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5 Attorneys for Petitioner
6 **BON APPETIT BAKERY**

7
8 **BEFORE THE HEARING BOARD OF THE**
9 **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

10
11 In the Matter of
12 **BON APPETIT BAKERY**
13 Petitioner.

Case No.: 6280-1
Facility I.D.: 167755

**STIPULATION TO PLACE MATTER
ON CONSENT CALENDAR**

Hearing Date: January 21, 2026

17 We, the undersigned parties, hereby agree and stipulate as follows:

18 1. The parties agree that this matter may be placed on the Hearing Board's Consent
19 Calendar to be heard on January 21, 2026, pursuant to Rule 4 of the Rules and Procedures of
20 the South Coast Air Quality Management District Hearing Board;

21 2. The declarations of Sonny Cutwright and Robert MacDonald dated January 14,
22 2026 (filed concurrently with this Stipulation) may be submitted to the Hearing Board and
23 entered into evidence in support of Bon Appetit Bakery's ("Bon Appetit") October 23, 2025,
24 Petition for a Regular Variance ("Petition");

25 3. The parties request that evidence and testimony previously presented in the *ex*
26 *parte* emergency variance (granted October 24, 2025) and the interim variance (granted
27 November 18, 2025) – including the November 12, 2025 declarations of Robert MacDonald
28 (Petitioner's Exhibit 3) and Sonny Cutwright (Petitioner's Exhibit 2) – be incorporated into

this matter;

4. The parties have agreed on the proposed Findings and Decision and Proposed Order, which may be submitted to the Hearing Board in support of the Petition;

5. Based on all of the evidence in this case, the District does not oppose the granting of the Regular Variance;

6. The parties stipulate to the conditions set forth in the Findings and Decision and Proposed Order, which shall be marked and identified as a Petitioner's exhibit;

7. Operation under the order is not expected to result in a violation of Health & Safety Code Section 41700.

SO STIPULATED.

DATED: January 14, 2026 FOR PETITIONER:

MAYA LOPEZ GRASSE
ALSTON & BIRD LLP

Maya Lopez Grasse, Alston & Bird LLP
Attorneys for BON APPETIT BAKERY

DATED: January 15, 2026 FOR RESPONDENT:

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Myers

Mary Reichert, Senior Deputy District Counsel
Attorney for SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT