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San Luis Obispo Superior Court
By: 
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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN LUIS OBISPO**

KATHIE WALKER,

Petitioner/Plaintiff,

v.

BOARD OF TRUSTEES OF THE
CALIFORNIA STATE UNIVERSITY,
et al.,

Respondents/Defendants.

Case No. 26CV-0166

Hon. Tana L. Coates

**Petitioner's Reply in Support of her Mo-
tion for Judgment on Verified Petition for
Writ of Mandate and Complaint for De-
claratory and Injunctive Relief**

Hearing: November 4, 2026

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1 **I. Introduction¹**

2 In its opposition, Cal Poly concedes that the FSL Event Registration records and ad-
3 dresses reflected in them are public records to which the presumptive right of access applies.
4 It admits that FERPA does not apply to that information. And it does not dispute that disclo-
5 sure of the addresses would allow the City to more effectively enforce City ordinances that Cal
6 Poly requires all campus-recognized fraternities to obey. These concessions make clear that
7 there is no lawful basis to redact the addresses from the disclosed FSL Event Registration rec-
8 ords and that Walker’s motion should be granted.

9 Cal Poly’s arguments resisting disclosure, all premised on a supposed public interest in
10 shielding the address information under the CPRA’s “catchall” exemption, lack factual and
11 legal merit. For one, Cal Poly fails to demonstrate that the public has an interest (much less a
12 significant one) in withholding addresses of venues for often widely promoted and attended
13 parties that likely violate City laws and, notwithstanding its baffling assertion otherwise, the
14 university approves. The very cases Cal Poly cites on this point demonstrate why a fraternity’s
15 voluntary choice to host a university-sanctioned party at a residence substantially diminishes if
16 not completely abolishes any expectation of privacy that the public has an interest in protecting.
17 Further, Cal Poly disingenuously attempts to downplay the public’s substantial interest in both
18 the effective enforcement of City codes and in understanding, and demanding accountability
19 for, the university’s actions in allowing fraternity parties to proceed in violation of those local
20 laws or refusing to exercise its authority to ensure compliance with them.

21 Because Cal Poly has failed to carry its heavy burden to justify its nondisclosure of the
22 addresses reflected in the FSL Event Registration records, the Court should grant the motion,
23 order Cal Poly to redisclose the records without those redactions, and grant Walker’s re-
24 quested declaratory relief.

25 //

26 //

27 _____
28 ¹ Capitalized terms in this reply have the same meaning as conveyed in the motion, and all in-
 ternal citations, quotation marks, and brackets have been omitted from its citations.

II. Reply Argument

A. Cal Poly admits that FERPA does not require nondisclosure of the addresses, and its admission renders FERPA irrelevant to this case.

Cal Poly concedes that FERPA does not apply to the addresses reflected in the FSL Event Registration records. Opp’n at 22 (asserting that the question in this case is “not whether FERPA prohibits disclosure but whether” the CPRA’s catchall exemption applies). Nonetheless, Cal Poly improperly tries to characterize FERPA’s “considerations” and the university’s “obligations pursuant to FERPA” as “relevant to” its burden to justify nondisclosure. Opp’n at 22–23. Neither the law nor the facts support Cal Poly’s attempt to bring FERPA’s “considerations” through the back door. It should be rejected.

Critically, Cal Poly does not even know if any of the addresses are actually student addresses because it “has no way to determine if the student even resides at the submitted residential address.” Opp’n at 15 n.4; *see also* Aiello-Coppola Decl. ¶ 10 (claiming that it does not investigate “whether *any* student lives at the address provided”) (emphasis in original); Opp’n at 9 (arguing same). Meanwhile, even if Cal Poly had linked the records to a student’s address, it concedes that the addresses are “directory information” that is definitionally excluded from FERPA’s confidentiality provision. Opp’n at 24; *see also* Mot. at 22–23; 20 U.S.C. § 1232g(b)(1), (b)(2) (providing that certain information “in education records *other than directory information*” may not be disclosed as a matter of policy or practice) (emphasis added). FERPA thus specifically allows Cal Poly to release address information, and Cal Poly warns students that it is empowered to do so and that it will do so in its own discretion. *See* Mot. at 22–23; Opp’n at 24. Given the undisputed facts, FERPA does not apply to the addresses in the FSL Event Registration records and has no bearing on this case.

