

December 3, 1991

REPORT TO THE HONORABLE  
MAYOR AND CITY COUNCIL

PAULSON, ET AL, V. CITY OF SAN DIEGO  
U.S. DISTRICT COURT NO. 89-0820 (GT)

Today Judge Gordon Thompson, United States District Court, thirteen months after hearing opposing Motions for Summary Judgment, issued an opinion that the Mt. Soledad Cross, the Mt. Helix Cross, and the City of La Mesa insignia are unconstitutional.

The ruling grants the plaintiffs' summary judgment motion, issues a permanent injunction forbidding the presence of the crosses where they currently appear, and grants the defendants three months in which to comply with the court's order. The court further holds that any stay of the order should be sought from the Ninth Circuit Court of Appeals.

Since it is a comprehensive opinion of substantial public interest, we attach a copy of the court's ruling for your reading and review. We will schedule this matter for evaluation in closed session on Tuesday, December 10, 1991, for elaboration on both the rationale for the ruling and legal options of the Council.

Respectfully submitted,  
JOHN W. WITT  
City Attorney

MKJ:mb:264:(043.1)  
Attachment:1  
RC-91-61