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4 Attorney for Petitioner  
California Association of Professional Scientists  
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8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 IN AND FOR THE COUNTY OF SACRAMENTO  
10

11 CALIFORNIA ASSOCIATION OF )  
12 PROFESSIONAL SCIENTISTS )

13 Petitioner,  
14 )

15 v. )

16 STATE OF CALIFORNIA DEPARTMENT OF )  
PERSONNEL ADMINISTRATION; DAVID )  
17 GILB, DIRECTOR OF DEPARTMENT OF )  
PERSONNEL ADMINISTRATION; STATE )  
18 OF CALIFORNIA DEPARTMENT OF )  
FINANCE; MICHAEL GENEST, DIRECTOR )  
19 OF FINANCE; STATE CONTROLLER JOHN )  
CHIANG; and DOES 1 THROUGH 10, )  
20 INCLUSIVE )

21 Respondents.  
22 )  
23 )

CASE NO.  
34-2008-00014476-CU-WM-GDS

Judge Lloyd G. Connelly  
Department 33

**[PROPOSED]**  
**PEREMPTORY WRIT OF MANDATE**

24 To Respondent State of California, Department of Personnel Administration:

25 WHEREAS petitioner served and filed its duly verified Petition for Writ of Mandate and  
26 a hearing was held on April 24, 2009; and

27 WHEREAS it appears to this Court that petitioner has no other plain, speedy, and  
28 adequate remedy in the ordinary course of events; and

1 WHEREAS the Court has issued its JUDGMENT granting the Writ of Mandate,  
2 THEREFORE, Respondent Department of Personnel Administration (DPA) is hereby  
3 commanded immediately after receipt of this Writ to present the DPA's April 28, 2008 salary  
4 increase determinations for fourteen classifications of state supervisory scientists to the  
5 Legislature along with a request for funding for those salary increases and to include a request for  
6 funding these salary increase determinations each time a "Budget Act Log" is prepared for  
7 presentation to the Legislature until the Legislature approves the funds to pay the increased  
8 salaries.

9 Respondent DPA shall keep Petitioner CAPS apprised of all actions taken to comply with  
10 this Writ.

11 Respondent DPA shall make and file a return to the Writ when the Legislature approves  
12 the funding for the salary increases for the fourteen state supervisory scientist classifications as  
13 determined by the DPA in its April 28, 2008 salary determination decision.  
14

15 Witness the Honorable Lloyd G. Connelly, Judge of the Superior Court.  
16

17 Attest my hand and seal of this Court this \_\_\_\_\_ day of \_\_\_\_\_, 2009.  
18  
19

20 \_\_\_\_\_  
21 Clerk  
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