Cal Poly cites no authority for nonetheless applying FERPA concerns about “protecting student information” to the CPRA analysis despite the inapplicability of those concerns to the information at issue. Allowing the university to import inapplicable principles from FERPA would in fact *undermine* FERPA, which was designed not only to limit disclosure of a category

1 of information that is not at stake here but also “to prevent educational institutions from oper-
2 ating in secrecy.” *See* Mot. at 21 (quoting *Kirwan v. The Diamondback*, 721 A.2d 196, 204 (Md.
3 1998)). FERPA was not meant to allow schools to “keep[] very important information from . .
4 . the public” by invoking FERPA-related concerns at the mere mention of a record that may
5 implicate a student. *See id.* (quoting *Kirwan*, 721 A.2d at 204).

6 Because Cal Poly admits that the address information is “directory information” that
7 is not covered by FERPA’s nondisclosure mandate, and because Cal Poly asserts that it does
8 not know if removing the address redactions would implicate any student, FERPA has no rel-
9 evance to this case or to the question of whether Cal Poly’s redactions are lawful.

10 **B. Cal Poly has failed to demonstrate that the catchall exemption applies.**

11 **1. The catchall exemption considers only the *public’s* interests and**
12 **applies only if its interests in nondisclosure *clearly outweigh* the**
public’s interests in transparency.

13 Cal Poly makes a subtle but critical misstatement of the catchall exemption standard.
14 The exemption does *not* balance “privacy interests” against “the public interest in disclo-
15 sure.” Opp’n at 14 (citing but not quoting *City of Vallejo v. Superior Court*, 112 Cal. App. 5th
16 565, 598 (2025)) (emphasis added). Instead, it requires Cal Poly to prove that “the *public inter-*
17 *est served by not disclosing* the record clearly outweighs the public interest served by disclosure
18 of the record.” Gov. Code § 7922.000 (emphasis added). So, while in some cases there may be
19 a public interest in nondisclosure to prevent invasions of privacy, the test must be assessed
20 through the prism of what lies in the *public’s* interest and whether, once those interests are
21 weighed, there is “a clear overbalance on the side of” nondisclosure. *See, e.g., City of Vallejo*,
22 112 Cal. App. 5th at 598; Mot. at 17 (citing cases).²

23
24
25 ² Cal Poly sometimes incorrectly flips the balancing test’s presumptions. *See* Opp’n at 16
26 (“The relevant inquiry remains whether . . . the public interest served by compelling Cal Poly
27 to disclose private residential addresses clearly outweighs the substantial privacy interests
28 served by maintaining their confidentiality.”); *id.* at 17–18 (“The fact that access to Cal
Poly’s records would make code enforcement easier does not mean that the public interest in
disclosure clearly outweighs the privacy interests at stake.”). The test always asks whether
nondisclosure interests clearly outweigh the interests in disclosure.

1 **2. Cal Poly has failed to demonstrate any nontrivial public interests**
2 **favoring nondisclosure of the FSL Event Registration addresses.**

3 The only public interest Cal Poly identifies as allegedly favoring nondisclosure of the
4 FSL Event Registration addresses is protection of the supposedly “substantial privacy inter-
5 ests” that students or others may have in their home addresses. Opp’n at 14–15. Cal Poly fails
6 to carry its burden to show that any such “substantial” interests exist.

7 **First**, Cal Poly has not demonstrated that disclosure of the FSL Event Registration rec-
8 ords would identify any particular student, and it claims not to know whether the addresses
9 reflect any person’s actual residence. The records have been disclosed with redactions to stu-
10 dent names, and Walker does not challenge those redactions. *See* Mot. at 21 n.8. Cal Poly,
11 meanwhile, claims not even to know whether a given address is, in fact, a residence at all. *See*,
12 *e.g.*, Aiello-Coppola Decl. ¶ 10 (asserting that Cal Poly “does not verify the zoning status of
13 off-campus addresses”). Cal Poly thus fails to establish that disclosure of the venue addresses
14 would link any person to any home address. It has thus failed to carry its burden for this simple
15 reason alone.

16 **Second**, Cal Poly’s reliance on FERPA and the Education Code as supporting nondis-
17 closure is misplaced. As noted above, Cal Poly’s attempt to import FERPA “considerations”
18 into this analysis is inappropriate because Cal Poly admits it does not know if “any” of the
19 addresses belong to a student and, even if they did, the addresses are “directory information.”
20 Similarly, Cal Poly misreads Education Code section 66312 as reflecting a legislative determi-
21 nation that there are only limited circumstances in which the public’s interest in disclosure of
22 a fraternity party address is “sufficiently strong” to require disclosure. Opp’n at 17. The stat-
23 ute neither says nor suggests any such thing. Had the Legislature intended for AB 524 to put a
24 thumb on the catchall exemption’s balancing test, it would have said so. Cal Poly is improperly
25 asking the Court to create a new CPRA exemption where none exists, flip the standard pre-
26 sumptively in favor of nondisclosure, and ignore the constitutional requirement that the
27 catchall exemption, like all exemptions, be narrowly construed. *See* Cal. Const. art. I, § 3(b).

