

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

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

Date: October 28, 2024

Title: JEFFREY POWERS ET AL. V. DENIS RICHARD MCDONOUGH ET AL.

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PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Deborah Lewman  
for Karlen Dubon  
Courtroom Clerk

Not Present  
Court Reporter

ATTORNEYS PRESENT FOR  
PLAINTIFF:  
None Present

ATTORNEYS PRESENT FOR  
DEFENDANT:  
None Present

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**PROCEEDINGS (IN CHAMBERS): ORDER GRANTING INTERIM  
ACCESS TO UCLA BASEBALL  
FACILITIES**

Because the Parties reached tentative resolutions about the location of temporary housing adjacent to the UCLA Baseball Stadium on the West LA VA Campus (“Campus”), the Court is prepared to provide UCLA limited and interim access to baseball facilities on the Campus.

Upon the representation by UCLA that it will pay \$600,000 to VA within fourteen days of this Order, the Court will allow UCLA access to the Jackie Robinson Baseball Stadium until the end of the baseball season. *See* Modified Proposal, The Regents of The University of California’s Motion to Modify Injunction (Dkt. 333), at 1. The baseball season includes any post-season use if the UCLA baseball team is engaged in post-season Regional and/or National games. This use/temporary lease shall extend no later than July 4, 2025. Access will include the small practice field adjacent to the Stadium known as Branca Practice Field and all concessions and training facilities within the Stadium.

After extensive deliberation with the Parties, the Court does not believe that the Stadium itself or practice field will be used as a temporary housing location before July 4,

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2025. The Stadium and practice field land may be needed in the future if VA continues to argue, contrary to the Court's findings, that there is insufficient space available for veteran housing on the Campus. After July 4, 2025, the land on which the baseball facilities sits may be used for housing. If UCLA is unable to reach a new agreement with VA by that date, UCLA will lose access.

The Court further orders that the parking areas adjacent to the UCLA Stadium, Magenta B and Parcel 7, remain cordoned off by the VA. *See* Exhibit 1. The Court has enacted an Emergency Declaration, finding disabled and homeless veterans in immediate need of shelter. All efforts by the Parties should focus on providing immediate shelter on the grounds of the Campus before approaching winter conditions. Based on representations by the Parties, the two designated parking lot areas, Magenta B and Parcel 7, will be active construction sites within three weeks with electrical, sewage lines, and placement of modular homes immediately forthcoming. Onsite assessments by experts are already underway including one this morning. Once construction has been completed and modular homes have been installed, the Court will reconsider any available parking on these sites for UCLA. The Court is hopeful these discussions can take place before baseball season begins in March 2025. In the meantime, the Court finds there is adequate parking across the street from these lots as well as almost two acres of parking remaining on Parcel 7 and more parking to the north of Parcel 7. Thus, access to lots Magenta B and Parcel 7 at present is for planning and facilities construction purposes only.

The Court is encouraged by the new engagement of UCLA and veterans but reminds the Parties that, in any lease with UCLA, the provision of services to veterans must be the predominant focus of UCLA's activities on the Campus under the West LA Leasing Act. Post-Trial Opinion (Dkt. 302), at 48. The true value of any lease of Campus lands is the land itself. The greatest and most urgent use of the land is veteran housing.

The Court encourages the Parties and UCLA to continue discussions that have included veteran student housing and other possibilities such as the use of vacant lands owned by UCLA including the vacant, over thirty-acre Palos Verdes property. The Court encourages the Parties to seek a holistic and long-lasting resolution.

Accordingly, the VA is ordered to continue to cordon off parking lots Magenta B and Parcel 7 for the emergency placement of modular housing. Based on UCLA's representation of the forthcoming payment of \$600,000, the Court hereby grants limited

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and interim access to the Stadium and Branca Practice Field as of Tuesday, October 29, 2024, at noon.

This order advances the primary goal of housing without unnecessarily keeping the Stadium closed until the land is needed for veteran housing. The Court will have a better understanding of which available parcels are needed for housing in the coming months. Given the emergency need for housing, all vacant parcels on the Campus are being considered as potential housing sites. To maintain the availability of land for housing, the Court has precluded VA at present from entering into any long-term lease of land on the Campus. *See* Post-Trial Opinion; Findings of Fact and Conclusions of Law (Dkt. 302). This temporary restriction on long-term VA leases, such as the unlawful and voided ten-year leases originally challenged in this lawsuit, is needed to ensure the availability of land for emergency and permanent veteran housing. Again, UCLA may lose access to the baseball facilities after July 4, 2025, if the Parties are unable to reach a settlement that complies with the West LA Leasing Act and this Court's Post-Trial Opinion, Findings of Fact and Conclusions of Law (Dkt. 302).

Over the objections of VA, VA is ordered to carry out the order of this Court forthwith.

The Clerk shall serve this minute order on the parties.

