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Defendant CITY OF BURBANK

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

LOS ANGELES COUNTY
METROPOLITAN
TRANSPORTATION
AUTHORITY, a public entity,

Plaintiff,

v.

CITY OF BURBANK, a municipal
corporation; and DOES 1-10,
inclusive,

Defendants.

Case No. 26STCP01904

Assigned for all purposes to the
Hon. Judge Stephen Morgan,
Dept. 416

**CITY'S EVIDENTIARY
OBJECTIONS TO
DECLARATION OF ANTHONY
DEFRENZA IN SUPPORT OF
PETITIONER'S MOTION FOR
RECONSIDERATION**

Date: August 24, 2026
Time: 10:00 a.m.
Dept.: 416

Action Filed: May 19, 2026 (CEQA)

1 The City objects and requests a specific ruling to the following
2 portions of the Declaration of Anthony DeFrenza, filed in support of
3 Petitioner's Motion for Reconsideration.

4 DeFrenza Dec.	Exact Words	Objections
5 Para. 4, Lines 26-27	6 "In September 2017, Metro published a description of the transportation system expected to be available for the 2028 Games."	Irrelevant to Motion for Reconsideration. This is not a "new fact" or new "circumstance. Lacks personal knowledge: This occurred before Mr. DeFrenza was hired by Metro.
11 Para. 5, lines 3-4	12 "On January 25, 2018, the Metro Board approved the original Twenty-Eight by '28 project list."	Irrelevant to Motion for Reconsideration. This is not a "new fact" or new "circumstance. Lacks personal knowledge: This occurred before Mr. DeFrenza was hired by Metro.
18 Para. 6, lines 12-13	19 "The original Twenty-Eight by '28 list identified this Project as Project No. 5 under its then-current name, "Orange and Red Lines to Gold Line Transit Connector (North Hollywood to Pasadena)."	Irrelevant to Motion for Reconsideration. This is not a "new fact" or new "circumstance. Lacks personal knowledge: This occurred before Mr. DeFrenza was hired by Metro.
25 Para. 7, lines 17-19	26 "In December 2020, the Metro Board directed staff to prepare a Mobility Concept Plan for the 2028 Games in	Irrelevant to Motion for Reconsideration. This is not a "new fact" or new "circumstance. Lacks personal knowledge: This

1		coordination with purported direction
2		LA28, local venue from the Metro Board
3		cities, Caltrans, occurred before Mr.
4		Metrolink, and other DeFrenza was hired by
5	Para. 8, line 21	Metro.
6		Irrelevant to Motion
7		for Reconsideration.
8		This is not a “new fact”
9		or new “circumstance.
10		Hearsay: DeFrenza
11		purports to summarize
12		from an internal Metro
13		document without any
14		hearsay exception.
15	Para. 9, lines 4-6	Irrelevant to Motion
16		for Reconsideration.
17		This is not a “new fact”
18		or new “circumstance.
19		Hearsay: DeFrenza
20		purports to summarize
21		from an internal Metro
22		document without any
23		hearsay exception.
24		Speculation: The
25		hearsay document, per
26		DeFrenza, identifies
27		“North Hollywood as a
28		potential central
		mobility hub,” which is
		speculation.
1	Para. 10, line 10	Irrelevant to Motion
2		for Reconsideration.
3		This is not a “new fact”
4		or new “circumstance.
5		Hearsay: DeFrenza
6		purports to summarize
7		from an internal Metro
8		document without any
9		hearsay exception.
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1	Para. 11, lines 16-17	“In March 2024, Metro reassessed the Twenty-Eight by ‘28 portfolio because several projects on the original list were no longer expected to be completed before the Games.”	Irrelevant to Motion for Reconsideration. This is not a “new fact” or new “circumstance. Hearsay: DeFrenza purports to summarize from an internal Metro document without any hearsay exception.
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7	Para. 12, lines 24-25	“Metro thereafter retained the Project after specifically reevaluating its Games-related investment portfolio for deliverability and consistency with the Mobility Concept Plan.”	Irrelevant to Motion for Reconsideration. This is not a “new fact” or new “circumstance. Hearsay: DeFrenza purports to summarize from an internal Metro document without any hearsay exception.
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14	Para. 14, lines 8-9	“The schedule originally attached to the Cooperative Agreement (Agreement) as Exhibit 2, Part B is a high-level schedule for the entire 19-mile Project corridor.”	Irrelevant to Motion for Reconsideration. This is not a “new fact” or new “circumstance. Double hearsay: DeFrenza purports to summarize a schedule that is purported to be introduced for the truth of the matter and DeFrenza asserts it was “for the entire project.”
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23	Para. 15, lines 17-18	“Metro had previously transmitted a draft Burbank construction schedule to the City on July 28, 2025.	Irrelevant to Motion for Reconsideration. This is not a “new fact” or new “circumstance. Double hearsay: DeFrenza purports to summarize a schedule
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Para. 16, lines 22-26

“The Burbank Schedule identifies the following principal milestones: commencement of field construction on July 27, 2026; completion of the final geographic construction segment on October 22, 2027, completion of overlay and striping activities on November 5, 2027; Substantial Completion on November 15, 2027, after the scheduled weather allowance; and final Completion on January 24, 2028, after the punchlist period.”