1 **Third**, Cal Poly cannot seriously contend that fraternities are “compelled” to provide
2 it residential addresses when they register their parties. *See* Opp’n at 15. That would be true
3 only if the university required fraternities to throw parties and to host them at a residence. Cal
4 Poly requires neither. The voluntary decision to throw a fraternity party at a residential address
5 comes with some obvious consequences, including that the residence cannot be treated merely
6 as a private home but, instead, as a venue for a party the fraternity seeks university permission
7 to host and one that is often widely promoted and attended. *See* Exs. 8–11. That choice to host
8 the party at a residence thus substantially diminishes any privacy expectations in that address.
9 *See* Mot. at 16–17.

10 Cal Poly cites two cases for the general notion that, notwithstanding those facts, there
11 somehow remain substantial privacy interests at stake in the home addresses. *See* Opp’n at 14
12 (citing *Lorig v. Med. Bd.*, 78 Cal. App. 4th 462 (2000); *Hill v. Nat’l Collegiate Athletic Ass’n*, 7
13 Cal. 4th 1 (1994)). Both of those cases, however, aptly demonstrate why there are minimal to
14 no cognizable privacy interests implicated at all here.

15 In *Lorig*, a group of doctors claimed their “address[es] of record” filed with the state
16 medical board were exempt from disclosure because they had provided their home addresses.
17 *See* 78 Cal. App. 4th at 464–65. The Court of Appeal disagreed, rejecting the argument that
18 disclosure would unduly invade their privacy interests. *Id.* at 468. It reasoned: “If the Board
19 were *requiring* physicians to use their home addresses as their addresses of record, there might
20 be room for such an argument.” *Id.* (emphasis in original). Instead, despite having other op-
21 tions, the doctors *chose* to provide their home addresses as their addresses of record. *Id.* The
22 interests favoring nondisclosure of the doctors’ home addresses were therefore “minimal.” *Id.*
23 The same result should follow here, where fraternities, despite having other options, choose to
24 use homes as a party venue and then widely promote the events and venue addresses on mul-
25 tiple platforms. *See* Mot. at 16–17 (citing Exs. 9–11).³

26
27 ³ The doctors in *Lorig* had “full knowledge that [their addresses would] be posted on the In-
28 ternet” by the board. *See* 78 Cal. App. 4th at 468. But that is hardly different from the facts
here when (1) the *students themselves* widely publicize the fraternity parties “on the Internet”

1 In *Hill*, meanwhile, student athletes claimed the NCAA’s mandatory drug testing pro-
2 gram violated their privacy rights. 7 Cal. 4th at 8. The case did not involve the CPRA, but the
3 California Supreme Court’s explanation for why the testing regime did *not* violate students’
4 privacy interests carries persuasive force here. *Id.* The Court reasoned that the athletes volun-
5 tarily engaged in activities that, “[u]nlike the general population,” required them to “normally
6 and reasonably forgo a measure of their privacy in exchange” for obtaining and enjoying the
7 benefits of their university-affiliated extracurricular activities. *See id.* at 9. The Court also ex-
8 plained that an unreasonable expectation of privacy is not one the law protects, and “the pres-
9 ence or absence of opportunities to consent voluntarily to activities impacting privacy interests
10 obviously affects the expectations of the participant.” *Id.* at 37. The same reasoning extends to
11 this case, where fraternity members enjoy university-conferred benefits that others do not and
12 host university-sanctioned parties at residences that they *choose* to serve as party venues while
13 publicizing those events and addresses. Any privacy interests in the addresses here would be
14 substantially diminished under the circumstances, and Cal Poly has not shown any reason why
15 the public has an interest in protecting them under these circumstances.

16 ***Fourth***, Cal Poly fails to provide any legal authority supporting its argument that the
17 public’s interest in nondisclosure “must also take into consideration” students’ purported de-
18 sire to avoid “the City’s code enforcement actions.” Opp’n at 15. In other words, Cal Poly
19 urges the Court to conclude that the *public*—not just particular students—has a cognizable,
20 and substantial, interest in frustrating the City’s efforts to enforce its laws. The *public*’s actual
21 interests, of course, lie in compliance with laws enacted for the public’s benefit and with dis-
22 closure of public records that help promote compliance with the law. *See, e.g., New York Times*
23 *Co. v. Superior Court*, 218 Cal. App. 3d 1579, 1582 (1990) (reversing trial court and siding with
24 records requester who argued that disclosure of records identifying residential addresses that
25

26
27 and elsewhere, (2) party planners know, or reasonably should, that Cal Poly may have to dis-
28 close the address under AB 524, and (3) Cal Poly tells all students that it has full discretion to
release student addresses. *See, e.g., Mot.* at 16–17. 22–23.