MINUTES FORM 11

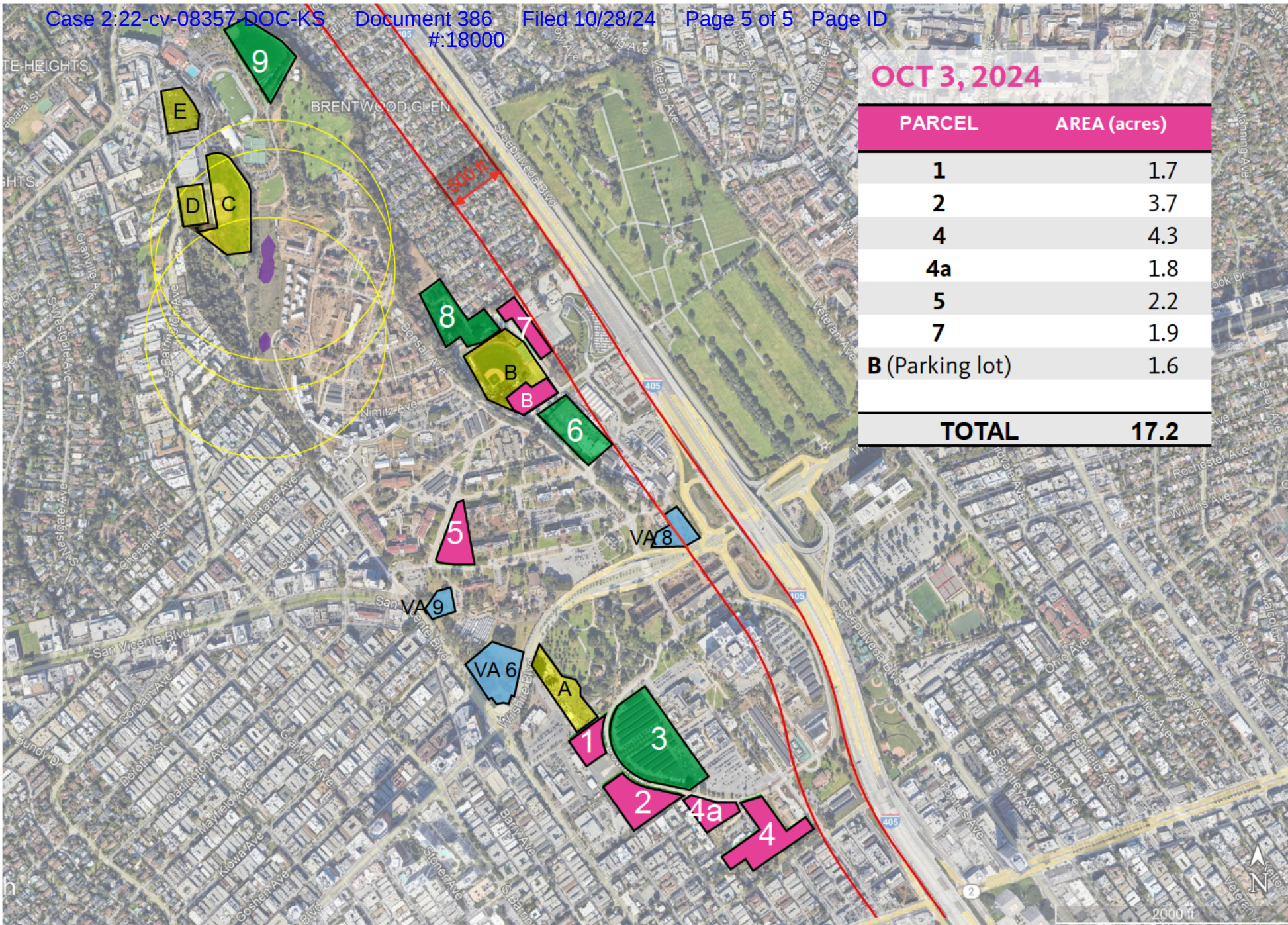
Initials of Deputy Clerk: djl

CIVIL-GEN

# EXHIBIT 1

OCT 3, 2024

PARCEL	AREA (acres)
1	1.7
2	3.7
4	4.3
4a	1.8
5	2.2
7	1.9
B (Parking lot)	1.6
<b>TOTAL</b>	<b>17.2</b>



TSH PARCELS	AREA (acres)
1	1.7
2	3.7
3	9.8
4	4.3
5	2.2
6	4.0
7	1.9
8	4.1
9	4.8
<b>TOTAL</b>	<b>36.5</b>

INCREMENTAL PSH	AREA (acres)
A	3.4
B	7.7
C	6.2
D	1.7
E	2.2
<b>TOTAL</b>	<b>21.2</b>

VA 3-29-2023 WHITE PAPER	AREA (acres)
VA 6	4.2
VA 8	1.8
VA 9	1.2
<b>TOTAL</b>	<b>7.2</b>