

**U.S. District Court  
Eastern District of California – Live System (Sacramento)  
CIVIL DOCKET FOR CASE #: 2:05-cv-02198-MCE-KJM**

Knox et al v. Westly et al  
Assigned to: Judge Morrison C. England, Jr  
Referred to: Magistrate Judge Kimberly J. Mueller  
Case in other court: USCA-9th Circuit, 08-16645  
Cause: 42:1983 Civil Rights Act

Date Filed: 11/01/2005  
Date Terminated: 03/28/2008  
Jury Demand: None  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Dianne Knox**

represented by **W. James Young**  
National Right to Work Legal Defense  
Foundation Inc  
8001 Braddock Road  
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703-321-8510  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

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**ATTORNEY TO BE NOTICED**

**Plaintiff**

**William L. Blaylock**

represented by **W. James Young**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Steven R. Burlingham**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Robert A. Conover**

represented by **W. James Young**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Steven R. Burlingham**  
(See above for address)  
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**Plaintiff**

**Edward L. Dobrowolski, Jr.**

represented by **W. James Young**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Steven R. Burlingham**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Karyn Gil**

represented by **W. James Young**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Steven R. Burlingham**  
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**Plaintiff**

**Thomas Jacob Hass**

represented by **W. James Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Steven R. Burlingham**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Patrick Johnson**

represented by **W. James Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Steven R. Burlingham**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Jon Jumper**

represented by **W. James Young**  
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*LEAD ATTORNEY*  
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**Steven R. Burlingham**  
(See above for address)  
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**Plaintiff**

**R. Paul Ricker**  
*TERMINATED: 03/09/2006*

represented by **W. James Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Steven R. Burlingham**  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Steve Westly**  
*Controller, State of California*

represented by **Douglas J. Woods**  
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**ATTORNEY TO BE NOTICED**

**Defendant**

**California State Employees  
 Association, Local 1000, Service  
 Employees International Union,  
 AFL-CIO-CLC**

represented by **Jeffrey B. Demain**  
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**ATTORNEY TO BE NOTICED**

**Defendant**

**State Controller John Chiang**

represented by **Douglas J. Woods**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
11/01/2005	<u>1</u>	VERIFIED CLASS ACTION COMPLAINT against all defendants, filed by Plaintiffs. (Attachments: # <u>1</u> Civil Cover Sheet)(Krueger, M) (Entered: 11/01/2005)
11/01/2005		RECEIPT number 205 9452 for \$250.00 for Civil Filing Fee from National Right to Work. (Krueger, M) (Entered: 11/01/2005)
11/01/2005	<u>2</u>	SUMMONS ISSUED as to *Steve Westly, California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC* with answer to complaint due within *20* days. Attorney *Steven R. Burlingham* *Gary, Till and Burlingham* *5330 Madison Avenue, Suite F* *Sacramento, CA 95841*. (Krueger, M) (Entered: 11/01/2005)
11/01/2005	<u>3</u>	CIVIL NEW CASE DOCUMENTS ISSUED; (Attachments: # <u>1</u> Consent Forms # <u>2</u> VDRP Forms) (Krueger, M) (Entered: 11/01/2005)
11/01/2005		SERVICE BY MAIL: <u>2</u> Summons, and <u>3</u> Civil New Case Documents for MCE served on Steven R. Burlingham. (Krueger, M) (Entered: 11/01/2005)
11/01/2005	<u>4</u>	PRO HAC VICE APPLICATION and PROPOSED ORDER by Plaintiffs for attorney W. James Young to appear Pro Hac Vice for Plaintiffs. (Krueger, M) (Entered: 11/01/2005)
11/01/2005		RECEIPT number 205 9453 for \$180.00 for Pro Hac Vice for Attorney W. James Young from National Right to Work. (Krueger, M) (Entered: 11/01/2005)
11/02/2005	<u>5</u>	PRO HAC VICE ORDER signed by Judge Morrison C. England Jr. on 11/02/05: Added attorney W. James Young for Patrick Johnson; Jon Jumper; R. Paul Ricker; Dianne Knox; William L. Blaylock; Robert A. Conover; Edward L. Dobrowolski, Jr; Karyn Gil and Thomas Jacob Hass. (Warren, P) (Entered: 11/02/2005)

11/02/2005		SERVICE BY MAIL: <u>5</u> Pro Hac Vice Order served on Steven R Burlingham and W. James Young (Warren, P) (Entered: 11/02/2005)
11/02/2005	<u>6</u>	Ex Parte MOTION for TEMPORARY RESTRAINING ORDER <i>and/or Preliminary Injunction</i> by Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, R. Paul Ricker, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr. (Attachments: # <u>1</u> Declaration # <u>2</u> Exhibit A # <u>3</u> Memorandum # (4) Proposed Order granting TRO # (5) Proposed Order granting Preliminary Injunction)(Burlingham, Steven) Modified on 11/3/2005 (Girgis, C). (Entered: 11/02/2005)
11/02/2005	11	MINUTES for proceedings held before Judge Morrison C. England Jr.: IN COURT HEARING held on 11/2/2005. Plaintiffs gave opening argument. Defendants request for continuance of TRO Hearing. Plaintiffs gave rebuttal. Defendants responded. For the reasons given, the TRO is granted. Preliminary Injunction set for Friday, November 4, 2005 at 10:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr.. Oppositions due not later than 2 p.m. on Thursday, November 3, 2005. Replies due not later than 4:30 p.m. on Thursday, November 3, 2005. Plaintiffs Counsel James Young present. Defendants Counsel Jonathan Weissglass and Jeffrey Demain (appearing by telephone) present. Court Reporter: Diane Shepard. (Souvannarath, A) (Entered: 11/03/2005)
11/03/2005	<u>7</u>	ORDER granting <u>6</u> Motion for Temporary Restraining Order. Signed by Judge Morrison C. England, Jr. on 11/3/2005.(Deutsch, S) (Entered: 11/03/2005)
11/03/2005		SERVICE BY MAIL: <u>7</u> Order on Motion for Temporary Restraining Order served on W. James Young. (Deutsch, S) (Entered: 11/03/2005)
11/03/2005	<u>8</u>	DECLARATION of Jeffrey B. Demain in OPPOSITION to <u>6</u> Ex Parte MOTION for TEMPORARY RESTRAINING ORDER <i>and/or Preliminary Injunction</i> . (Demain, Jeffrey) Modified on 11/7/2005 (Krueger, M). (Entered: 11/03/2005)
11/03/2005	<u>9</u>	DECLARATION of Cathy Hackett in OPPOSITION to <u>6</u> Ex Parte MOTION for TEMPORARY RESTRAINING ORDER <i>and/or Preliminary Injunction</i> .(Attachments: # <u>1</u> Exhibit A)(Demain, Jeffrey) Modified on 11/7/2005 (Krueger, M). (Entered: 11/03/2005)
11/03/2005	<u>10</u>	DECLARATION of Lee King in OPPOSITION to <u>6</u> Ex Parte MOTION for TEMPORARY RESTRAINING ORDER <i>and/or Preliminary Injunction</i> . (Demain, Jeffrey) Modified on 11/7/2005 (Krueger, M). (Entered: 11/03/2005)
11/03/2005	<u>12</u>	MEMORANDUM/RESPONSE in OPPOSITION to Motion for Preliminary Injunction. (Attachments: # <u>1</u> Exhibit)(Demain, Jeffrey) Modified on 11/7/2005 (Krueger, M). (Entered: 11/03/2005)
11/03/2005	<u>13</u>	CERTIFICATE of SERVICE by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC re <u>8</u> , <u>9</u> , <u>10</u> , <u>12</u> Memorandum/Response in Opposition to Motion (Demain, Jeffrey) (Entered: 11/03/2005)
11/03/2005	<u>14</u>	MEMORANDUM/RESPONSE in OPPOSITION to <i>Motion for Preliminary Injunction</i> . (Woods, Douglas) (Entered: 11/03/2005)
11/03/2005	<u>15</u>	REPLY to Defendants' Oppositions to Motion for TRO <i>and/or Preliminary Injunction</i> by Plaintiffs. (Burlingham, Steven) Modified on 11/7/2005 (Krueger, M). (Entered: 11/03/2005)
11/03/2005	<u>16</u>	CORRECTED CERTIFICATE of SERVICE of <u>15</u> Reply to Defendants' Oppositions by Plaintiffs. (Burlingham, Steven) Modified on 11/7/2005 (Krueger, M). (Entered: 11/03/2005)
11/03/2005	<u>17</u>	MOTION for CLASS CERTIFICATION by Plaintiffs. Motion Hearing set for 12/5/2005 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. (Attachments: # <u>1</u> Memorandum of Points and Authorities # <u>2</u> Declaration of W. James Young)(Burlingham, Steven) Modified on 11/7/2005 (Krueger, M). (Entered: 11/03/2005)

