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7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

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11 SETH D. HARRIS, Acting Secretary of Labor,
United States Department of Labor,

12 Plaintiff,

13 v.

14 NATIONAL EMERGENCY MEDICAL
15 SERVICES ASSOCIATION,

16 Defendant.

CASE NO. 1:11-cv-00529 AWI-GSA

JUDGMENT

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18 On March 28, 2011, Plaintiff Hilda L. Solis, United States Secretary of Labor brought an action
19 pursuant to Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (as amended),
20 29 U.S. C. Sections 401, et seq., (the “Act”) against Defendant National Emergency Medical Services
21 Association (“NEMSA”), alleging that in or about 2010, the Defendant denied a member in good
22 standing, who was actively contesting his termination from employment, the right to be a candidate and
23 run for office. The Defendant’s actions violated Section 401(e) of the Act (29 U.S.C. Section 48(e)). The
24 Secretary brought the action for the purpose of voiding the Defendant’s July 2010 election for the office
25 of President and ordering that the Defendant conduct a new election for President under the supervision of
26 the Secretary of Labor.

27 On July 9, 2012, the parties entered into a Stipulation of Settlement by which they agreed, that
28 (1) Defendant would hold an election for the office of President in November 2012, supervised by

1 Plaintiff, (2) Upon completion of the election, the Secretary would certify to the Court the names of the
2 persons so elected, and (3) upon approval of such certification, the Court shall enter a Judgment declaring
3 that such persons have been elected as shown by such certification.

4 By Order dated November 9, 2012, the deadline to complete the supervised election for the office
5 of President, was extended from November 2012 to January 31, 2013.

6 On April 24, 2013, the Secretary certified, pursuant to Section 402(c) of the Act (29 U.S.C.
7 Section 482(c)), that the following named candidate has been duly elected to the office designated:

8 Rick Bergen President

9 Accordingly, the Court hereby ORDERS that judgment be entered as follows:

10 A. The Certification of Election dated April 24, 2013, is approved.

11 B. The following named candidate has been elected to his respect tie office, in accordance with
12 The terms of the parties' Stipulation of Settlement, to serve terms of three (3) years, commencing upon
13 installation of the officers by NEMSA:

14 Rick Bergen President

15 C. Each party shall bear its own costs, fees and expenses.

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17 IT IS SO ORDERED.

18 Dated: April 26, 2013

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20 SENIOR DISTRICT JUDGE