## SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN FRANCISCO

CALIFORNIA ATTORNEYS, ADMINISTRATIVE LAW JUDGES AND HEARING OFFICERS IN STATE EMPLOYMENT, GLEN GROSSMAN, MARK HENDERSON, GEOFFREY SIMS, and DOES 1-500,

Petitioners/Plaintiffs,

VS.

2

3

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

ARNOLD SCHWARZENEGGER as Governor of the State of California; DAVID GILB as Director of the Department of Personnel Administration; JOHN CHIANG, as Controller of the State of California; JAN FRANK, as President of STATE COMPENSATION INSURANCE FUND, and DOES 1-50,

Defendants/Respondents.

Case No. CPF-09-509205

## PEREMPTORY WRIT OF MANDATE

Code of Civil Procedure §1084

To: Governor Arnold Schwarzenegger, Director David Gilb, and Controller Chiang:

WHEREAS petitioner served and filed herein its duly verified petition for a writ of mandate, and a hearing was held on April 15, 2009;

WHEREAS it appears to this Court that petitioner has no other plain, speedy, and adequate remedy at law;

WHEREAS it appears to this Court that respondents Governor Arnold Schwarzenegger and Director David Gilb have exceeded their authority in executing and implementing the portions of the Governor's Executive Order S-16-08 calling for a furlough and salary reduction for State Fund employees who are represented by the California Attorneys, Administrative Law Judges and Hearing Officers in State Employment ("CASE");

WHEREAS it appears to this Court that respondent Controller John Chiang has failed to exercise his legal duty to ensure that the salaries of State Fund employees not be reduced as a result of the furlough;

THEREFORE, respondents Governor Arnold Schwarzenegger and Director David Gilb are hereby commanded immediately upon receipt of this writ to set aside the portions of the Governor's Executive Order S-16-08 calling for a furlough and salary reduction for petitioners;

THEREFORE, respondent Controller John Chiang is hereby commanded to immediately pay State Fund employees their full salary without any reductions pursuant to the illegal furlough directed by the unlawful Executive Order.

You, and each of you, are hereby further commanded to make and file a return to this writ within 10 days from the date a copy of this writ is served upon you, showing what you have done to comply with this writ.

Witness the Honorable Judge Peter J. Busch, Judge of the Superior Court Attest my hand and the seal of this Court this 4th day of June 2009.

PETER J. BUSCH

Peter J. Busch, Judge of the Superior Court

Deputy Clerk