11/04/2005	<u>18</u>	DECLARATION of Robert A. Conover in Support of <u>6</u> Ex Parte MOTION for TEMPORARY RESTRAINING ORDER <i>and/or Preliminary Injunction</i> . (Burlingham, Steven) (Entered: 11/04/2005)
11/04/2005	<u>19</u>	CERTIFICATE of SERVICE by Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, R. Paul Ricker, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr re <u>18</u> <i>Conover Declaration</i> (Burlingham, Steven) (Entered: 11/04/2005)
11/04/2005		RECEIPT number 201 10939 of \$525,000.00 placed in court– supervised escrow account by defendant CSEA, pursuant to Court's Order <u>7</u> filed 11/3/05. (Marciel, M) (Entered: 11/04/2005)
11/04/2005	<u>20</u>	MINUTES for proceedings held before Judge Morrison C. England Jr.: IN COURT HEARING held on 11/4/2005 regarding Preliminary Injunction and <u>6</u> MOTION for TEMPORARY RESTRAINING ORDER. The court addresses counsel regarding member dues. Court also addresses letters dated 06–30–05 and 08–31–05 and the Hudson notice. Arguments presented by both parties. Mr. Demain, counsel for the Union dfts, requests the court to enter an order returning the \$525,000 back to the Union should the preliminary injunction not issue. The Union dfts also request that the current motion to certify class scheduled for hearing on 12/5/05 be continued to a future date to allow time for discovery prior to the hearing. Counsel for dft Steve Westly, Mr. Woods, explains to the Court how the system at the Controller's Office works with regards to the special assessment and withholding. For the reasons given by the Court, the preliminary injunction is denied. Plaintiff's counsel, Mr. Young, requests that the injunction be ordered as to the named Plaintiffs in this action. The Union will return money to the individual fee members. Court further orders that the money in the amount of \$525,000 be released forthwith. Parties shall discuss the hearing date on the motion to certify class and advise the courtroom deputy of same. Court order will follow. Plaintiffs Counsel W. James Young present. Defendants Counsel Stephen P Berzon and Jeffrey Demain for Union defendants. Douglas Woods for defendant Steve Westly. Court Reporter: Diane Shepard. (Souvannarath, A) Modified on 11/7/2005 (Krueger, M). (Entered: 11/04/2005)
11/08/2005	<u>21</u>	MEMORANDUM AND ORDER signed by Judge Morrison C. England Jr. on 11/4/05 ORDERING the funds in the amount of \$525,000.00 which were deposited by SEIU, Local 1000, into the account of the US District Court pursuant to a TRO, entered by this Court on 11/3/05, are to be returned to SEIU forthwith. (cc: Court's Financial Department). (Krueger, M) (Entered: 11/08/2005)
11/08/2005		SERVICE BY MAIL: <u>21</u> Order served on W. James Young. (Krueger, M) (Entered: 11/08/2005)
11/09/2005	<u>22</u>	TRANSCRIPT of Motion for TRO Hearing held on 11/2/05 before Judge Morrison C. England, Jr. Court Reporter: Diane J. Shepard. (Krueger, M) Modified to add image on 7/16/2009 (Waggoner, D). (Entered: 11/09/2005)
11/09/2005	<u>23</u>	ORDER signed by Judge Morrison C. England Jr. on 11/8/05 ORDERNG Plaintiffs Motion for Preliminary Injunction <u>6</u> DENIED. (Krueger, M) (Entered: 11/09/2005)
11/15/2005	<u>24</u>	STIPULATION for Extension of Time until 12/21/05 to Answer Complaint by California State Employees Association, Local 1000, Service Employees International Union, AFL–CIO–CLC. (Demain, Jeffrey) Modified on 11/16/2005 (Krueger, M). (Entered: 11/15/2005)
11/15/2005	<u>25</u>	CERTIFICATE of SERVICE by California State Employees Association, Local 1000, Service Employees International Union, AFL–CIO–CLC re <u>24</u> Stipulation (Demain, Jeffrey) (Entered: 11/15/2005)
11/16/2005	<u>26</u>	CERTIFICATE of SERVICE by Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, R. Paul Ricker, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr re <u>3</u> Civil New Case Documents for MCE (Young, W.) (Entered: 11/16/2005)
11/18/2005	<u>27</u>	SUMMONS RETURNED EXECUTED by Plaintiffs, Steve Westly served on 11/2/2005, answer due 11/22/2005; California State Employees Association, Local 1000, Service Employees International Union, AFL–CIO–CLC served on 11/2/2005, answer due 11/22/2005. (Young, W.) Modified on 11/21/2005 (Krueger, M).

