

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL**

MINUTE ORDER

DATE: 07/10/2012

TIME: 04:39:00 PM

DEPT: C-63

JUDICIAL OFFICER PRESIDING: Luis R. Vargas

CLERK: Richard Cersosimo

REPORTER/ERM: Not Reported

BAILIFF/COURT ATTENDANT:

CASE NO: **37-2012-00092205-CU-MC-CTL** CASE INIT.DATE: 02/14/2012

CASE TITLE: **Public Employment Relations Board vs. City of San Diego [IMAGED]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Misc Complaints - Other

EVENT TYPE: Ex Parte

APPEARANCES

The Court, having taken the above-entitled matter under submission on 07/10/2012 and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

Order Granting Temporary Restraining Order

Upon reading and considering the Application, supporting Declarations, Points and Authorities on file, the evidence submitted at the hearing, oral argument of the parties, and other pleadings and papers on file in this action, the Court hereby **GRANTS** Public Employment Relations Board's ("PERB") Temporary Restraining Order ("TRO") against the City of San Diego ("City").

Preservation of the status quo pending negotiations contemplated by the language of Proposition B requires a temporary delay in implementing the CPRI.

The Court underscores that the voters of the City of San Diego have overwhelmingly approved the local ballot measure CPRI, and only grants this application amid assurances by both the City and PERB to timely meet and confer regarding priority implementation of time sensitive issues of the CPRI. Both parties represent the imposition of the TRO will not halt meet and confer efforts.

The Court acknowledges that PERB and the City are required to attend PERB's administrative hearing in Glendale, California in mid-July. The Court also recognizes that the Secretary of State's certification of the charter amendment proposed by the CPRI is currently pending. Thus, in the interest of timely fulfilling the will of the voters, the Court purposefully tapers the TRO to be effective until July 27, 2012. On that date the court will again review the TRO and requested injunction. The court sets the review hearing for 2:30 pm on July 27, 2012. This deadline allows the parties to comply with their meet and

confer obligations and to attend the PERB administrative hearing regarding the CPRI.

The Court continues the July 27, 2012, 9:00 a.m. Case Management Conference ("CMC") to 2:30 p.m. The parties will report the status of the negotiations regarding implementation of the CPRI at the CMC.

Accordingly, IT IS HEREBY ORDERED THAT:

Pending further order of this court, the City, its agents, and employees, are enjoined and restrained from implementing provisions of the CPRI.

Dated: July 10, 2012

HONORABLE LUIS R. VARGAS