Para. 18, lines 5-7

“Following the Metro Board’s approval of the Project’s Life-of-Project budget, on July 9, 2026 Metro and MSJV executed Modification EWP MOD-004 to Contract No. PS1187360000 (“EWP-04”).

that is purported to be introduced for the truth of the matter as to what the “correct” Burbank-only schedule should be.

Irrelevant to Motion for Reconsideration. This is not a “new fact” or new “circumstance. DeFrenza defines the “Burbank Schedule” as having been transmitted on July 28, 2025 with a further revision dated April 2026. (DeFrenza ¶15). Both of those dates are well before the July 16, 2026 hearing.

Irrelevant to Motion for Reconsideration. This is not a “new fact” or new “circumstance. DeFrenza stated that the date of this contract modification was July 9, 2026, again before the July 16, 2026 hearing.

1	Para. 19, line 10	“EWP-04 gives the	Legal conclusion as
2		April 23, 2027	to “contractual effect.”
3		Burbank Schedule	
4	Para. 20, lines 16-18	contractual effect.”	
5		“Milestone 2.2 of	Irrelevant to Motion
6		Attachment 2	for Reconsideration.
7		establishes	This is not a “new fact”
8		Substantial	or new “circumstance.
9		Completion of the	DeFrenza stated that
10		Burbank BRT	the date of this
11		Segment 486 days	contract modification
12		after Metro provides	was July 9, 2026,
13		all “Approved-for-	again before the July
14		Construction Design	16, 2026 hearing.
15		Documents for the	
16		Burbank work to	
17		MSJV.”	
18	Para. 22, p. 6, lines 27-	“At the monthly	Irrelevant to Motion
19	28 through p. 7, lines	Project Development	for Reconsideration.
20	1-2.	Team meeting on July	This is not a “new fact”
21		2, 2026 with the City,	or new “circumstance.
22		Metro proposed	DeFrenza stated that
23		scheduling a meeting	the date of this
24		with the City to	meeting was July 2,
25		coordinate the	2026, again before the
26		administrative	July 16, 2026 hearing.
27		logistics of	
28		construction submittal	
		review, City input on	
		contractor-submitted	
		Requests for	
		Information, field-	
		directed design	
		changes, and	
		transmittal of quality	
		control information	
		rom Metro and MSJV	
		to the City.”	

1	Para. 22, p.7, lines 3-6	“On July 9, 2026, Mr. Kriske responded on behalf of the City. He wrote that due to the ongoing litigation, the City would not be able to provide input or participate in any activities related to the construction phase of the Project until the litigation is resolved.”	Irrelevant to Motion for Reconsideration. This is not a “new fact” or new “circumstance. DeFrenza stated that the date of this letter was July 9, 2026, again before the July 16, 2026 hearing.
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9	Para. 29, lines 14-15	“On July 24, 2026, Metro formally notified the City that the same April 23, 2026 Burbank Schedule described above was adopted by Metro and its contractor under the recently executed EWP-04.”	Irrelevant to Motion for Reconsideration. This is not a “new fact” or new “circumstance. DeFrenza stated that this notice did not change the schedule conveyed to the City in April 2026.
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17	Para. 34, lines 14-15	“In November 2016, Los Angeles County voters approved Measure M, a no-sunset, one-half-percent sales tax for transportation improvements.”	Irrelevant to Motion for Reconsideration. This is not a “new fact” or new “circumstance.
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DATED: August 11, 2026 ALESHIRE & WYNDER, LLP
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By: 

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1 **PROOF OF SERVICE**

2 **(Los Angeles County Metropolitan Transportation Authority v.**
3 **City of Burbank)**

4 **LASC Case No. 26STCP01904**

5 **STATE OF CALIFORNIA, COUNTY OF ORANGE**

6 At the time of service, I was over 18 years of age and not a party to
7 this action. I am employed in the County of Orange, State of California.
8 My business address is 1 Park Plaza, Suite 1000, Irvine, CA 92614.

9 On August 11, 2026, I served true copies of the following document(s)
10 described as **CITY'S EVIDENTIARY OBJECTIONS TO**
11 **DECLARATION OF ANTHONY DEFRENZA IN SUPPORT OF**
12 **PETITIONER'S MOTION FOR RECONSIDERATION** on the
13 interested parties in this action as follows:

14 **SEE ATTACHED SERVICE LIST**

15 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a
16 copy of the document(s) to be sent from e-mail address
17 dvaillancourt@awattorneys.com to the persons at the e-mail addresses
18 listed in the Service List. I did not receive, within a reasonable time after
19 the transmission, any electronic message or other indication that the
20 transmission was unsuccessful.

21 I declare under penalty of perjury under the laws of the State of
22 California that the foregoing is true and correct.

23 Executed on August 11, 2026, at Irvine, California.

24 

25 Debra E. Vaillancourt

SERVICE LIST
***(Los Angeles County Metropolitan Transportation Authority v.
City of Burbank)***
LASC Case No. 26STCP01904

(01504.0001)

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