		(Entered: 11/18/2005)
12/21/2005	<u>28</u>	ANSWER to COMPLAINT by CA State Employees Assoc, Local 1000, Service Employees Int'l Union, AFL-CIO-CLC (Demain, Jeffrey. Modified on 12/21/2005 (Kastilahn, A). (Entered: 12/21/2005)
12/21/2005	<u>29</u>	ANSWER to COMPLAINT by Steve Westly.(Woods, Douglas) Modified on 12/22/2005 (Krueger, M). (Entered: 12/21/2005)
01/03/2006	<u>30</u>	JOINT STATUS REPORT by Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, R. Paul Ricker, California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr. (Young, W.) (Entered: 01/03/2006)
01/05/2006	<u>31</u>	SUPPLEMENTAL STATUS REPORT by Steve Westly. (Woods, Douglas) (Entered: 01/05/2006)
01/12/2006	<u>32</u>	PRETRIAL (STATUS) SCHEDULING ORDER signed by Judge Morrison C. England Jr. on 1/11/06: Designation of Expert Witnesses due by 5/14/2007. Discovery due by 3/12/2007. Dispositive Motions shall be due by 8/13/2007. Final Pretrial Conference set for 10/29/2007 at 01:30 PM, and the parties shall file a Joint Pretrial Statement by 10/15/2007. Court Trial set for 12/12/2007 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. (Krueger, M) (Entered: 01/12/2006)
01/17/2006	<u>33</u>	LIMITED OBJECTION to the <u>32</u> Pretrial (Status) Scheduling Order by Defendant California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) Modified on 1/18/2006 (Krueger, M). (Entered: 01/17/2006)
01/23/2006	<u>34</u>	AMENDED PRETRIAL (STATUS) SCHEDULING ORDER signed by Judge Morrison C. England Jr. on 1/20/06: Designation of Expert Witnesses due by 5/14/2007. Discovery due by 3/12/2007. Dispositive Motions shall be heard by 8/13/2007. Final Pretrial Conference set for 10/29/2007 at 01:30 PM, with a Joint Pretrial Statement due by 10/15/2007. Court Trial set for 12/12/2007 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. (Krueger, M) (Entered: 01/23/2006)
01/23/2006	<u>35</u>	NOTICE of HEARING by all plaintiffs re <u>17</u> MOTION to CERTIFY CLASS <i>and Appoint Class Counsel</i> . Motion Hearing Set for 3/20/06 at 9:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England, Jr. (Young, W.) Modified on 1/25/2006 (Krueger, M). (Entered: 01/23/2006)
01/24/2006	<u>36</u>	REQUEST for <i>Continuance of Hearing on Plaintiffs' Motion for Class Certification</i> by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Attachments: # <u>1</u> Declaration # <u>2</u> Proposed Order)(Demain, Jeffrey) (Entered: 01/24/2006)
01/26/2006	<u>37</u>	ORDER signed by Judge Morrison C. England Jr. on 1/25/06 ORDERING that the hearing date of 3/20/06 currently set for Plaintiffs' Motion for Class Certification <u>17</u> is hereby VACATED. Pltfs may re-notice their Motion for Class Certification after the Court resolves the Union's Motion to Dismiss. (Krueger, M) (Entered: 01/26/2006)
02/17/2006	<u>38</u>	MOTION to DISMISS <i>and for Partial Summary Judgment</i> by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. Motion Hearing set for 3/20/2007 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr.. (Thoreen, Peder) (Entered: 02/17/2006)
02/17/2006	<u>39</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>38</u> MOTION to DISMISS <i>and for Partial Summary Judgment</i> . (Thoreen, Peder) (Entered: 02/17/2006)
02/17/2006	<u>40</u>	STATEMENT of Undisputed Facts in Support of SEIU Local 1000's Motion to Dismiss and for Partial Summary Judgment by Defendant California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC re <u>38</u> MOTION to DISMISS <i>and for Partial Summary Judgment</i> . (Thoreen, Peder)

		(Entered: 02/17/2006)
02/17/2006	<u>41</u>	DECLARATION of Jeffrey B. Demain in SUPPORT OF re <u>38</u> MOTION to DISMISS <i>and for Partial Summary Judgment</i> . (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Thoreen, Peder) (Entered: 02/17/2006)
02/21/2006	<u>42</u>	NOTICE OF LODGING DOCUMENT IN PAPER: Deposition Transcript of December 12, 2005 Deposition of R. Paul Ricker pursuant to Local Rule 5-133(j) by Defendant. (Thoreen, Peder) (Document Routed to the Fileroom). Modified on 2/21/2006 (Krueger, M). (Entered: 02/21/2006)
03/06/2006	<u>43</u>	STIPULATION AND PROPOSED ORDER of voluntary dismissal of pltf R. Paul Ricker and for withdrawal of pending motions by R. Paul Ricker (Young, W.) Modified on 3/6/2006 (Reader, L). (Entered: 03/06/2006)
03/09/2006	<u>44</u>	STIPULATION and ORDER <u>43</u> signed by Judge Morrison C. England Jr. on 3/8/06 GRANTING Voluntary Dismissal of Pltf R. Paul Ricker pursuant to FRCP 41(a)(1). Pltfs' Motion to Certify Class <u>17</u> , and Defendants Motion to Dismiss and for Partial Summary Judgment <u>38</u> are hereby WITHDRAWN.(Krueger, M) (Entered: 03/09/2006)
03/31/2006	<u>45</u>	RENEWED MOTION to CERTIFY CLASS <i>and Class Counsel</i> by Plaintiffs. Motion Hearing set for 5/1/2006 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. (Attachments: # <u>1</u> Memorandum # <u>2</u> Declaration of W. James Young)(Young, W.) Modified on 4/3/2006 (Krueger, M). (Entered: 03/31/2006)
04/12/2006	<u>46</u>	NOTICE by all plaintiffs re <u>45</u> PLAINTIFF(S) MOTION to CERTIFY CLASS <i>and Class Counsel Revised Notice of Motion</i> (Young, W.) (Entered: 04/12/2006)
04/13/2006	<u>47</u>	REQUEST for <i>Continuance of Hearing on Plaintiffs' Motion for Class Certification</i> by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Thoreen, Peder) (Entered: 04/13/2006)
04/13/2006	<u>48</u>	DECLARATION of Jeffrey B. Demain in Support of <u>47</u> Request for Continuance of Hearing. (Thoreen, Peder) Modified on 4/14/2006 (Donati, J). (Entered: 04/13/2006)
04/13/2006	<u>49</u>	PROPOSED ORDER for <u>47</u> Request for Continuance of Hearing. (Thoreen, Peder) Modified on 4/14/2006 (Donati, J). (Entered: 04/13/2006)
04/13/2006	<u>50</u>	MOTION for Partial JUDGMENT by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. Motion Hearing set for 6/5/2006 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr.. (Thoreen, Peder) Modified on 4/14/2006 (Donati, J). (Entered: 04/13/2006)
04/13/2006	<u>51</u>	MEMORANDUM of POINTS and AUTHORITIES in Support of <u>50</u> Motion for Partial Judgment by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Thoreen, Peder) Modified on 4/14/2006 (Donati, J). (Entered: 04/13/2006)
04/20/2006	<u>52</u>	MEMORADUM AND ORDER signed by Judge Morrison C. England Jr. on 4/20/06 ORDERING Defendant's Motion for Continuance is GRANTED. Plaintiffs' Motion for Class Certification <u>45</u> is CONTINUED to 8/7/2006 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. (Krueger, M) (Entered: 04/20/2006)
05/19/2006	<u>53</u>	MEMORANDUM/RESPONSE in Opposition to <u>50</u> Motion for Partial Judgment by Plaintiffs. (Young, W.) Modified on 5/22/2006 (Donati, J). (Entered: 05/19/2006)
05/24/2006	<u>54</u>	STATEMENT of NON-OPPOSITION to MOTION <i>for PARTIAL JUDGMENT on the Pleadings</i> . (Woods, Douglas) Modified on 5/25/2006 (Krueger, M). (Entered: 05/24/2006)
05/26/2006	<u>55</u>	REPLY in SUPPORT of <u>50</u> PARTIAL JUDGMENT on the Pleadings by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Thoreen, Peder) Modified on 5/30/2006 (Krueger, M). (Entered: 05/26/2006)
06/02/2006	<u>56</u>	MINUTE ORDER: (TEXT ONLY ENTRY) The Defendants' <u>50</u> Motion for for Partial Judgment, scheduled for hearing on 6/5/06, is submitted without oral argument pursuant to Local Rule 78-230(h). If the court determines that oral