1 violated water-use ordinance “would provide undeniable incentive to comply with the ordi-
2 nance and the public would be better able to monitor” enforcement of the law).

3 *Finally*, Cal Poly’s reliance on *Voice of San Diego v. Superior Court* is misplaced. *See*
4 Opp’n at 20–22 (citing 66 Cal. App. 5th 669 (2021)). That case involved a request for disclo-
5 sure, in the early days of the COVID-19 pandemic, of the addresses of disease outbreaks the
6 county had obtained through contact-tracing efforts. *See* 66 Cal. App. 5th at 672. The county
7 provided expert testimony from its public health officer asserting that state regulations re-
8 quired confidentiality of medical information (including addresses of outbreaks) “acquired in
9 confidence” and that disclosure would have a “chilling effect” on the public’s voluntary par-
10 ticipation in county contact-tracing efforts. *See id.* at 678, 685. The kind of public interests sup-
11 porting nondisclosure of the addresses of COVID-19 outbreaks simply are not present here.

12 For one, unlike the county in *Voice of San Diego*, Cal Poly has not presented any evi-
13 dence that it collects address information from fraternities in confidence.⁴ *See generally* Opp’n.
14 And unlike the regulations applicable to the medical information at issue in that case, there are
15 no regulations or laws here that require confidentiality of the addresses. *See* Mot. at 19–23 (ex-
16 plaining that FERPA does not apply); Opp’n at 22–24 (agreeing).

17 Further, Cal Poly has failed to demonstrate the supposed “chilling effect” it claims
18 would follow disclosure. It argues that disclosure of the addresses may leave party planners
19 unwilling to register their events and thus cease participation “in university safety programs.”
20 *See* Opp’n at 10; Mockford Decl. ¶ 10. But that argument is based on pure speculation and does
21 not stand up to the slightest scrutiny. In particular, Cal Poly claims that students have been
22 concerned about City code enforcement efforts for at least several months but does not provide
23 any evidence that fraternities have ceased (at all or due to enforcement efforts) registering their
24 parties or otherwise declining to comply with safety-related policies. *See, e.g.,* Aiello-Coppola
25 Decl. ¶¶ 19–21. It does not demonstrate that any fraternity has threatened to stop complying
26

27 ⁴ Cal Poly argues that students “do not submit those addresses with the expectation that they
28 will be publicly disseminated.” Opp’n at 20. But it fails to support that speculative assertion
with evidence, and no such expectation would be reasonable for the reasons discussed above.

1 with Cal Poly’s registration regime if the addresses are disclosed. And it fails to explain why or
2 how a fraternity could or would simply stop participating in that mandatory registration process
3 when fraternities *cannot* host unregistered parties without risking serious consequences—including
4 the loss of campus recognition and its benefits. *See* Mockford Decl. ¶¶ 3–5 (benefits of
5 campus recognition are contingent on compliance with university policies); Haft Decl. ¶¶ 3–5
6 (same); *see also* Ex. 7 at 7 (providing that failure to follow procedures may result in “student
7 discipline” or “sanctions”).⁵

8 In an apparent effort to get the Court to ignore Cal Poly’s obvious power to prevent the
9 supposedly feared chilling effect, Cal Poly claims that failure to register “will not typically”
10 result in “any negative consequences unless some misconduct occurred at the event.” Aiello-
11 Coppola Decl. ¶ 5. Even if Cal Poly has sometimes, or even “typically,” let fraternities violate
12 university policies without consequence (which seems unlikely), that does not change the fact
13 that university policies fully empower Cal Poly to enforce its requirement that fraternities are
14 “required” to register their parties. *See, e.g.*, Opp’n at 6 (“students are required” to register);
15 *id.* at 8 (“all events . . . must be registered”); *id.* at 21 (registration “is required by the Univer-
16 sity”); Mockford Decl. ¶ 7 (“all events . . . must be registered”). And it does not change the
17 fact that Cal Poly certainly *can* impose serious consequences for failure to register and throw a
18 party as required by university policies. *See* Ex. 7; Mockford Decl. ¶ 5 (fraternities must “com-
19 ply with applicable laws and university standards as a condition of maintaining their recognized
20 status”). So, unlike the public health officials in *Voice of San Diego* who were powerless to com-
21 pel participation with contact-tracing efforts, Cal Poly retains the authority and ability to en-
22 sure that fraternities do not start refusing “to participate in university safety programs” simply
23 because their party addresses will be disclosed.

