

COURT OF APPEAL, STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

CALIFORNIA ATTORNEYS,
ADMINISTRATIVE LAW JUDGES AND
HEARING OFFICERS IN STATE
EMPLOYMENT, et al.,

Plaintiff/Appellant,

vs.

JOHN CHIANG, as State Controller, etc.,

Defendant/Appellant,

ARNOLD SCHWARZENEGGER, as
Governor, etc., et al.,

Defendants/Respondents.

Court of Appeal Case No. C061009

(Sacramento County Superior Court
Case No. 34-2009-80000134-CU-WM-GDS)

FILED

OCT - 1 2009

COURT OF APPEAL - THIRD DISTRICT
DEENA C. FAWCETT

BY _____ Deputy

On Appeal from the Judgment dated February 11, 2009
of the Superior Court for Sacramento County
The Honorable Patrick Marlette

**RESPONDENTS' NOTICE OF ADOPTION BY
REFERENCE OF RESPONDENTS' BRIEF RE OPENING
BRIEF OF APPELLANT STATE CONTROLLER JOHN
CHIANG IN RELATED CASE**

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State of California
Court of Appeal
Third Appellate District

CERTIFICATE OF INTERESTED ENTITIES OR PERSONS

California Rules of Court, rules 8.208, 8.490(i), 8.494(c), 8.496(c), or 8.498(d)

Court of Appeal Case Caption: CALIFORNIA ATTORNEYS, ADMINISTRATIVE
LAW JUDGES AND HEARING OFFICERS IN STATE EMPLOYMENT, et al.,
Plaintiff and Appellant,

v.
JOHN CHIANG, as State Controller, etc., Defendant and Appellant,
ARNOLD SCHWARZENEGGER, as Governor, etc., et al. Defendants and Respondents.

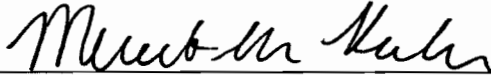
Court of Appeal Case Number: C061009 _____

Please check here if applicable:

There are no interested entities or persons to list in this Certificate as defined in the
California Rules of Court.

Name of Interested Entity or Person (Alphabetical order, please.)	Nature of Interest
1. Please see attached list	
2.	
3.	
4.	

Please attach additional sheets with Entity or Person Information, if necessary.


Signature of Attorney or Unrepresented Party

Date: 10/1/09

Printed Name: David Tyra

State Bar No: 116218

Firm Name & Address: Kronick Moskowitz, Tiedmann & Girard
400 Capitol Mall, 27th Floor, Sacramento, CA 95814

Party Represented: Respondents Schwarzenegger and Department of Personnel
Administration

ATTACH PROOF OF SERVICE ON ALL PARTIES WITH YOUR CERTIFICATE

Approved for Optional Use Within the Third Appellate District. 01/01/2007

Attachment to Certificate of Interested Entities or Persons, 2b.

Full Name of Interested Entity or Person	Nature of Interest
Bill Lockyer, as State Treasurer of California	Intervenor and Appellant in related case filed in Third District Court of Appeal.
Board of Administration of California Public Employees' Retirement System	Petitioner in related case filed in San Francisco County Superior Court.
California Association of Professional Scientists	Petitioner in related case filed in Sacramento County Superior Court.
California Association of Psychiatric Technicians	Petitioner in related case filed in Sacramento County Superior Court.
California Board of Equalization	Intervenor and Appellant in related case filed in Third District Court of Appeal.
California Correctional Peace Officers Association	Petitioner in related case filed in Alameda County Superior Court.
California Professional Public Employees' Association	Petitioner in related case filed in Sacramento County Superior Court.
CDF Firefighters	Petitioner in related case filed in Sacramento County Superior Court.
Debra Bowen, as Secretary of State of California	Intervenor and Appellant in related case filed in Third District Court of Appeal.
Edmund G. Brown, Jr., as Attorney General of the State of California	Intervenor and Appellant in related case filed in Third District Court of Appeal.
Jack O'Connell, as Superintendent of Public Instruction for the State of California	Intervenor and Appellant in related case filed in Third District Court of Appeal.
John Chiang, as Controller of the State of California	Respondent and Appellant in related case filed in Third District Court of Appeal.
John Garamendi, as Lieutenant Governor of the State of California	Intervenor and Appellant in related case filed in Third District Court of Appeal.
Kenneth Hamidi	Petitioner in related case filed in Sacramento County Superior Court.
Professional Engineers in California Government	Petitioner and appellant in related cases filed in Sacramento County Superior Court and Third District Court of Appeal
Service Employees International Union, Local 1000	Petitioner and appellant in related cases filed in Sacramento County Superior Court, Third District Court of Appeal, San Francisco County Superior Court, and Alameda County Superior Court.
Union of American Physicians and Dentists	Petitioner in related case filed in Alameda County Superior Court

Yvonne Walker

Petitioner in related case filed in Alameda
County Superior Court and Sacramento
County Superior Court.

Notice is hereby given that pursuant to California Rules of Court, Rule 8.200(a)(5), Respondents Arnold Schwarzenegger and Department of Personnel Administration hereby adopt by reference their Respondents' Brief Re Opening Brief of Appellant State Controller John Chiang filed in *Professional Engineers in California Government, et al. v. Arnold Schwarzenegger, et al.*, Third District Court of Appeal Case No. C061011, an appeal arising from the same Sacramento County Superior Court order resolving three related cases.

Dated: October 1, 2009

KRONICK, MOSKOVITZ, TIEDEMANN
& GIRARD
A Law Corporation

By: Meredith Packer FOR
David W. Tyra
Meredith H. Packer
Attorneys for Defendants/Respondents
GOVERNOR ARNOLD
SCHWARZENEGGER and
DEPARTMENT OF PERSONNEL
ADMINISTRATION

PROOF OF SERVICE

I, May Marlowe, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814-4416. On October 1, 2009, I served the within documents:

**RESPONDENTS' NOTICE OF ADOPTION BY REFERENCE
OF RESPONDENTS' BRIEF REOPENING BRIEF OF
APPELLANT STATE CONTROLLER JOHN CHIANG IN
RELATED CASE**

- by transmitting via facsimile from (916) 321-4555 the above listed document(s) without error to the fax number(s) set forth below on this date before 5:00 p.m. A copy of the transmittal/confirmation sheet is attached.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Sacramento, California addressed as set forth below.
- by causing personal delivery by Messenger of the document(s) listed above to the person(s) at the address(es) set forth below.
- by placing the document(s) listed above in a sealed Federal Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal Express agent for delivery.
- by causing to be transmitted via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

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Controller John Chiang**

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Schwarzenegger
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I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of

deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on October 1, 2009, at Sacramento, California.



May Marlowe