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Attorneys for Defendant
Service Employees International Union,
Local 1000

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DIANNE KNOX; WILLIAM L. BLAYLOCK;
EDWARD L. DOBROWOLSKI, JR.; KARYN
GIL; THOMAS JACOB HASS; PATRICK
JOHNSON; AND JON JUMPER, ON BEHALF
OF THEMSELVES AND THE CLASS THEY
SEEK TO REPRESENT,

Plaintiffs,

v.

STEVE WESTLY, Controller, State of
California; AND CALIFORNIA STATE
EMPLOYEES ASSOCIATION, LOCAL 1000,
SERVICE EMPLOYEES INTERNATIONAL
UNION, AFL-CIO-CLC,

Defendants.

No. 2:05-CV-2198 MCE (KJM)

**SERVICE EMPLOYEES
INTERNATIONAL UNION, LOCAL
1000'S NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

Date: October 30, 2006

Time: 9:00 a.m.

Judge Hon. Morrison C. England, Jr.

Place: Courtroom 3
15th Floor

1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE** that on October 30, 2006, at 9:00 a.m. in Courtroom 3 of the above-
3 entitled Court, located at 501 "T" Street, Sacramento, California, before the Honorable Morrison C.
4 England, Jr., defendant Service Employees International Union, Local 1000 (the "Union") will and
5 hereby does move the Court, pursuant to Federal Rule of Civil Procedure 56, for an order granting
6 summary judgment on all remaining claims in this action because the relief plaintiffs seek, a notice to all
7 Union nonmembers prior to the Union's implementation of a fair share fee increase, is contrary to long-
8 standing Supreme Court and Ninth Circuit law and is not warranted on the facts of this case.

9 This motion will be based upon this notice of motion and motion, the accompanying
10 memorandum of points and authorities, the accompanying declarations of Lee King and Richard M.
11 Graham, any reply papers that we may file, the Court's complete file and records in this action, and such
12 other and further matters as the Court may properly consider at the hearing.

13 DATED: September 28, 2006

Respectfully submitted,

14 STEPHEN P. BERZON
15 JEFFREY B. DEMAINE
16 PEDER J. THOREEN
ALTSHULER, BERZON, NUSSBAUM,
RUBIN & DEMAINE

17
18 By: /s/ Peder J. Thoreen
Peder J. Thoreen

19 Attorneys for Defendant
20 Service Employees International Union, Local 1000