24 For these reasons and those set forth in the motion, Cal Poly has failed to carry its bur-
25 den to show any nontrivial public interest favoring nondisclosure of the venue addresses.

26
27 ⁵ For this reason, Cal Poly’s claim that code-enforcement activity has led to a decline in the
28 *voluntary* use of DoorList to publicize parties, *see* Aiello-Coppola Decl. ¶ 21, hardly estab-
lishes that fraternities will stop complying with the *mandatory* event-registration policy.

1 **3. Cal Poly has failed to show that any public interest in nondisclo-**
2 **sure *clearly outweighs* the substantial public interest in disclosure.**

3 Having failed to establish a public interest in *nondisclosure* of the address information,
4 Cal Poly can hardly carry its burden to demonstrate that those interests “clearly outweigh” the
5 public’s interest in disclosing it. The university’s two-pronged effort to do so falls far short of
6 demonstrating a “clear overbalance” in favor of nondisclosure and should be rejected. *See City*
7 *of Vallejo*, 112 Cal. App. 5th at 598.

8 **(a) There are significant public interests in efficient enforcement**
9 **of City zoning laws and disclosure of information advancing**
10 **that goal.**

11 Cal Poly implicitly acknowledges, by failing to dispute, that the public has an obvious
12 interest in knowing whether and how fraternity houses are unlawfully operating in the City and
13 in the enforcement of City zoning ordinances. *See, e.g.*, Opp’n at 17–18; Mot. at 17. And it
14 concedes that the address information is directly relevant to those interests and would advance
15 them. These concessions demonstrate that the balance of interests compels disclosure of that
16 information. Cal Poly offers only two arguments to try to avoid that conclusion. Neither of
17 them has any merit.

18 **First**, Cal Poly concedes that the address information “would make code enforcement
19 easier” but implicitly argues that the public has no meaningful interest in improving the effi-
20 cient performance of those efforts. *Id.* In fact, Cal Poly all but admits that it is withholding the
21 addresses to hinder the City’s enforcement of its zoning laws and thereby frustrate the public
22 for whose benefit those laws were put in place. *See* Opp’n at 21–22; *see also* Aiello-Coppola
23 Decl. ¶¶ 17–22 (discussing concerns arising from City code enforcement activity); Haft Decl.
24 ¶¶ 6–13 (same); Mockford Decl. ¶¶ 9–15 (same). Cal Poly’s attempt to resist disclosure on this
25 ground and under these circumstances flies in the face of one of the primary rationales under-
26 lying the statutory and constitutional right to obtain public records: Access to information
27 about the people’s business helps the public identify and rectify public agency inefficiencies
28 and seek accountability for noncompliance with the law. *See Int’l Fed’n of Pro. & Tech. Eng’rs*

1 *v. Superior Court*, 42 Cal. 4th 319, 333 (2007) (“public access makes it possible for members of
2 the public to expose corruption, incompetence, inefficiency, prejudice, and favoritism”).

3 **Second**, Cal Poly argues that there is no public interest in the disclosure of the venue
4 addresses because while disclosure might “facilitat[e] the identification of residences that al-
5 legedly violate local zoning ordinances” it allegedly would not help evaluate “Cal Poly’s gov-
6 ernment operations.” Opp’n at 21. This argument is also unavailing.

7 Cal Poly cites *Voice of San Diego* for the proposition that the only “relevant inquiry is
8 whether disclosure” sheds light only on the disclosing “agency’s own activities,” but that case
9 holds no such thing. *Id.* Both the California Constitution and the CPRA, meanwhile, provide a
10 right of access to public records that broadly concern “the conduct of the public’s business.”
11 Gov. Code § 7920.530(a); Cal. Const., art. I, § 3(b)(1) (“The people have the right of access
12 to information concerning the conduct of the people’s business[.]”). There is no limitation in
13 either provision, or in the catchall exemption, that—once it is demonstrated that the material
14 is a public record, which is not in dispute here—disclosure must further the public interest
15 specifically relating to the agency’s operations rather than to the public’s business more
16 broadly.⁶ The catchall exemption asks only what the public interests are in the disclosure or
17 nondisclosure of the record, and how those interests compare; it does not limit or narrow how
18 the public’s interest must be defined or require an agency to disclose only those public records
19 that concern its particular operations. *See* Gov. Code § 7922.000; *see also, e.g., Becerra v. Supe-*
20 *rior Court*, 44 Cal. App. 5th 897, 923 (2020) (holding that state agency was required to disclose
21 police personnel records in its possession that were created by local police agencies). Adopting
22 the narrow interpretation Cal Poly urges would, again, create exceptions to the CPRA that do
23 not exist and contradict the requirement that exemptions must be strictly construed, and as
24 much as possible in favor of disclosure. *See* Cal. Const., art. I, § 3(b)(1); *Sierra Club v. Superior*
25 *Court*, 57 Cal. 4th 157, 175 (2013) (any ambiguity in a statute limiting disclosure must be con-

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27
28 ⁶ As discussed below, meanwhile, disclosure would do so here.

