

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

DATE/TIME : 2/04/09 DEPT. NO : 19
JUDGE : P. MARLETTE CLERK : D. RIOS, SR.
REPORTER : NONE BAILIFF : NONE

PRESENT:

Professional Engineers in California
Government; California Association of
Professional Scientists,
Petitioners,

VS. Case No.: 34-2008-80000126

Arnold Schwarzenegger, Governor,
State of California; Department of
Personnel Administration; State
Controller John Chiang; and Does 1
through 20 inclusive,
Respondents.

California Attorneys, Administrative
Law Judges and Hearing Officers in
State Employment,
Petitioners,

VS. Case No.: 34-2009-80000134

Arnold Schwarzenegger, Governor,
State of California; David Gilb as
Director of the Department of
Personnel Administration; John Chiang
Controller of the State of
California; and Does 1 through 10,
Respondents.

BOOK : 19
PAGE : 2008-80000126-1909
DATE : 2/04/09
CASE NO. : 2008-80000126, et al
CASE TITLE : PECCG; CAPS v.
SCHWARZENEGGER, et al

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SACRAMENTO

BY: D. RIOS, SR.,
Deputy Clerk

**Service Employees International
Union, Local 1000,
Petitioners,**

VS. Case No.: 34-2009-80000135

**Arnold Schwarzenegger, Governor,
State of California; Department of
Personnel Administration; State
Controller John Chiang; and Does 1
through 20 inclusive,
Respondents.**

Nature of Proceedings:

**MINUTE ORDER ON STATE CONTROLLER'S
REQUEST FOR CLARIFICATION OF COURT'S
RULING**

The Court has received and reviewed a letter dated February 3, 2009 from Richard J. Chivaro, Chief Counsel of the California State Controller's Office, requesting clarification of the Court's ruling in these matters, specifically, on the issue of whether the ruling is applicable to employees of independently elected Constitutional Officers and other elected state-wide officials, including the Lieutenant Governor, Office of the Attorney General, Secretary of State, State Treasurer, Superintendent of Public Instruction and Insurance Commissioner. The letter to the Court attaches copies of letters to the State Controller from those officers or their representatives raising issues regarding the Governor's authority to order furloughs of their employees.

The Court's ruling in the above-captioned matters addressed petitions for writ of mandate and complaints for declaratory relief brought by four recognized employee organizations, raising issues regarding the Governor's authority to order furloughs of their members, as employees of executive branch agencies. The independently elected Constitutional Officers and other elected state-wide officials referenced above were not parties to these matters. The petitions and complaints upon which the Court ruled did not raise any issues regarding the Governor's authority to order furloughs for the employees of those officers and officials. The Court's ruling therefore did not address, or make any ruling regarding, the Governor's authority to order furloughs for the employees of those officers and officials. Accordingly, the Court expresses no views regarding that issue.

Certificate of Service by Mailing attached.

CERTIFICATE OF SERVICE BY MAILING
C.C.P. Sec. 1013a(4))

I, the undersigned deputy clerk of the Superior Court of California, County of Sacramento, do declare under penalty of perjury that I did this date place a copy of the above entitled Minute Order in envelopes addressed to each of the parties, or their counsel of record as stated below, with sufficient postage affixed thereto and deposited the same in the United States Post Office at Sacramento, California.

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Dated: February 4, 2009

Superior Court of California,
County of Sacramento

By: 
D. RIOS, SR.,
Deputy Clerk