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January 21, 2009

State Board,

As you are aware, CCPOA has filed in Superior Court regarding the proposed "furlough" days. Late last week, our case was combined with the other cases that have been filed by other groups.

This combining was part of our move to facilitate the earliest possible hearing date challenging these furloughs. CCPOA chose not to file for injunctive relief, as we didn't believe we would prevail in such a motion, but were prepared to seek "consolidation" with the other cases alleging similar legal issues. However, the Court, once they became aware of our filing, issued an order called "Notice of Related Cases," thus reassigning our case from San Francisco to Sacramento Superior Court.

In its order, the Court noted that our case...*raises legal issues that are identical to those in the cases currently before the Court, it does have different facts in that the furlough for correctional officers is "self directed" i.e. the furlough days are to be taken "when feasible," so that it will not necessarily go into effect on the first Friday in February, as is the case with the furloughs for the state employees in the other three cases.*

As of yesterday, the following schedule was set for the Court process:

January 27 – Opening briefs to be filed
January 30 – Opposing briefs to be filed
February 2 – Reply briefs to be filed
February 5 – Hearing

As the briefs are filed and or available electronically, we will post them or a link to them on the CCPOA web page.

Chuck