		argument is needed, it will be scheduled at a later date.Approved by Judge Morrison C. England Jr. on 6/2/06. (Souvannarath, A) (Entered: 06/02/2006)
07/05/2006	<u>57</u>	UNOPPOSED REQUEST for a <i>continuance of hearing on pltf's motion for class certification</i> by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) Modified on 7/6/2006 (Yin, K). (Entered: 07/05/2006)
07/05/2006	<u>58</u>	PROPOSED ORDER continuing pltf's motion for class certification by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) Modified on 7/6/2006 (Yin, K). (Entered: 07/05/2006)
07/11/2006	<u>59</u>	ORDER signed by Judge Morrison C. England Jr. on 7/11/06 ORDERING that Plaintiffs' Motion for Class Certification <u>45</u> is taken off calendar. The Court hereby VACATES the 8/7/06 hearing date set for Plaintiffs' Motion for Class Certification. Plaintiffs may re-notice their Motion for Class Certification after the Court issues an order adjudicating the Union's Rule 12(c) Motion.(Krueger, M) (Entered: 07/11/2006)
08/16/2006	<u>60</u>	ORDER signed by Judge Morrison C. England Jr. on 8/15/06 ORDERING Defendant CSEA's Motion for Partial Judgment on the Pleadings <u>50</u> is GRANTED with respect to Plaintiff Conover. (Krueger, M) (Entered: 08/16/2006)
09/15/2006	<u>61</u>	SECOND AMENDED RENEWED MOTION to CERTIFY CLASS by Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, Dianne Knox, William L. Blaylock, Edward L. Dobrowolski, Jr. Motion Hearing set for 10/16/2006 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr.. (Young, W.) Modified on 9/18/2006 (Donati, J). (Entered: 09/15/2006)
09/22/2006	<u>62</u>	CORRECTED SECOND AMENDED MOTION to CERTIFY CLASS re <u>61</u> Second Amended Motion to Certify Class by Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, R. Paul Ricker, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr. Motion Hearing set for 10/16/2006 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. (Young, W.) Modified on 9/25/2006 (Reader, L). Modified on 10/3/2006 (Krueger, M). (Entered: 09/22/2006)
09/29/2006	<u>63</u>	MOTION for SUMMARY JUDGMENT by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. Motion Hearing set for 10/30/2006 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. (Thoreen, Peder) Modified on 10/3/2006 (Krueger, M). (Entered: 09/29/2006)
09/29/2006	<u>64</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>63</u> MOTION for SUMMARY JUDGMENT. (Thoreen, Peder) (Entered: 09/29/2006)
09/29/2006	<u>65</u>	STATEMENT of Undisputed Facts by Defendant California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC re <u>63</u> MOTION for SUMMARY JUDGMENT. (Thoreen, Peder) (Entered: 09/29/2006)
09/29/2006	<u>66</u>	DECLARATION of Lee King in SUPPORT of <u>63</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C)(Thoreen, Peder) Modified on 10/3/2006 (Krueger, M). (Entered: 09/29/2006)
09/29/2006	<u>67</u>	DECLARATION of Richard M. Graham in SUPPORT of <u>63</u> MOTION for SUMMARY JUDGMENT. (Thoreen, Peder) Modified on 10/3/2006 (Krueger, M). (Entered: 09/29/2006)
09/29/2006	<u>68</u>	MEMORANDUM in OPPOSITION to <u>62</u> CORRECTED SECOND AMENDED MOTION to CERTIFY CLASS by CA State Employees Association. (Thoreen, Peder) Modified on 10/3/2006 (Krueger, M). (Entered: 09/29/2006)
09/29/2006	<u>69</u>	DECLARATION of Jade San Juan in SUPPORT of <u>68</u> OPPOSITION to Corrected Second Amended Motion to Certify Class. (Thoreen, Peder) Modified on 10/3/2006 (Krueger, M). (Entered: 09/29/2006)



09/29/2006	<u>70</u>	DECLARATION of Jeffrey B. Demain in SUPPORT of <u>68</u> OPPOSITION to Corrected Second Amended Motion to Certify Class. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B)(Thoreen, Peder) Modified on 10/3/2006 (Krueger, M). (Entered: 09/29/2006)
09/29/2006	<u>71</u>	NOTICE OF LODGING DOCUMENT IN PAPER <i>re April 7, 2006 Deposition of Robert A. Conover</i> by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC: Deposition Transcript Lodged with court pursuant to Local Rule 5-133(j). (Thoreen, Peder) (Received and Routed to file room) Modified on 10/2/2006 (Yin, K). (Entered: 09/29/2006)
10/02/2006	<u>72</u>	STATEMENT of No Position on Plaintiff's Motion for Class Certification by Defendant Steve Westly. (Woods, Douglas) (Entered: 10/02/2006)
10/06/2006	<u>73</u>	REPLY to RESPONSE to <u>62</u> Second Amended Motion to Certify Class. (Attachments: # <u>1</u> Appendix A)(Young, W.) Modified on 10/10/2006 (Donati, J). (Entered: 10/06/2006)
10/06/2006	<u>74</u>	REQUEST to CONTINUE Hearing on <u>63</u> Motion for Summary Judgment by Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr. (Attachments: # <u>1</u> Proposed Order)(Young, W.) Modified on 10/10/2006 (Donati, J). Modified on 10/11/2006 (Krueger, M). (Entered: 10/06/2006)
10/06/2006	<u>75</u>	RESPONSE to <u>74</u> Motion to Continue Hearing and REQUEST to Continue Hearing on <u>62</u> Second Amended Motion to Certify Class. (Thoreen, Peder) Modified on 10/10/2006 (Donati, J). (Entered: 10/06/2006)
10/06/2006	<u>76</u>	DECLARATION of Peder J. Thoreen in Support of <u>75</u> Response to Plaintiff's Request for a Continuance, and Separate Request for a Continuance. (Thoreen, Peder) Modified on 10/10/2006 (Donati, J). Modified on 10/11/2006 (Krueger, M). (Entered: 10/06/2006)
10/06/2006	<u>77</u>	PROPOSED ORDER re: <u>74</u> Request to Continue Hearing and <u>75</u> Separate Request to Continue Hearing by Defendant. (Thoreen, Peder) Modified on 10/10/2006 (Donati, J). Modified on 10/11/2006 (Krueger, M). (Entered: 10/06/2006)
10/10/2006	<u>78</u>	REPLY to RESPONSE to <u>74</u> Request to Continue by Plaintiffs. (Attachments: # <u>1</u> Proposed Order)(Young, W.) Modified on 10/10/2006 (Donati, J). Modified on 10/11/2006 (Krueger, M). (Entered: 10/10/2006)
10/12/2006	<u>79</u>	ORDER signed by Judge Morrison C. England Jr. on 10/12/06 ORDERING the Hearing on Defendant's MOTION for SUMMARY JUDGMENT <u>63</u> is CONTINUED to 12/11/2006 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. Further, the Court Orders that Plaintiffs' MOTION for CLASS CERTIFICATION <u>62</u> shall remain on calendar for 10/16/06. All dates previously set forth in the PTSO regarding filing, briefing and discovery deadlines are to remain unchanged. The Court affirms those dates at this time. (Krueger, M) (Entered: 10/12/2006)
10/16/2006	80	MINUTES for proceedings held before Judge Morrison C. England Jr.: MOTION HEARING held on 10/16/2006 re <u>62</u> CORRECTED SECOND AMENDED MOTION to CERTIFY CLASS filed by Plaintiffs Patrick Johnson, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr., Karyn Gil, Thomas Jacob Hass, Jon Jumper, R. Paul Ricker. Arguments presented. Plaintiffs' counsel requests that the court amend the complaint to take out any reference to punitive damages. No objections by Defendants. Pltf's request is granted. Motion is taken under submission. Court order will follows. At the parties' request, the Court orders that the reply brief to the Dft's motion for summary judgment <u>63</u> is due on 11/17/06. Plaintiffs Counsel W. James Young present. Defendants Counsel Jeffrey Demain and Peder Thoreen for Union Dfts. Douglas Woods for Dft Controller Steve Westly. present. Court Reporter: Diane Shepard. (Souvannarath, A) (Entered: 10/16/2006)
11/01/2006	<u>81</u>	ORDER signed by Judge Morrison C. England Jr. on 10/31/06 ORDERING Plaintiff's Motion for Class Certification <u>62</u> is GRANTED. The Court finds that the named Plfs are adequate representatives of the class of individuals who pay compulsory fees to CSEA who are not members and who have, at one time or

