

# **Bond Case Briefs**

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## **PUBLIC RECORDS - CALIFORNIA**

### **National Conference of Black Mayors v. Chico Community Publishing, Inc.**

**Court of Appeal, Third District, California - July 25, 2018 - Cal.Rptr.3d - 2018 WL 3569376**

Former mayor, as former president of national mayor conference, filed petition for peremptory writ of mandate to prevent city from disclosing certain allegedly privileged e-mails to newspaper pursuant to Public Records Act request.

The Superior Court ordered disclosure of certain emails, but denied newspaper's request for attorney's fees under the Act. Newspaper appealed.

The Court of Appeal held that newspaper did not bring an action against the city to compel disclosure under the Act and thus was not entitled to fees.

Newspaper investigating former mayor's use of city resources in the take over and eventual bankruptcy of conference of mayors was not entitled to recover attorney's fees under Public Records Act for fees incurred when former mayor, as former president of conference, filed mandamus action to prohibit city from disclosing certain allegedly privileged e-mails pursuant to newspaper's records request to city; newspaper did not bring an action against the city to compel disclosure, and although city failed to oppose mandamus petition, and former mayor initiated the proceedings, city was not required to oppose petition, and former mayor's claim of privilege stemmed from his position as conference president rather than mayor.