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Manuela Albuquerque (SBN 67464) UPERIOR COURT E-mail: malbuquerque@bwslaw.com DEPUTY CLERK Chad W. Herrington (SBN 267269) 2 E-mail: cherrington obwsław.com BURKE, WILLIAMS & SORENSEN, LLP 3 1901 Harrison Street, Suite 900 Oakland, CA 94612 Tel: 510.273.8780 Fax: 510.839.9104 5 Richard A. Duvernay, City Attorney (SBN 141389) E-mail: rduvernay@ci.redding.ca.us Office of the City Attorney CITY OF REDDING 777 Cypress Ave Redding, CA 96001 Tel: 530,225,4050 Fax: 530,225,4362 9 Attorneys for Respondents CITY OF REDDING; CITY COUNCIL OF THE 10 CITY OF REDDING 11 SUPERIOR COURT OF THE STATE OF CALIFORNIA 12 13 COUNTY OF SHASTA 1:4 SERVICE EMPLOYEES 15 Case No. 1764/18 INTERNATIONAL UNION, LOCAL 1021, AFL-CIO, A Recognized Employee **ED**IJUDGMENT DENYING 16 Organization on its Own Behalf, and on PETITION FOR WRIT OF MANDATE Behalf of its Represented Members in the 17 AND INJUNCTIVE RELIEF UNDER CCP Employ of the City of Redding. §§ 1085 & 526a 18 Petitioner, FILED BY FAX 19 JFAP: Honorable Stephen H. Baker 20 Dept.: CITY OF REDDING, a General Law City Date: May 10, 2013 and Governmental Subdivision of the State Time: 1:30 pm 21 of California, CITY COUNCIL OF THE CITY OF REDDING; and Does I through 22 Action Filed: January 17, 2013 and including V. Trial Date: None Set 23 Respondents. 24 25 26

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CLERK OF THE SUPERIOR COURT

BURKE, WILLIAMS & QAK #4847-7636-5076 VI Sorensen, LLP

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ATTORNEYS AT LAW

OAKLAND

PROPOSEDA JUDGMENT DENYING RETITION FOR WRIT OF MANDATE AND INJUNCTIVE RELIEF

Petitioner SEIU Local 1021 AFL-CIO ("SEIU") filed this action on January 17, 2013. It consisted of two causes of action. The first sought a writ of mandate under Code of Civil Procedure ("CCP") section 1085 on behalf of City of Redding employees who are members of SEIU and SEIU itself. The second cause of action was brought on behalf of SEIU, as a taxpayer, and sought an injunction under CCP section 526a. The legal premise of both causes of action is that respondents City of Redding ("City") and its City Council ("City Council," collectively "City Respondents") violated Government Code sections 37103 and 53060 in awarding a contract to Orcom Solutions, LLC, d.b.a. Vertex Business Services ("Vertex") to operate a call center for customers of the City's electric, water, wastewater, solid waste, and storm drain utilities. The further procedural history of this action and the Court's ruling on the merits and defenses is set forth in the Statement of Decision adopted by the Court which denies the petition for writ of mandate and injunctive relief.

NOW THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED THAT

- 1. The Petitions for Writ of Mandate and Injunctive Relief is denied in its entirety and dismissed with prejudice;
 - 2. Petitioner shall take nothing by its petition;
 - 3. All case management conference dates are vacated; and
- 4. City Respondents shall recover their costs in this action pursuant to a memorandum of costs to be filed pursuant to California Rules of Court, Rule 3.1700.

