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ARNOLD SCHWARZENEGGER, as Governor of the State **Exempted from Fees**
14 of California; DAVID GILB as Director of the Department of **(Gov. Code § 6103)**
Personnel Administration

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16 SEMIMONTHLY PUBLICA SUPERIOR COURT OF CALIFORNIA P EXECUTIVE

17 CITY AND COUNTY OF SAN FRANCISCO

18 CALIFORNIA ATTORNEYS,
ADMINISTRATIVE LAW JUDGES AND
19 HEARING OFFICERS IN STATE
EMPLOYMENT, GLEN GROSSMAN,
20 MARK HENDERSON, GEOFFREY SIMS,
and DOES 1-500,

21 Petitioners/Plaintiffs,

22 v.

23 ARNOLD SCHWARZENEGGER as Governor
24 of the State of California; DAVID GILB as
Director of the Department of Personnel
25 Administration; JOHN CHIANG, as Controller
of the State of California; JAN FRANK, as
26 President of STATE COMPENSATION
INSURANCE FUND, and DOES 1-50,

27 Defendants/Respondents.
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CASE NO. CPF-09-509205

NOTICE OF APPEAL

Date of Hearing: April 15, 2009
Date of Judgment: June 4, 2009
Judge: Honorable Peter J. Busch

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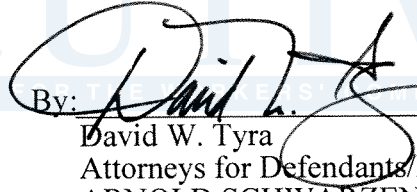
To the Clerk of the Superior Court of the State of California for the County of San Francisco.

PLEASE TAKE NOTICE that Defendants and Respondents Arnold Schwarzenegger, as Governor of the State of California, and David Gilb, as Director of the Department of Personnel Administration, hereby appeal to the First District Court of Appeal, State of California, from the final judgment in this matter as well as all orders that are separately appealable including, but not limited to, the (1) the Order Granting Writ of Mandate in this matter entered on June 4, 2009, and (2) the Final Judgment for Petitioner in this matter entered on June 4, 2009.

The order and judgment in this matter granted a writ of mandate. Therefore, the filing of this appeal automatically stays the effect of the order granting writ of mandate and the final judgment. (*Hayworth v. City of Oakland* (1982) 129 Cal.App.3d 723, 727.)

Dated: June 10, 2009

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Law Corporation

By: 

David W. Tyra
Attorneys for Defendants/Respondents
ARNOLD SCHWARZENEGGER, as Governor of the
State of California; DAVID GILB as Director of the
Department of Personnel Administration

PROOF OF SERVICE

I, Cindy Harrell, declare:

I am a citizen of the United States and employed in Sacramento County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 400 Capitol Mall, 27th Floor, Sacramento, California 95814. On June 10, 2009, I served a copy of the within document(s):

• **NOTICE OF APPEAL.**

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below along with a copy served by first class U.S. Mail at the mailing addresses listed below..
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, the United States mail at Sacramento, California addressed as set forth below.

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I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 10, 2009, at Sacramento, California.

Cindy Harrell

