

1 KAMALA D. HARRIS
 Attorney General of California
 2 MARC A. LEFORESTIER
 Supervising Deputy Attorney General
 3 JOHN W. KILLEEN
 Deputy Attorney General (attorney for notice)
 4 State Bar No. 258395
 1300 I Street, Suite 125
 5 P.O. Box 944255
 Sacramento, CA 94244-2550
 6 Telephone: (916) 445-1968
 Fax: (916) 324-8835
 7 E-mail: John.Killeen@doj.ca.gov
Attorneys for State Defendants

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

13 **TIMEC COMPANY, INC., dba**
TRANSFIELD SERVICES; PETROCHEM
 14 **INSULATION, INC.; SSP INDUSTRIAL**
PLANT RECLAMATION, A
 15 **CALIFORNIA JOINT VENTURE, dba**
PLANT RECLAMATION; ANTHONY
 16 **GILLISPIE; and RODOLFO LOPEZ,**
 17 Plaintiffs,
 18 v.
 19 **KAMALA HARRIS, IN HER OFFICIAL**
CAPACITY AS ATTORNEY GENERAL
FOR THE STATE OF CALIFORNIA;
 21 **CHRISTINE BAKER, IN HER OFFICIAL**
CAPACITY AS DIRECTOR OF THE
 22 **CALIFORNIA DEPARTMENT OF**
INDUSTRIAL RELATIONS; DIANE
 23 **RAVNIK, IN HER OFFICIAL CAPACITY**
AS THE CHIEF OF THE CALIFORNIA
 24 **DIVISION OF APPRENTICESHIP**
STANDARDS; MATT RODRIQUEZ, IN
 25 **HIS OFFICIAL CAPACITY AS**
CALIFORNIA SECRETARY FOR
 26 **ENVIRONMENTAL PROTECTION,**
 27 Defendants.
 28

Case No. 2:13-CV-02521-JAM-DAD

**ORDER DENYING PLAINTIFFS’
 MOTION FOR SUMMARY JUDGMENT**

Date: March 5, 2014
 Time: 9:30 a.m.
 Dept: 6
 Judge: Hon. John A. Mendez
 Trial Date: None Set
 Action Filed: December 5, 2013

1 **STATE BUILDING AND**
2 **CONSTRUCTION TRADES COUNCIL**
3 **OF CALIFORNIA, AFL-CIO,**

Intervenor.

4 Plaintiffs filed a motion for summary judgment on January 22, 2014. Defendants and the
5 Intervenor filed oppositions to the motion for summary judgment on February 12, 2014.

6 Plaintiffs filed a reply in support of their motion for summary judgment on February 26, 2014.
7 The Court heard oral argument on March 5, 2014. At the March 5 hearing, the Court made oral
8 findings and conclusions.

9 Based on the pleadings submitted by the parties, the record in this case, the arguments of
10 counsel at the March 5, 2014 hearing, and the Court's oral findings and conclusions at the March
11 5 hearing, it is hereby ordered that:

12 1. Plaintiffs' motion for summary judgment is denied, without prejudice, on the basis that
13 no Plaintiff has produced sufficient evidence of an injury in fact that would satisfy the standing
14 requirement of Article III of the United States Constitution.

15 2. State Defendants' objections to Plaintiffs' evidence are overruled, without prejudice.

16
17 IT IS SO ORDERED.

18 Dated: March 13, 2014

/s/ John A. Mendez

Honorable John A. Mendez
United States District Court Judge