1 strued “in a way that maximizes the public’s access to information”). Because there is no gen-
2 uine dispute that there is a substantial public interest in the efficient enforcement of City codes
3 and that disclosure of the venue addresses would advance that goal, the Court should grant the
4 motion and require the address redactions to be removed.

5 **(b) There is also significant public interest in Cal Poly’s role in**
6 **permitting possible zoning violations and in the disclosure of**
records shedding light on that conduct.

7 Even if Cal Poly could properly narrow the public-interest inquiry to what disclosure
8 would reveal about *its* operations (and it cannot), the university is wrong to argue that there is
9 no public interest in the role it plays in contributing to the apparent increase in fraternity parties
10 being held in neighborhoods that are zoned to prohibit fraternity housing. *See* Opp’n at 18. To
11 that end, Cal Poly claims it does not actually “approve” the parties at all, suggests it has no
12 way of knowing whether any parties are occurring in areas where fraternity housing is off-limits,
13 tries to argue that there’s nothing Cal Poly can or should be expected to do about it, and insists
14 that disclosure would not be useful in helping the public sort out the matter and pursue ac-
15 countability. *See id.* at 8–9, 18–19. These arguments lack any merit.

16 **First**, contrary to Cal Poly’s claim that “registration is not approval,” Opp’n at 8, it
17 requires fraternities to register events in advance. Aiello-Coppola Decl. ¶ 4; Mockford Decl. ¶
18 7. Indeed, “all events sponsored or endorsed by a recognized Greek organization must be reg-
19 istered with and approved by the FSL Office in advance.” Galloway Decl. ¶ 4. Every FSL
20 Event Registration record disclosed to Walker bears clear indication that the event has been
21 “Approved.” *See* Pet. Ex. 16; Ex. 8; Cal Poly Exs. D1–D2; Walker Reply Ex. 1.⁷ And those
22 records also demonstrate that during the registration process the FSL Office—including one
23 of the officials who disclaimed the notion that registration is an “approval process”⁸—grants
24 or withholds approval of the event or discusses potentially withholding approval. *See* Reply Ex.
25 1 at 5 (“This event is actually not approved.”); *id.* at 10 (“we can approve it anyway”); *id.* at

26 ⁷ Walker’s 2024 request and 2025 request to Cal Poly seek disclosure only of records relating
27 to Cal Poly-“sanctioned events.” *See* Pet. Exs. 9, 13. The disclosed records therefore would
28 not, and apparently do not, reflect events for which approval may have been withheld.

⁸ *See* Aiello-Coppola Decl. ¶ 5.

1 16 (replying “Permission granted!” in response to change to party names and themes); *id.* at
2 21 (“This time will be a warning, but in the future I can’t approve this.”); *id.* at 26 (“In the
3 future, we cannot approve an event called ‘Pinning Party’ – it implies alcohol involvement with
4 new members which is against policy.”); *id.* at 30 (“I need Alpha Phi to submit their form for
5 this before I can approve it!”); *id.* at 36 (responding, “You are good, thank you” to planner’s
6 suggestion that they may cancel event rather than incur \$100 fine for late registration).

7 **Second**, as Cal Poly knows, anyone with an internet connection can easily look up zon-
8 ing information for any address in the City. *See* Aiello-Coppola Ex. B (post-June 2025 event-
9 registration form directing fraternities to the City’s online zoning map) at 14; Aiello-Coppola
10 Ex. C (form used September 2024 to June 2025) at 1. And the FSL Office “recommend[s]”
11 that fraternities determine, on their own, whether “the residence that you have chosen is al-
12 lowed to host Fraternity/Sorority events.” *Id.*; *see also* Opp’n at 9 (fraternities are asked to
13 “independently check zoning requirements”) (citing Aiello-Coppola Decl. ¶ 10).

