)  
5 U.S. Department of Justice  
6 950 Pennsylvania Avenue NW  
7 Washington, DC 20530  
8 (202) 305-8849

9 Brad P. Rosenberg (brad.rosenberg@usdoj.gov)  
10 Cody T. Knapp (cody.t.knapp@usdoj.gov)  
11 Jody D. Lowenstein (jody.d.lowenstein@usdoj.gov)  
12 Agbeko C. Petty (agbeko.c.petty@usdoj.gov)  
13 Taylor Pitz (taylor.n.pitz@usdoj.gov)  
14 United States Department of Justice Civil Division  
15 Federal Programs Branch  
16 1100 L Street, N.W.  
17 Washington, DC 20005  
18 (202) 514-1318

19 *Counsel for Regents of the University of California (appellant in Nos. 24- 6138, -*  
20 *6338):*

21 Kasey J. Curtis (kcurtis@reedsmith.com)  
22 Corinne Fierro (cfierro@reedsmith.com)  
23 Reed Smith LLP  
24 355 South Grand Avenue, Suite 2900  
25 Los Angeles, CA 90071  
26 (415) 543-8700  
27 Raymond A. Cardozo (rcardozo@reedsmith.com)  
28 Reed Smith LLP  
101 Second Street, Suite 1800  
San Francisco, CA 94105  
(415) 543-8700

BROWNSTEIN HYATT FARBER SCHRECK, LLP  
Attorneys at Law  
2049 Century Park East, Suite 3550  
Los Angeles, CA 90067-3007