		another, specifically objected to the use of their agency fees for politics or other non-bargaining activities. The Court further finds that Pltf Conover is an adequate representative of the class of individuals who pay compulsory fees to CSEA who are not members and who have not at any time objected to the use of their agency fees for politics or other non-bargaining activities.(Krueger, M) (Entered: 11/01/2006)
11/15/2006	<u>82</u>	STIPULATION and PROPOSED ORDER Proposed Stipulated Protective Order re Salary Information by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) (Entered: 11/15/2006)
11/16/2006	<u>83</u>	OPPOSITION to <u>63</u> Motion for Summary Judgment (Attachments: # <u>1</u> Declaration # <u>2</u> Statement)(Young, W.) Modified on 11/16/2006 (Marciel, M). Modified on 11/17/2006 (Donati, J). (Entered: 11/16/2006)
11/30/2006	<u>84</u>	STIPULATION and PROTECTIVE ORDER <u>82</u> re Salary Information signed by Magistrate Judge Kimberly J. Mueller on 11/30/06. (refer to document image for details)(Marciel, M) (Entered: 11/30/2006)
12/04/2006	<u>85</u>	REPLY BRIEF in SUPPORT of <u>63</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Appendix 1 # <u>2</u> Appendix 2)(Thoreen, Peder) Modified on 12/5/2006 (Krueger, M). (Entered: 12/04/2006)
12/04/2006	<u>86</u>	DECLARATION of Lee King in SUPPORT of <u>85</u> Reply Brief. (Thoreen, Peder) Modified on 12/5/2006 (Krueger, M). (Entered: 12/04/2006)
12/04/2006	<u>87</u>	DECLARATION of Jeffrey B. Demain in SUPPORT of <u>85</u> Reply Brief. (Demain, Jeffrey) Modified on 12/5/2006 (Krueger, M). (Entered: 12/04/2006)
12/04/2006	<u>88</u>	AMENDED REPLY BRIEF in Support of <u>63</u> Motion for Summary Judgment by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Attachments: # <u>1</u> Appendix 1 # <u>2</u> Appendix 2)(Thoreen, Peder) Modified on 12/5/2006 (Krueger, M). (Entered: 12/04/2006)
12/07/2006	<u>89</u>	TRANSCRIPT of Plaintiffs' Motion to Certify Class Action held on 10/16/06 before Judge Morrison C. England, Jr. Court Reporter: Diane Shepard. (Krueger, M) Modified to add image on 7/16/2009 (Waggoner, D). (Entered: 12/08/2006)
12/11/2006	90	MINUTES for proceedings held before Judge Morrison C. England Jr.: MOTION HEARING held on 12/11/2006 re <u>63</u> Motion for Summary Judgment filed by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. Arguments presented. Motion is taken under submission. Court order to follow. Plaintiffs Counsel W. James Young present. Defendants Counsel Jeffrey B. Demain present. Court Reporter: Diane Shepard. (Souvannarath, A) (Entered: 12/11/2006)
01/04/2007	<u>91</u>	NOTICE of Change of Firm Name by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) Modified on 1/5/2007 (Krueger, M). (Entered: 01/04/2007)
02/12/2007	<u>92</u>	MEMORANDUM and ORDER signed by Judge Morrison C. England Jr. on 2/12/07 ORDERING that CSEA's <u>63</u> Motion for Summary Judgment is DENIED. (Yin, K) (Entered: 02/12/2007)
04/30/2007	<u>93</u>	STIPULATION and PROPOSED ORDER to Permit Summary Judgment Motions to be Heard on 8/17/07. (Demain, Jeffrey) Modified on 5/1/2007 (Krueger, M). (Entered: 04/30/2007)
05/07/2007	<u>94</u>	STIPULATION and ORDER signed by Judge Morrison C. England Jr. on 5/4/07 CONTINUING Summary Judgment Motions pursuant to the stipulation between the parties. Dispositive Motion due by 8/17/2007.(Yin, K) (Entered: 05/07/2007)
05/14/2007	<u>95</u>	DESIGNATION/DISCLOSURE of EXPERT WITNESS by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Thoreen, Peder) (Entered: 05/14/2007)
05/15/2007	<u>96</u>	AMENDED DISCLOSURE of Expert Witness <u>95</u> by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Thoreen, Peder) Modified on 5/16/2007 (Duong, D). (Entered: 05/15/2007)

05/22/2007	<u>97</u>	MINUTE ORDER: Due to unavailability of the Court's calendar and on the Court's own motion, the 10/29/2007 Final Pretrial Conference is advanced to 10/19/2007 at 9:00 a.m. in Courtroom 3 before the Honorable Morrison C. England, Jr. The Joint Final Pretrial Statement is to be filed not later than 10/5/2007. The 12/12/2007 Bench Trial is advanced to 12/10/2007 at 9:00 a.m. in Courtroom 3 before the Honorable Morrison C. England, Jr. Signed by Judge Morrison C. England Jr. on 5/22/2007. (Deutsch, S) (Entered: 05/22/2007)
07/13/2007	<u>98</u>	[DISREGARD – AMENDED <u>103</u> MOTION FILED] MOTION for SUMMARY JUDGMENT by Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr. Motion Hearing set for 8/13/2007 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr.. (Young, W.) Modified on 7/18/2007 (Marciel, M). (Entered: 07/13/2007)
07/13/2007	<u>99</u>	MEMORANDUM of Points and Authorities in SUPPORT of <u>98</u> MOTION for SUMMARY JUDGMENT. (Young, W.) Modified on 7/16/2007 (Marciel, M). (Entered: 07/13/2007)
07/13/2007	<u>100</u>	STATEMENT of Undisputed Material Facts in support of <u>98</u> Motion for Summary Judgment by plaintiffs Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr. (Young, W.) Modified on 7/16/2007 (Marciel, M). (Entered: 07/13/2007)
07/13/2007	<u>101</u>	DECLARATION of W. James Young in support of <u>98</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Exhibit A & B)(Young, W.) Modified on 7/16/2007 (Marciel, M). (Entered: 07/13/2007)
07/17/2007	<u>102</u>	AMENDED <u>98</u> MOTION for SUMMARY JUDGMENT by Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr. Motion Hearing set for 8/17/2007 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr.. (Young, W.) Modified on 7/18/2007 (Marciel, M). (Entered: 07/17/2007)
07/17/2007	<u>103</u>	MOTION for SUMMARY JUDGMENT by California State Employees Association, Local 1000, Service Employees International Union, AFL–CIO–CLC. Motion Hearing set for 8/17/2007 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr.. (Thoreen, Peder) Modified on 8/10/2007 (Marciel, M). (Entered: 07/17/2007)
07/17/2007	<u>104</u>	MEMORANDUM of Points and Authorities in SUPPORT of <u>103</u> MOTION for SUMMARY JUDGMENT. (Demain, Jeffrey) Modified on 7/18/2007 (Marciel, M). (Entered: 07/17/2007)
07/17/2007	<u>105</u>	STATEMENT of Undisputed Facts in support of <u>103</u> Motion for Summary Judgment by defendants California State Employees Association, Local 1000, Service Employees International Union, AFL–CIO–CLC. (Demain, Jeffrey) Modified on 7/18/2007 (Marciel, M). (Entered: 07/17/2007)
07/17/2007	<u>106</u>	DECLARATION of Jade San Juan in SUPPORT OF <u>103</u> MOTION for SUMMARY JUDGMENT. (Demain, Jeffrey) Modified on 7/18/2007 (Marciel, M). (Entered: 07/17/2007)
07/17/2007	<u>107</u>	DECLARATION of Lee King in SUPPORT OF <u>103</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C) (Demain, Jeffrey) Modified on 7/18/2007 (Marciel, M). (Entered: 07/17/2007)
07/31/2007	<u>108</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>102</u> AMENDED MOTION for SUMMARY JUDGMENT (Attachments: # <u>1</u> Appendix A)(Demain, Jeffrey) Modified on 8/2/2007 (Reader, L). (Entered: 07/31/2007)
07/31/2007	<u>109</u>	DECLARATION of Jeffrey B. Demain in SUPPORT of OPPOSITION re <u>102</u> AMENDED MOTION for SUMMARY JUDGMENT (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Demain, Jeffrey) Modified on 8/2/2007 (Reader, L). (Entered: 07/31/2007)
07/31/2007	<u>110</u>	DECLARATION of Anne Giese in SUPPORT of OPPOSITION re <u>102</u> AMENDED MOTION for SUMMARY JUDGMENT (Demain, Jeffrey) Modified on 8/2/2007

		(Reader, L). (Entered: 07/31/2007)
07/31/2007	<u>111</u>	DECLARATION of Kenneth R. Holmer in SUPPORT of OPPOSITION re <u>102</u> AMENDED MOTION for SUMMARY JUDGMENT (Attachments: # <u>1</u> Exhibit A)(Demain, Jeffrey) Modified on 8/2/2007 (Reader, L). (Entered: 07/31/2007)
07/31/2007	<u>112</u>	DECLARATION of Lee King in SUPPORT of OPPOSITION re <u>102</u> AMENDED MOTION for SUMMARY JUDGMENT (Demain, Jeffrey) Modified on 8/2/2007 (Reader, L). (Entered: 07/31/2007)
07/31/2007	<u>113</u>	REQUEST for JUDICIAL NOTICE by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC in re <u>102</u> Motion for Summary Judgment,. (Demain, Jeffrey) (Entered: 07/31/2007)
07/31/2007	<u>114</u>	DECLARATION of Peder J. Thoreen in SUPPORT OF <u>113</u> SEIU Local 1000's Request for Judicial Notice in Opposition to Plaintiffs' Motion for Summary Judgment and/or Summary Adjudication (Attachments: # <u>1</u> Exhibit A)(Thoreen, Peder) (Entered: 07/31/2007)
07/31/2007	<u>115</u>	REPLY/RESPONSE to Plaintiffs' Statement of Undisputed Material Facts in Support of Their Motion for Summary Judgment and/or Summary Adjudication by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC re <u>100</u> Statement - R,. (Thoreen, Peder) (Entered: 07/31/2007)
07/31/2007	<u>116</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>103</u> MOTION for SUMMARY JUDGMENT. (Young, W.) (Entered: 07/31/2007)
07/31/2007	<u>117</u>	STATEMENT of Genuine Issues In Support of Opposition to Motion for Partial Summary Judgment by Plaintiffs Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr re <u>103</u> MOTION for SUMMARY JUDGMENT. (Young, W.) (Entered: 07/31/2007)
08/03/2007	<u>118</u>	OPPOSITION to Plaintiff's Motion for Summary Judgment by State Controller John Chiang. Attorney Woods, Douglas J. added. (Woods, Douglas) Modified on 8/6/2007 (Manzer, C). (Entered: 08/03/2007)
08/07/2007	<u>119</u>	REPLY to RESPONSE to MOTION re <u>98</u> MOTION for SUMMARY JUDGMENT. (Young, W.) (Entered: 08/07/2007)
08/09/2007	<u>120</u>	NOTICE of Lodging Transcript of March 7, 2007 Deposition of Leeland King by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) Modified on 8/10/2007 (Marciel, M). (TRANSCRIPT LODGED AND ROUTED TO FILE ROOM) Modified on 8/10/2007 (Kastilahn, A). (Entered: 08/09/2007)
08/09/2007	<u>121</u>	REQUEST to lodge Transcript of Michael Harvey Baratz under seal by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) Modified on 8/10/2007 (Marciel, M). (SEALED TRANSCRIPT LODGED AND ROUTED TO VALUT) Modified on 8/10/2007 (Kastilahn, A). (Entered: 08/09/2007)
08/09/2007	<u>122</u>	PROPOSED ORDER granting SEIU Local 1000's <u>121</u> Request to lodge transcript under seal. (Demain, Jeffrey) Modified on 8/10/2007 (Marciel, M). (Entered: 08/09/2007)
08/10/2007	<u>123</u>	REPLY in SUPPORT of <u>103</u> MOTION for Partial Summary Judgment. (Demain, Jeffrey) Modified on 8/10/2007 (Marciel, M). (Entered: 08/10/2007)
08/10/2007	<u>124</u>	DECLARATION of Jeffrey B. Demain in SUPPORT OF <u>103</u> MOTION for Summary Judgment. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C # <u>4</u> Exhibit D # <u>5</u> Exhibit E) (Demain, Jeffrey) Modified on 8/10/2007 (Marciel, M). (Entered: 08/10/2007)
08/10/2007	<u>125</u>	MOTION to STRIKE Portions of Plaintiffs' Opposition to Motion for Partial Summary Judgment by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC.Motion Hearing set for 8/17/2007 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr.. (Demain, Jeffrey) Modified on 8/14/2007 (Kastilahn, A). (Entered: 08/10/2007)

08/10/2007	<u>126</u>	MEMORANDUM of Points and Authorities in SUPPORT of <u>125</u> MOTION to STRIKE Portion of <u>116</u> Pltfs' Opposition to Motion for Partial Summary Judgment. . (Demain, Jeffrey) Modified on 8/14/2007 (Kastilahn, A). (Entered: 08/10/2007)
08/10/2007	<u>127</u>	MOTION to SHORTEN TIME for Hearing Motion to Strike <i>SEIU Local 1000's Application for an Order Shortening Time</i> by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. Motion Hearing set for 8/17/2007 at 09:00 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr.. (Demain, Jeffrey) (Entered: 08/10/2007)
08/10/2007	<u>128</u>	DECLARATION of Jeffrey B. Demain in SUPPORT OF re <u>127</u> MOTION to SHORTEN TIME for Hearing Motion to Strike <i>SEIU Local 1000's Application for an Order Shortening Time</i> . (Demain, Jeffrey) (Entered: 08/10/2007)
08/10/2007	<u>129</u>	PROPOSED ORDER [Proposed] Order Shortening Time re <u>127</u> MOTION to SHORTEN TIME for Hearing Motion to Strike <i>SEIU Local 1000's Application for an Order Shortening Time</i> by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) (Entered: 08/10/2007)
08/10/2007	130	MINUTE ORDER (Text Only): The Court reviewed Defendant's Motion to Strike <u>125</u> and Motion to Shorten Time <u>127</u> and deems both motions moot. The Court construes Defendant's Motion to Strike <u>127</u> as an additional reply to Plaintiff's Opposition <u>123</u> to Defendant's Motion for Summary Judgment <u>103</u> and will consider it for the 8/17/2007 hearing. Signed by Judge Morrison C. England Jr. on 8/10/2007. (Deutsch, S) (Entered: 08/10/2007)
08/13/2007	<u>131</u>	ORDER signed by Judge Morrison C. England Jr. on 8/10/07 ORDERING that the 3/7/07 deposition of Mr. Baratz shall be LODGED UNDER SEAL.(Kastilahn, A) (Entered: 08/13/2007)
08/16/2007	132	MINUTE ORDER (Text Only): On the Court's own motion and pursuant to Local Rule 78-230(h), the Plaintiffs' Motion for Summary Judgment <u>102</u> and the Defendant's Motion for Summary Judgment <u>103</u> , scheduled for hearing on 8/17/2007, are submitted without oral argument. The hearing date of 8/17/2007 is vacated. If the Court determines that oral argument is needed, it will be scheduled at a later date. Signed by Judge Morrison C. England Jr. on 8/16/2007. (Deutsch, S) (Entered: 08/16/2007)
09/07/2007	<u>133</u>	JOINT STIPULATION and PROPOSED ORDER to continue <u>34</u> Pretrial Dates by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) Modified on 9/10/2007 (Marciel, M). (Entered: 09/07/2007)
09/19/2007	134	MINUTE ORDER (Text Only): Pursuant to the parties' Request to Continue Pretrial Dates Pending Resolution of Cross-Motions for Summary Judgment <u>133</u> , the Court hereby continues the 10/19/2007 Final Pretrial Conference to 11/9/2007 at 9:00 a.m. in Courtroom 3 before Judge Morrison C. England, Jr. The Joint Final Pretrial Statement due date is also continued to 10/26/2007. The 12/10/2007 Bench Trial is confirmed. Signed by Judge Morrison C. England Jr. on 9/19/2007. (Deutsch, S) (Entered: 09/19/2007)
10/11/2007	<u>135</u>	SECOND JOINT STIPULATED REQUEST of all parties to continue Trial dates pending resolution of Cross-Motions for Summary Judgment by Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr. (Young, W.) Modified on 10/12/2007 (Marciel, M). (Entered: 10/11/2007)
10/16/2007	136	MINUTE ORDER (Text Only): The Court reviewed the parties' Second Joint Request to Continue Trial Date <u>135</u> and hereby makes the following orders: The 11/9/2007 Final Pretrial Conference is continued to 12/14/2007 at 9:00 a.m. in Courtroom 3 before Judge Morrison C. England, Jr. The Joint Final Pretrial Statement is due not later than 11/30/2007. The 12/10/2007 Bench Trial is continued to 1/14/2008 at 9:00 a.m. in Courtroom 3 before Judge Morrison C. England, Jr. Signed by Judge Morrison C. England Jr. on 10/16/2007. (Deutsch, S) (Entered: 10/16/2007)

11/08/2007	<u>137</u>	MOTION to CONTINUE " <i>Third Joint Stipulated Request of All Parties to Continue Trial Dates Pending Resolution of Cross-Motions for Summary Judgement; [Proposed] Order</i> " by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) (Entered: 11/08/2007)
11/09/2007	<u>138</u>	STIPULATION and ORDER signed by Judge Morrison C. England Jr. on 11/9/07 GRANTING <u>137</u> Motion to Continue. The previously-scheduled dates of 11/30/07, for the submission of the Joint Pretrial Statement, and 12/14/07, for the Final Pretrial Conference, are VACATED. The 1/14/08 Bench Trial is VACATED. (Engbretson, K.) (Entered: 11/09/2007)
03/28/2008	<u>139</u>	MEMORANDUM and ORDER signed by Judge Morrison C. England, Jr on 3/27/08 ORDERING that pltfs' motion for summary judgment is GRANTED. Dfts are ordered to issue, within 60 days following the date of this order, a proper Hudson notice as to the 2005 Assessment, offering nonmembers a 45 day period in which to object. Dfts' motion for summary adjudication as to the nonobjector class is DENIED and dfts' motion asking the court to limit the relevant time period to Sept 2005 – June 2006 (inclusive) is GRANTED. The Clerk is directed to enter judgment in favor of pltfs and close the file. CASE CLOSED.(Kastilahn, A) (Entered: 03/28/2008)
03/28/2008	<u>140</u>	JUDGMENT entered pursuant to Order entered on *3/28/08* and signed by Judge Morrison C. England, Jr on 3/27/08. (Kastilahn, A) (Entered: 03/28/2008)
04/07/2008	<u>141</u>	MOTION for PARTIAL RECONSIDERATION re <u>139</u> Memorandum, Opinion & Order and <u>140</u> Judgment by Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr. Motion Hearing set for 5/30/2008 at 09:00 AM in Courtroom 7 (MCE) before Judge Morrison C. England Jr. (Attachments: # <u>1</u> Proposed Order Granting Motion, # <u>2</u> Proposed Amended Judgment)(Young, W.) Modified on 4/9/2008 (Engbretson, K.). (Entered: 04/07/2008)
04/10/2008	<u>142</u>	STATEMENT of NON-OPPOSITION to MOTION re <u>141</u> MOTION for RECONSIDERATION. (Demain, Jeffrey) (Entered: 04/10/2008)
04/16/2008	<u>143</u>	STIPULATION and PROPOSED ORDER for Stay of Appeal by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) Modified on 4/17/2008 (Marciel, M). (Entered: 04/16/2008)
04/17/2008	<u>144</u>	STIPULATION AND ORDER signed by Judge Morrison C. England, Jr on 4/17/2008. terminating ORDERING <u>143</u> The remedy ordered in this Court's <u>139</u> Memorandum and Order, incorporated into its Judgment in a Civil Case of the same date Docket No. <u>140</u> , is hereby STAYED pending exhaustion or abandonment of all appellate remedies. If the Court subsequently orders any additional remedy in response to Pltfs' pending post-judgment motions Docket No. <u>141</u> , such additional remedy shall also be stayed pending exhaustion or abandonment of all appellate remedies. If any such additional remedy includes money damages, Dft Service Employees Int'l Union Local 1000 shall apply to this Court for approval of security to stay that damage award pending appeal. (Reader, L) (Entered: 04/17/2008)
04/23/2008	<u>145</u>	STATEMENT of NON-OPPOSITION to MOTION. <i>for Partial Judgment on the Pleadings</i> (Woods, Douglas) (Entered: 04/23/2008)
04/23/2008	<u>146</u>	STATEMENT of NON-OPPOSITION to <u>141</u> MOTION for Partial Reconsideration and/or Relief from Judgment, and to Stay Briefing and Consideration of an Award of Attorneys' Fees and Costs (Woods, Douglas) Modified on 4/24/2008 (Kaminski, H). (Entered: 04/23/2008)
05/22/2008	<u>147</u>	JOINT REQUEST to Appear Telephonically re <u>141</u> MOTION for RECONSIDERATION by Karyn Gil, Thomas Jacob Hass, Patrick Johnson, Jon Jumper, Dianne Knox, William L. Blaylock, Robert A. Conover, Edward L. Dobrowolski, Jr.(Attachments: # <u>1</u> Proposed Order (Young, W.) Modified on 5/23/2008 (Kaminski, H). (Entered: 05/22/2008)
05/27/2008	<u>148</u>	ORDER – The Joint Request for Telephonic Appearance for the 5/30/2008 Motions Hearing <u>147</u> is GRANTED. Signed by Judge Morrison C. England, Jr. on 5/27/2008. (Deutsch, S) (Entered: 05/27/2008)