14 Cal Poly fails to explain why it chooses to allow fraternities to self-police their compli-
15 ance with zoning ordinances (and, thus, with the university’s compliance with its policy that
16 fraternities abide by City laws). Even if it were a compelling argument for Cal Poly to disavow
17 any duty to spend 30 seconds to input an address into the City’s online zoning map (or to co-
18 operate with the City code-enforcement officer who has repeatedly asked for its assistance, *see*,
19 *e.g.*, Pet. Exs. 3, 12), there is no reason it could not condition registration approvals on frater-
20 nities’ attestation or other affirmative demonstration of compliance with the City’s zoning re-
21 quirements. When it wants to do so, Cal Poly has no difficulty proactively demanding as much
22 before approving an event. *See, e.g.*, Ex. 7 at 4 (requiring submission of guest list and sober
23 monitors for parties with alcohol); *id.* at 7 (requiring submission of contracts between fraterni-
24 ties and owners of third-party event venues); Aiello-Coppola Ex. B at 7–8, 16 (requiring sub-
25 mission of risk assessment and risk management plan); *id.* at 20 (requiring submission of name
26 of “Religious Leader that chooses to make alcohol available” at on-campus religious obser-
27 vances); *id.* at 23 (requiring acknowledgment of potential “disciplinary action for non-compli-
28 ance with university amplified-sound limits”); *id.* at 26–27 (requiring submission of application

1 for temporary food-handling permit and acknowledgment that “my event will not be confirmed
2 without an approved” permit).

3 Meanwhile, it may be that “Cal Poly never makes [a] determination” about whether
4 fraternity parties are operating in violation of the City’s zoning laws. *See* Opp’n at 18. Despite
5 Cal Poly’s suggestion otherwise, however, the public’s interest is not limited only to the ques-
6 tion of whether it is knowingly allowing that to happen. *See id.* At a minimum, Cal Poly has long
7 been on notice that fraternity parties are very likely occurring in City neighborhoods where
8 fraternity housing is prohibited. *See, e.g.,* Pet. Ex. 2 at 7–8 (City response to Civil Grand Jury
9 Report); Pet. Ex. 12 (Cal Poly Denial of City’s records request); Pet. Ex. 3 (code enforcement
10 email to Cal Poly); *see also* Mockford Decl. ¶ 11. The public is therefore just as interested in
11 understanding whether Cal Poly, perhaps uniquely empowered to do something about the mat-
12 ter, is nonetheless hiding its head in the sand—especially given its concessions (1) that it col-
13 lects addresses so that it can “assess, if necessary, whether [an] event complied with university
14 policies,” Opp’n at 9; (2) that those policies require compliance with City laws, Ex. 7 at 7; and
15 (3) that the City and members of the public are demanding Cal Poly enforce its own policies
16 and be responsive to the public that funds it, *see, e.g.,* Pet. Exs. 1–2 (Civil Grand Jury report and
17 City Response). Cal Poly’s only response to this point is, essentially, to ignore it and insist that
18 the public is not sufficiently interested in a public agency’s effort to remain willfully blind and
19 inactive in the face of potentially improper conduct that its own policies are ostensibly designed
20 to prevent.

21 **Third**, the entire event-registration exercise is designed to ensure, “before those events
22 occur,” that fraternity parties comply with university policies. *See, e.g.,* Mockford Decl. ¶ 8.
23 Those policies include mandatory compliance “with all applicable laws,” including City ordi-
24 nances. *See* Ex. 7 at 3. As Cal Poly admits, it can punish fraternities that do not comply with the
25 registration procedures and tells them in no uncertain terms that failure to comply may lead to
26 serious consequences. *See, e.g.,* Haft Decl. ¶ 5 (fraternities “are subject to university policies
27 that require them to comply with applicable laws and university standards as a condition of
28

1 maintaining their recognized status”); Mockford Decl. ¶ 5 (same). In other words, the univer-
2 sity’s power to prevent policy-violating events from occurring flows directly from its power to
3 punish fraternities for those violations and to wield that power (or the threat of its exercise)
4 either after-the-fact, when it discovers a violation, or during the registration process when it
5 sees that an event’s particulars are noncompliant with university policies. Fraternities recog-
6 nize this, even if Cal Poly tries to deny it here. *See* Reply Ex. 1 at 36 (party planner stating they
7 would cancel noncompliant event rather than pay FSL Office-imposed fine).

8 Despite having the ability to force fraternities to comply with its mandate that City or-
9 dinances be followed, and despite having the information necessary for it and others to enforce
10 those ordinances, Cal Poly is both refusing to take any steps to ensure compliance and trying
11 to prevent others from doing so as well. Cal Poly “should not be allowed to exercise [such]
12 absolute discretion, shielded from public accountability,” to the detriment of some City resi-
13 dents in favor of others who are or may be violating City zoning requirements and thereby in-
14 flicting demonstrated harm on the community. *See New York Times Co.*, 218 Cal. App. 3d at
15 1585–86; *see also CBS, Inc. v. Block*, 42 Cal. 3d 646, 654 (1986) (balance of interests required
16 disclosure to ensure “that public officials are acting properly”).

