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11 UNITED STATES DISTRICT COURT  
 12 CENTRAL DISTRICT OF CALIFORNIA  
 13

14 CONGREGATION ETZ CHAIM, an  
 unincorporated association and the  
 15 individual members thereof;  
 CONGREGATION ETZ CHAIM OF  
 16 HANCOCK PARK, a California non-  
 profit corporation,  
 17

18 Plaintiffs,

19 v.

20 CITY OF LOS ANGELES,

21 Defendant.  
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CASE NO. CV 10-01587 (CAS) (Ex)

**UNITED STATES OF AMERICA'S  
 OPPOSITION TO DEFENDANT  
 CITY OF LOS ANGELES'  
 OBJECTION AND REQUEST TO  
 STRIKE U.S.'s STATEMENT OF  
 INTEREST FILED APRIL 28, 2011**

The Hon. Christina A. Snyder

Courtroom: 5  
 Date: May 9, 2011  
 Time: 10:00 a.m.

1           The United States opposes the Defendant City of Los Angeles' Objection  
2 and Request to Strike U.S.'s Statement of Interest Filed April 28, 2011. ("Def.'s  
3 Obj.", ECF No. 139.) Despite the City's contentions, the United States did not  
4 purposely wait to file its statement of interest in order to prevent the City from  
5 having an opportunity to respond. (See Def.'s Obj. at 2.) Rather, the timing of the  
6 United States' filing was due to the extent of the material submitted by the parties  
7 on their cross-motions for summary judgment and the time it took the United  
8 States to review the material and formulate a position.

9           Moreover, the City has not been prejudiced by the United States' filing on  
10 April 28, 2011. As the City itself acknowledges, the court continued the hearing  
11 on the parties' cross-motions for summary judgment until May 9, 2011. (See id.;  
12 Minutes, ECF No. 133.) If the City requires additional time to draft a response, the  
13 proper form of relief is to request that the court continue the hearing, not to request  
14 that the filing be struck. In addition, the United States notes that on April 27,  
15 2011, the court granted the filing of an Amicus Curiae Brief in Support of  
16 Defendant City of Los Angeles' Motion for Summary Judgment or, in the  
17 Alternative, Partial Summary Judgment. (See Order, ECF No. 135.) That amicus  
18 brief was submitted on April 22, 2011, just five days prior to the United States'  
19 statement of interest. (See ECF No. 127-1.)

20           As stated in the United States' statement of interest, the Department of  
21 Justice has authority to enforce the Religious Land Use and Institutionalized  
22 Persons Act, and the United States believes that its participation will aid the court  
23 in resolving the issues raised in the parties' cross-motions for summary judgment.  
24 (See ECF No. 134 at 1.)

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1 For these reasons, the United States opposes the City's request to strike, and  
2 respectfully requests that the court allow its statement of interest to be considered  
3 properly filed pursuant to 28 U.S.C § 517.

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Dated: May 2, 2011

Respectfully submitted,  
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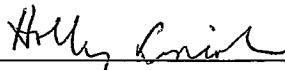
**CERTIFICATE OF SERVICE**

I hereby certify that on May 2, 2011, I caused to be served a copy of the foregoing document entitled *United States of America's Opposition to Defendant City of Los Angeles' Objection and Request to Strike U.S.'s Statement of Interest Filed April 28, 2011*, by e-mail, upon the following counsel of record, and that a copy will be sent by first-class mail on May 3, 2011:

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