05/29/2008	<u>149</u>	MINUTE ORDER (Text Only): On the Court's own motion and pursuant to Local Rule 78-230(h), the Plaintiffs' Motion for Partial Reconsideration <u>141</u> , scheduled for hearing on 5/30/2008, is submitted without oral argument. The hearing date of 5/30/2008 is vacated. If the Court determines that oral argument is needed, it will be scheduled at a later date.Signed by Judge Morrison C. England, Jr. on 5/29/2008. (Deutsch, S) (Entered: 05/29/2008)
06/17/2008	<u>150</u>	ORDER signed by Judge Morrison C. England, Jr. on 6/16/08. Briefing and consideration of plaintiffs' Petition for Attorneys' Fees and Costs pursuant to 42 USC 1988 is STAYED pending outcome of any and all Appeals in this matter. The Court shall issue an Amended Judgment awarding nominal damages to plaintiffs and each member of the classes. (Marciel, M) Modified on 8/12/2008 (Marciel, M). (Entered: 06/17/2008)
06/23/2008	<u>151</u>	APPLICATION to Approve Cash Deposit in Lieu of Supersedeas Bond and to Stay Judgment Pending Appeal by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Attachments: # <u>1</u> Exhibit A)(Demain, Jeffrey) Modified on 6/24/2008 (Kaminski, H). (Entered: 06/23/2008)
06/23/2008	<u>152</u>	PROPOSED ORDER re <u>151</u> APPLICATION to Approve Cash Deposit in Lieu of Supersedeas Bond . (Demain, Jeffrey) Modified on 6/24/2008 (Kaminski, H). (Entered: 06/23/2008)
06/23/2008	<u>153</u>	AMENDED APPLICATION re <u>151</u> APPLICATION for Approve Cash Deposit in Lieu of Supersedeas Bond and to Stay Judgment Pending Appeal by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Attachments: # <u>1</u> Exhibit A)(Demain, Jeffrey) Modified on 6/24/2008 (Kaminski, H). (Entered: 06/23/2008)
06/27/2008	<u>154</u>	ORDER signed by Judge Morrison C. England, Jr on 06/27/08 ORDERING that the cash deposit, instrument and affidavit filed with this Court is approved and this Court's judgment shall remain stayed pending final exhaustion or abandonment of all appellate remedies. (cc:Financial)(Manzer, C) (Entered: 06/27/2008)
07/14/2008	<u>155</u>	NOTICE of APPEAL by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) (Entered: 07/14/2008)
07/14/2008		RECEIPT number #CAE200008688 \$455.00 Appeal Fee fbo Services Employees Intl Union, Local 1000 by Jeffrey B. Demain on 7/14/2008. (Reader, L) (Entered: 07/14/2008)
07/15/2008	<u>157</u>	APPEAL PROCESSED to Ninth Circuit re <u>155</u> Notice of Appeal - ATY filed by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. Filed dates for Notice of Appeal *7/14/2008*, Complaint *11/1/2005* and Appealed Order / Judgment *3/28/2008*. Court Reporter: *Diane Shepard*. *Fee Status: Paid on 7/14/2008 in the amount of \$455.00* ** (Attachments: # <u>1</u> Appeal Notice) (Kaminski, H) (Entered: 07/15/2008)
07/24/2008	158	USCA CASE NUMBER 08-16645 for <u>155</u> Notice of Appeal - ATY filed by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Plummer, M) (Entered: 07/24/2008)
08/12/2008	<u>159</u>	AMENDED JUDGMENT entered pursuant to <u>150</u> Order filed on *6/17/08*. (Marciel, M) (Entered: 08/12/2008)
08/13/2008	<u>160</u>	TRANSCRIPT DESIGNATION FORM by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC requesting transcripts for the dates of 11/4/05, 10/16/06 and 12/11/06. (Demain, Jeffrey) Modified on 8/20/2008 (Carlos, K). (Entered: 08/13/2008)
08/26/2008	<u>161</u>	AMENDED NOTICE of APPEAL by California State Employees Association, Local 1000, Service Employees International Union, AFL-CIO-CLC. (Demain, Jeffrey) Modified on 8/29/2008 (Kaminski, H).(SENT TO USCA) (Entered: 08/26/2008)
09/11/2008	<u>162</u>	TRANSCRIPT of Proceedings, Motion for Summary Judgment, held on 12-11-06, before Judge Morrison C. England, Jr, filed by Court Reporter Diane Shepard, Phone number 916-554-7460 E-mail diane.shepard@gmail.com. Transcript may be

		viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction must be filed within 5 court days. Redaction Request due 10/2/2008. Redacted Transcript Deadline set for 10/14/2008. Release of Transcript Restriction set for 12/10/2008. (Shepard, D) (Entered: 09/11/2008)
10/24/2008	<u>163</u>	CERTIFICATE of RECORD transmitted to Ninth Circuit re <u>161</u> Notice of Appeal – ATY filed by California State Employees Association, Local 1000, Service Employees International Union, AFL–CIO–CLC for USCA Case Number *08–16645* Hearing Dates of *11/4/2005**10/16/2006**12/11/2006* (Reader, L) (Entered: 10/24/2008)
08/31/2009	<u>164</u>	TRANSMITTED RECORD on APPEAL to USCA # *08–16645* re <u>161</u> Notice of Appeal, <u>155</u> Notice of Appeal. * Volumes of Expandable Folders: 1.* *Electronic Documents: 1 to 163.* (Mena–Sanchez, L) (Entered: 08/31/2009)