

# DECLARATION OF SERVICE BY MAIL OR EMAIL

**Inspection Number**  
**1564732**

I, Mirna Lopez, declare:

1. I am at least 18 years of age, not a party to this action, and I am employed in Los Angeles County at 100 N. Barranca St., Suite 410, West Covina, CA 91791.
2. On \_\_\_\_\_, I served a copy of the attached Order on Briefs re Good Faith Exception in an envelope addressed as shown below and placed the envelope for collection and mailing on the date and at the place shown in item 3 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
3. Date mailed: \_\_\_\_\_ Place mailed: (city, state): West Covina, CA

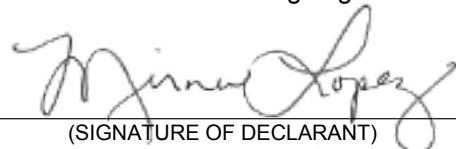
4. On 12/04/2023, I electronically served the document listed in item 2 as follows:

NAME OF PERSON SERVED	ELECTRONIC SERVICE ADDRESS
<u>Denise Cardoso, DOSH Legal</u>	<u>dcardoso_doshlegal@dir.ca.gov</u>
<u>Rocio Reyes, DOSH Legal</u>	<u>rreyes_doshlegal@dir.ca.gov</u>
<u>DOSH Northern Office</u>	<u>doshlegal_oak@dir.ca.gov</u>
<u>Nic Cocis</u>	<u>ncocis@tylerbursch.com</u>
<u>Kathryn A. Tanner</u>	<u>ktanner@dir.ca.gov</u>
<u>Jere Aolen</u>	<u>jaolen@calvaryca.org</u>
<u>Mariah Gondeiro</u>	<u>mgondeiro@faith-freedom.com</u>
<u>Kelly Tatum</u>	<u>KTatum@dir.ca.gov</u>

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Mirna Lopez

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

**BEFORE THE  
STATE OF CALIFORNIA  
OCCUPATIONAL SAFETY AND HEALTH  
APPEALS BOARD**

In the Matter of the Appeal of:

**CALVARY CHAPEL OF SAN JOSE  
dba CALVARY CHRISTIAN ACADEMY  
1175 HILLSDALE AVENUE  
SAN JOSE, CA 95118**

**Employer**

Inspection No.  
**1564732**

**ORDER AFTER REMAND RE  
GOOD FAITH EXCEPTION  
BRIEFS**

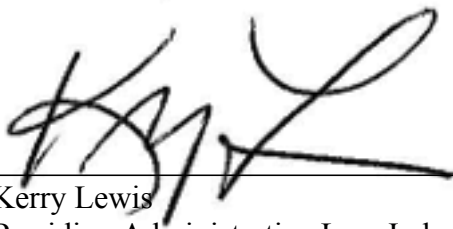
On November 2, 2023, the Appeals Board issued an Order of Remand after its Decision After Reconsideration of the assigned Administrative Law Judge's Order granting Employer's Motion to Suppress Evidence. The Appeals Board's Decision After Reconsideration determined that the Appeals Board does have jurisdiction to consider the adequacy of the declarations presented to the Superior Court in support of Division's warrant. The Appeals Board further agreed with the assigned Administrative Law Judge (ALJ) that the Division's declarations in support of a warrant were not supported by administrative probable cause.

The Appeals Board found that a good faith exception to the exclusionary rule may apply, but remanded the matter for further briefing because the issue was not argued before the ALJ prior to the filing of the Division's Petition for Reconsideration. (See Decision After Reconsideration and Order of Remand, fn. 13.)

The parties are hereby ordered to submit briefs in accordance with the Appeals Board's Decision After Consideration and Order of Remand. The issue to be briefed is limited to whether the good faith exception to the exclusionary rule is applicable in this case. Briefs shall be limited to 15 pages and shall be filed by close of business January 31, 2024. No responsive briefs will be considered.

***IT IS SO ORDERED.***

Dated: 12/04/2023

  
\_\_\_\_\_  
Kerry Lewis  
Presiding Administrative Law Judge