

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARCIANO PLATA, et al.,

Plaintiffs,

v.

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

Case No. C01-1351 TEH

**STIPULATION RE LVN SALARY
ADMINISTRATION**

**I.
INTRODUCTION**

On October 17, 2006, the Court granted the Receiver's Motion for a Waiver of State Law which included a provision establishing the salary ranges for Licensed Vocational Nurses ("LVN") employed by the California Department of Corrections and Rehabilitation ("CDCR"). The Order additionally waived State law enabling the Receiver to implement, adjust and administer salaries for classifications addressed in the Motion, including LVNs.

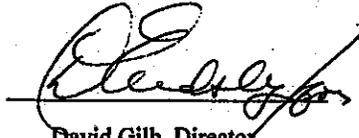
The Department of Personnel Administration ("DPA") and the Service Employees International Union, Local 1000, have since entered into a collective bargaining agreement increasing the LVN salary range by 3.4%, effective July 1, 2007. This 3.4%, added to the top of the LVN salary ranges, exceeds the maximum salaries set forth in the October 17, 2006 Order Re: Receiver's Motion for a Waiver of State Law. Therefore, DPA and the Receiver hereby stipulate that the salary range for the LVN, CDCR classification in the Order is augmented by the 3.4% general salary increase effective July 1, 2007.

The Receiver (or designee) and DPA director (or designee) will work together to resolve any issues which may arise regarding the interpretation or application of this Stipulated Agreement.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

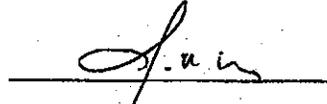
IT IS SO STIPULATED

Dated: 1/2, 2008 ^{DE}



David Gilb, Director
Department of Personnel Administration

Dated: 12/20, 2007



John Hagar, Chief of Staff
California Prison Health Care Receivership

CERTIFICATE OF SERVICE

The undersigned hereby certifies as follows:

I am an employee of the law firm of Futterman & Dupree LLP, 160 Sansome Street, 17th Floor, San Francisco, CA 94104. I am over the age of 18 and not a party to the within action.

I am readily familiar with the business practice of Futterman & Dupree, LLP for the collection and processing of correspondence.

On January 4, 2008 I served a copy of the following document(s):

NOTICE OF FILING OF STIPULATION BETWEEN RECEIVER ROBERT SILLEN AND CALIFORNIA DEPARTMENT OF PERSONNEL ADMINISTRATION RE LVN SALARY ADMINISTRATION

by placing true copies thereof enclosed in sealed envelopes, for collection and service pursuant to the ordinary business practice of this office in the manner and/or manners described below to each of the parties herein and addressed as follows:

___ BY HAND DELIVERY: I caused such envelope(s) to be served by hand to the address(es) designated below.

X BY MAIL: I caused such envelope(s) to be deposited in the mail at my business address, addressed to the addressee(s) designated. I am readily familiar with Futterman & Dupree's practice for collection and processing of correspondence and pleadings for mailing. It is deposited with the United States Postal Service on that same day in the ordinary course of business.

___ BY OVERNIGHT COURIER SERVICE: I caused such envelope(s) to be delivered via overnight courier service to the addressee(s) designated.

___ BY FACSIMILE: I caused said document(s) to be transmitted to the telephone number(s) of the addressee(s) designated.

Andrea Lynn Hoch
Legal Affairs Secretary
Office of the Governor
Capitol Building
Sacramento, CA 95814

Robin Dezember
Director (A)
Division of Correctional
Health Care Services
CDCR
P.O. Box 942883
Sacramento, CA 94283-0001

Bruce Slavin
General Counsel
CDCR – Office of the Secretary
P.O. Box 942883
Sacramento, CA 94283-0001

Kathleen Keeshen
Legal Affairs Division
California Department of Corrections
P.O. Box 942883
Sacramento, CA 94283

1 Richard J. Chivaro
John Chen
2 State Controller
300 Capitol Mall, Suite 518
3 Sacramento, CA 95814

Molly Arnold
Chief Counsel, Dept. of Finance
State Capitol, Room 1145
Sacramento, CA 95814

4 Laurie Giberson
Staff Counsel
5 Department of General Services
707 Third St., 7th Fl., Ste. 7-330
6 West Sacramento, CA 95605

Matthew Cate
Inspector General
Office of the Inspector General
P.O. Box 348780
Sacramento, CA 95834-8780

7 Donna Neville
Senior Staff Counsel
8 Bureau of State Audits
555 Capitol Mall, Suite 300
9 Sacramento, CA 95814

Warren C. (Curt) Stracener
Paul M. Starkey
Labor Relations Counsel
Department of Personnel Administration
Legal Division
1515 "S" St., North Building, Ste. 400
Sacramento, CA 95814-7243

11 Gary Robinson
Executive Director
12 UAPD
1330 Broadway Blvd., Ste. 730
13 Oakland, CA 94612

Yvonne Walker
Vice President for Bargaining
CSEA
1108 "O" Street
Sacramento, CA 95814

14 Pam Manwiller
Director of State Programs
15 AFSME
555 Capitol Mall, Suite 1225
16 Sacramento, CA 95814

Richard Tatum
CSSO State President
CSSO
1461 Ullrey Avenue
Escalon, CA 95320

17 Tim Behrens
President
18 Association of California State Supervisors
1108 "O" Street
19 Sacramento, CA 95814

Elise Rose
Counsel
State Personnel Board
801 Capital Mall
Sacramento, CA 95814

20 Stuart Drown
Executive Director
21 Little Hoover Commission
925 L Street, Suite 805
22 Sacramento, CA 95814

California State Personnel Board
Office of the Attorney General
1515 Clay Street, 20th Floor
P.O. Box 70550
Oakland, CA 94612-0550

23 J. Michael Keating, Jr.
285 Terrace Avenue
24 Riverside, RI 02915

25 Dated: January 4, 2008



Lori Dotson