Dated: Overhor 2013

The Honorable Stephen A. Baker, Shasta County Superior Court Judge

& OAK #4847-7636-5076 vl

FILING FEE EXEMPT PURSUANT TO 1 Manuela Albuquerque (SBN 67464) E-mail: malbuquerque@bwslaw.com **GOVERNMENT CODE §.6103** Chad W. Herrington (SBN 267269) E-mail: cherrington@bwslaw.com BURKE, WILLIAMS & SORENSEN, LLP 3 1901 Harrison Street, Suite 900 Oakland, CA 94612 4 Tel: 510.273.8780 Fax: 510.839.9104 5 Richard A. Duvernay, City Attorney (SBN 141389) 6 E-mail: rduvernay@ci.redding.ca.us Office of the City Attorney 7 CITY OF REDDING 777 Cypress Ave Redding, CA 96001 8 Tel: 530.225.4050 Fax: 530.225.4362 9 Attorneys for Respondents CITY OF REDDING; CITY COUNCIL OF THE 10 CITY OF REDDING 11 SUPERIOR COURT OF THE STATE OF CALIFORNIA 12 COUNTY OF SHASTA 13 14 Case No. 176478 SERVICE EMPLOYEES 15 INTERNATIONAL UNION, LOCAL [PROPOSED] FINAL REVISED 1021, AFL-CIO, A Recognized Employee 16 STATEMENT OF DECISION DENYING Organization on its Own Behalf, and on PETITION FOR WRIT OF MANDATE Behalf of its Represented Members in the 17 AND INJUNCTIVE RELIEF UNDER CCP Employ of the City of Redding, §§ 1085 & 526a 18 Petitioner, FILED BY FAX 19 Honorable Stephen H. Baker JFAP: 20 CITY OF REDDING, a General Law City Dept.: May 10, 2013 and Governmental Subdivision of the State Date: 21 Time: 1:30 pm of California; CITY COUNCIL OF THE, CITY OF REDDING; and Does I through 22 Action Filed: January 17, 2013 and including V, None Set Trial Date: 23 Respondents. 24 25 26 27 ir a Hard By The Charle Countil's Assists. 28 Burke, Williams & OAK #4851-0965-8132 v1

PROPOSEDI STATEMENT OF DECISION

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10	CITY OF REDDING, CITY COUNCIL OF T CITY OF REDDING	THE
11		
12	SUPERIOR COURT OF THE STATE OF CALIFORNIA	
13	COUNT	Y OF SHASTA
14		
15	SERVICE EMPLOYEES	Case No. 176478
16	INTERNATIONAL UNION, LOCAL 1021, AFL-CIO, A Recognized Employee	DECLARATION OF MANUELA
17	Organization on its Own Behalf, and on Behalf of its Represented Members in the	ALBUQUERQUE AUTHENTICATING PARTIAL TRANSCRIPT OF MAY 10, 2013
	Employ of the City of Redding,	HEARING AND SUBMITTING REDLINED AND CLEAN [PROPOSED]
18	Petitioner,	REVISED FINAL STATEMENT OF
19	Vi	DECISION
20	CITY OF REDDING, a General Law City	FILED BY FAX
. 21	and Governmental Subdivision of the State	JPAP: Honorable Stephen H. Baker Dept.: 3
22	of California; CITY COUNCIL OF THE CITY OF REDDING; and Does I through	Date: May 10, 2013
23	and including V,	Time: 1:30 pm
	Respondents:	Action Filed: January 17, 2013 Trial Date: None Set
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Burke, Williams & Sorensen, LLP	ÖAK-#4850-4564-3477-V1	
DECLARATION OF MANUELA ALBUQUERQUE		

Manuela Albuquerque (SBN 67464) FILING FEE EXEMPT PURSUANT TO E-mail: malbuquerque@bwslaw.com Chad W. Herrington (SBN 267269) GOVERNMENT CODE § 6103 2 B-mail: cherrington@bwslaw.com BURKE, WILLIAMS & SORENSEN, LLP 3 1901 Harrison Street, Suite 900 Oakland, CA 94612 4 Tel: 510.273.8780 Fax: 510.839.9104 5 Richard A. Duvernay, City Attorney (SBN 141389) E-mail: rduvernay@ci.redding.ca.us 6 Office of the City Attorney 7 CITY OF REDDING 777 Cypress Ave Redding, CA 96001 8 Tel: 530.225.4050 Fax: 530.225,4362 9 Attorneys for Respondents CITY OF REDDING; CITY COUNCIL OF THE 10 CITY OF REDDING 11 SUPERIOR COURT OF THE STÂTE OF CALIFORNIA 12 COUNTY OF SHASTA 13 14 SERVICE EMPLOYEES Case No. 176478 15 INTERNATIONAL UNION, LOCAL 1021, AFL-CIO, A Recognized Employee [PROPOSED] FINAL REVISED 16 Organization on its Own Behalf, and on STATEMENT OF DECISION DENYING PETITION FOR WRIT OF MANDATE Behalf of its Represented Members in the 17 Employ of the City of Redding AND INJUNCTIVE RELIEF UNDER CCP §§ 1085 & 526a - REDLINED 18 Petitioner. FILED BY FAX 19 IFAP: Honorable Stephen H. Baker 20 CITY OF REDDING, a General Law City Dept,: 21 and Governmental Subdivision of the State Date: May 10, 2013 of California; CITY COUNCIL OF THE Time: 1:30 pm CITY OF REDDING; and Does I through 22 and including V. Action Filed: January 17, 2013 Trial Date: None Set 23 Respondents. 24 25 26 27 28 Burks, Williams & OAK#4851-0965-8132 VI

[PROPOSED] STATEMENT OF DECISION

SCRENSEN, LLP ATTORNEYS AT LAW OAKLAND