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State Board;

Today, CCPOA was back in Alameda Superior Court regarding the new round of furloughs. The presiding Judge has taken the matter under consideration pending a possible ruling by the California Supreme Court.

As this was being written, the California Supreme Court issued a "stay" of the TRO issued last week, and granted the Governor's request for review. The case is set for oral argument on September 8, 2010.

The petition for review is GRANTED. Because the issue whether the Governor has the authority to direct the unpaid furlough of state employees is pending before this court and is scheduled for oral argument on Wednesday, September 8, 2010, in the related case of Professional Engineers in California Government et al. v. Arnold Schwarzenegger et al, and without expressing any view on the merits of that issue, we conclude that it is appropriate to grant review in this matter and defer further action pending our resolution of the currently pending proceeding. Pending further order of this court, further proceedings in the Alameda County Superior Court in case number RG10494800 (and in consolidated cases), as well as the temporary restraining order of the Alameda County Superior Court issued on August 9, 2010, are stayed. Votes: George, C.J., Kennard, Baxter, Chin, Moreno, and Corrigan, JJ.

Our request for TRO has still not been ruled upon and it remains to be seen what impact this latest Supreme Court ruling will have on our case. However, furloughs are effectively back on and even if we are granted a TRO we anticipate that the "stay" would be placed upon our case for the same reasons cited above. If we get any further information it will be forwarded to you.

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Chuck