

No. C061020

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FILED

SEP - 3 2009

IN THE COURT OF APPEAL
OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT

COURT OF APPEAL - THIRD DISTRICT
DEENA C. FAWCETT
BY _____ Deputy

SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1000,
Plaintiff and Appellant,

JOHN CHIANG, as State Controller, etc.,
Defendant and Appellant;

v.

ARNOLD SCHWARZENEGGER, as Governor, etc., et al.,
Defendants and Respondents.

On Appeal of an Order and Judgment
by the Sacramento County Superior Court,
Case No. 34-2009-80000135-CU-WM-GDS,
The Honorable Patrick Marlette

**APPELLANT STATE CONTROLLER'S NOTICE OF ADOPTION
BY REFERENCE OF STATE CONTROLLER'S OPENING BRIEF
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:

SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1000

v.

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

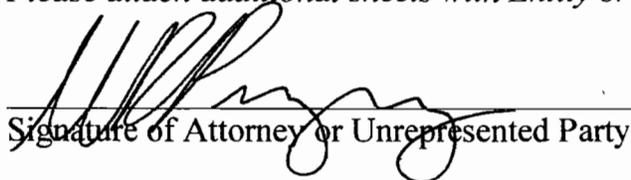
Court of Appeal Case Number: CO 61020

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.	
2.	
3.	
4.	

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


Signature of Attorney or Unrepresented Party

Date: September 2, 2009

Printed Name: Margaret R. Prinzing

State Bar No: 209482

Firm Name & Address: Remcho, Johansen & Purcell, LLP
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San Leandro, CA 94577

Party Represented: Appellant State Controller John Chiang

ATTACH PROOF OF SERVICE ON ALL PARTIES WITH YOUR CERTIFICATE

Notice is hereby given that pursuant to Rule 8.200(a)(5) of the California Rules of Court, appellant State Controller John Chiang adopts by reference in this case his opening brief filed in *Professional Engineers in California Government, et al. v. Arnold Schwarzenegger, et al.*, Court of Appeal Number C061011, an appeal arising from the same superior court order resolving three related cases.

Notice is further given that appellant Service Employees International Union, Local 1000 will file the Joint Appendix in this appeal.

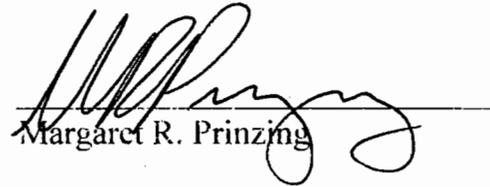
Dated: September 2, 2009

Respectfully submitted,

OFFICE OF THE STATE CONTROLLER

REMCHO, JOHANSEN & PURCELL, LLP

By:


Margaret R. Prinzing

Attorneys for Defendant and Appellant
State Controller John Chiang

(00083943)

PROOF OF SERVICE

I, the undersigned, declare under penalty of perjury that:

I am a citizen of the United States, over the age of 18, and not a party to the within cause or action. My business address is 201 Dolores Avenue, San Leandro, CA 94577.

On September 2, 2009, I served a true copy of the following document(s):

**Appellant State Controller's Notice of Adoption
by Reference of State Controller's Opening Brief
in Related Case**

on the following party(ies) in said action:

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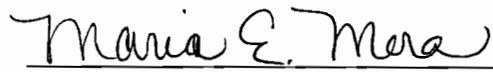
Clerk to the
Honorable Patrick Marlette
Sacramento County Superior Court
720 Ninth Street, Department 19
Sacramento, CA 95814

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- depositing the sealed envelope with the United States Postal Service, with the postage fully prepaid.
 - placing the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the businesses' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, located in San Leandro, California, in a sealed envelope with postage fully prepaid.

- BY OVERNIGHT DELIVERY:** By enclosing the document(s) in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- BY MESSENGER SERVICE:** By placing the document(s) in an envelope or package addressed to the persons at the addresses listed and providing them to a professional messenger service for service.
- BY FACSIMILE TRANSMISSION:** By faxing the document(s) to the persons at the fax numbers listed based on an agreement of the parties to accept service by fax transmission. No error was reported by the fax machine used. A copy of the fax transmission is maintained in our files.
- BY EMAIL TRANSMISSION:** By emailing the document(s) to the persons at the email addresses listed based on a court order or an agreement of the parties to accept service by email. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

I declare, under penalty of perjury, that the foregoing is true and correct. Executed on September 2, 2009, in San Leandro, California.



Maria E. Mora