

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIA RESTAURANT ASSOCIATION,

Case No.: 4:19-cv-07668-YGR

Plaintiff,

**JUDGMENT**

vs.

CITY OF BERKELEY,

Defendants.

The Court having granted defendant the City of Berkeley’s motion to dismiss, it is **ORDERED, ADJUDGED AND DECREED** that, in compliance with the Court’s prior Order:

- (1) the claim of federal law preemption by the Energy Policy and Conservation Act asserted against defendant the City of Berkeley is **DISMISSED WITH PREJUDICE**; and
- (2) the remaining claims of California state law preemption asserted against the City of Berkeley are **DISMISSED WITHOUT PREJUDICE**.

Judgment is entered in favor of defendant the City of Berkeley and against plaintiff California Restaurant Association. Plaintiff California Restaurant Association shall take nothing by the complaint herein.

The Clerk of the Court shall enter this judgment and close this matter.

**IT IS SO ORDERED.**

Dated: July 6, 2021

  
**YVONNE GONZALEZ ROGAS**  
**UNITED STATES DISTRICT JUDGE**

United States District Court  
Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28