17 ***Finally***, disclosing the venue addresses would certainly provide more than “only mar-
18 ginal additional value” to the publicly available information about fraternity parties. *See* Opp’n
19 at 21 (incorrectly arguing otherwise). Cal Poly asserts that the disclosed FSL Event Registra-
20 tion records reveal addresses for “non-residential, non-chapter house” locations and thus sug-
21 gests that further address disclosures would not “improve the public’s understanding of Cal
22 Poly’s administration of recognized student organizations.” *Id.* This argument fails for the sim-
23 ple reason that Cal Poly has redacted *more than 62 percent* of the event addresses reflected in
24 the FSL Event Registration records. *See* Walker Reply Decl. ¶¶ 5–8. Especially given that fact,
25 disclosure of the venue addresses would increase transparency into whether—as Cal Poly has
26 been told repeatedly—fraternities are violating City laws and, thus, Cal Poly’s own mandate
27 that those laws be followed.

1 In short, Cal Poly is a public agency that has a policy, intended to serve the public, that
2 fraternities must comply with City laws, necessarily including the City’s ban on fraternity hous-
3 ing in certain residential areas. Cal Poly has public records with information that would advance
4 both Cal Poly’s policy of mandatory compliance with City laws and the City’s own enforce-
5 ment of them, the effective enforcement of both of which is an obvious matter of significant
6 public interest. Disclosure of the venue addresses reflected in the FSL Event Registration rec-
7 ords would serve and advance those public interests. And because Cal Poly has failed to demon-
8 strate that any public interest in nondisclosure “clearly outweighs” those interests in transpar-
9 ency, the Court should grant the motion and require Cal Poly to remove the redactions to the
10 address information reflected in the FSL Event Registration records.

11 **C. Walker is entitled to declaratory relief on the question of whether FERPA**
12 **applies to address information in FSL Event Registration records.**

13 Cal Poly’s attempt to avoid declaratory relief improperly assumes that, because exemp-
14 tions must be assessed on a record-by-record basis, declaratory relief is not available. *See* Opp’n
15 at 25. That view is mistaken, as is Cal Poly’s conflation of Walker’s several asserted grounds
16 for declaratory relief as seeking the same relief. *Compare* Opp’n at 25 *with* Mot. at 23–24.

17 Declaratory relief is available to enforce the right of access to a particular public record
18 “or class of public records.” *City of Gilroy v. Superior Court*, 19 Cal. 5th 38, 46 (2026) (quoting
19 Gov. Code § 7923.000). So, as a basic principle, Walker remains entitled to a judicial declara-
20 tion that the FSL Event Registration records at issue in this case are public records presump-
21 tively subject to disclosure. *See* Mot. at 24 (requesting same). Likewise, Walker is entitled to a
22 declaration that FERPA is inapplicable to the FSL Event Registration records and address in-
23 formation reflected within them and that Cal Poly unlawfully redacted the addresses at issue in
24 violation of the California Constitution and CPRA. *Id.*

25 Separately, declaratory relief is also “available under the CPRA where the declaration
26 would resolve an ongoing dispute regarding the parties’ rights and obligations in a manner that
27 has some likelihood of affecting future requests for public records or future conduct relating to
28 such requests.” *City of Gilroy*, 19 Cal. 5th at 46. Despite Cal Poly’s mischaracterization of

1 Walker’s requests, she does not seek a declaration that fails to address the circumstances of
2 future FSL Event Registration records. Instead, in addition to the relief discussed above, which
3 primarily concerns enforcement of the specific request at issue in this case, *see* Gov. Code §
4 7923.000, Walker seeks a judicial declaration that “Cal Poly records that reflect addresses of
5 Cal Poly-sanctioned or fraternity-sanctioned events must be disclosed.” Mot. at 24. For the
6 reasons discussed above, there are no public interests in nondisclosure that clearly outweigh
7 disclosure of such records. Cal Poly fails, meanwhile, to articulate what possible circumstances
8 may apply in the future to the “class of public records” comprising FSL Event Registration
9 records that would allow it to raise the inapplicable exemption claims it has asserted here.

10 Because the requested grounds for declaratory relief are appropriate and would “guide
11 the parties’ future conduct and inform their rights and responsibilities under the CPRA” with
12 respect to FSL Event Registration records, the Court should grant that requested relief.

13 **III. Conclusion**

14 For the foregoing reasons, the Court should grant Walker’s Petition, provide the re-
15 quested declaratory relief, and order Cal Poly to disclose the requested FSL Event Registration
16 records without redactions to the event addresses within them.

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18 Date: July 24, 2026

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