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11
12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 GREGORY VALENTINI, et al.,) Case No.: CV-11-04846-SJO-MRW
15 Plaintiffs,)
16 vs.) NOTICE OF FILING SECOND
17 ERIC SHINSEKI, et al.,) SUPPLEMENT TO
18 Defendants) ADMINISTRATIVE RECORD

19)
20) [Before the Honorable James S. Otero]
21)

1 Pursuant to this Court's January 22, 2013 Order (ECF No. 108), Defendants
2 Eric Shinseki, Secretary of the Department of Veterans Affairs (VA), and Donna
3 M. Beiter, Director of the VA Greater Los Angeles Healthcare System (VA-GLA),
4 by and through counsel, file herewith a Second Supplement to the Administrative
5 Record in the above-referenced matter that was filed on October 22, 2012 (ECF No.
6 96) and previously supplemented on November 20, 2012 (ECF No. 98).

7 As provided in the January 22, 2013 Order, this Second Supplement to the
8 Administrative Record adds to the Administrative Record copies of those
9 Enhanced Sharing Agreements (ESAs) that were no longer in effect in June 2011
10 but that nevertheless were included in a list of "Current Land Use Agreements"
11 attached as an appendix to the Master Plan for use of the VA's West Los Angeles
12 (WLA) campus that was issued by VA in June 2011. *See* Administrative Record
13 (AR) 00186-87 (ECF No. 96-6). In addition to these ESAs themselves, this
14 Second Supplement to the Administrative Record includes the non-privileged
15 information and materials that were considered by VA GLA when entering into
16 these agreements as well as financial records pertaining to these ESAs.
17 Certification of Second Supplement to the Administrative Record, ¶¶ 2, 3,
18 February 19, 2013.

19 Although the Master Plan did not specify particular filming agreements by
20 name or date in including such "short term non-recurring sharing agreements" on
21 the list of "Current Land Use Agreements," *see* AR 000186-87 (ECF No. 96-6),
22 the supplement to the administrative record filed herewith includes all ESAs for
23 filming on the WLA campus during the period in which the Master Plan was
24 developed, from June 2008 through June 2011. *See id.*, ¶¶ 1, 3.

25 Finally, defendants note that the January 22, 2013 Order held that "because
26 Plaintiffs' APA claim challenges only those agreements entered into pursuant to 38
27 U.S.C. §§ 8151-53, only documentation related to ESAs need be included in the
28 Administrative Record." Nonetheless, the lease VA entered into with the City of

1 Los Angeles in 1983, for use of Barrington Park, is included within this
2 supplement even though it is not an ESA because it is specifically referenced in the
3 January 22, 2013 Order. *See* ECF No. 108 at 5, fn. 3.

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5 Respectfully Submitted,

6 Dated: February 19, 2013

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