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 capacity as California Labor Commissioner*

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 9 UNITED STATES DISTRICT COURT
 10 EASTERN DISTRICT OF CALIFORNIA
 11 SACRAMENTO DIVISION

12 **NAT'L RAILROAD PASSENGER
 CORPORATION, et al.,**

13 Plaintiffs,

14 v.

15 **JULIE SU, in her official capacity as Labor
 16 Commissioner, State of California Division
 of Labor Standards Enforcement,**

17 Defendant,

18 and

19 **TRANSPORTATION DIVISION OF THE
 20 INTERNATIONAL ASSOCIATION OF
 SHEET METAL, AIR, RAIL AND
 21 TRANSPORTATION WORKERS, et al.,**

22 Intervenor.

No. 2:15-CV-00924-KJM-EFB

**JOINT PROPOSED SCHEDULE FOR
 SUPPLEMENTAL BRIEFING AND
 ORDER**

1 As directed by the Court on September 5, 2018 (ECF No. 92), the parties have met and
2 conferred on a proposed schedule for submitting supplemental briefing on the Ninth Circuit's
3 recent decision in *Board of Trustees v. Chambers*, No. 16-15588, slip op. (9th Cir. Sept. 4, 2018).
4 The parties jointly propose that each side that wishes to submit supplemental briefing on the
5 *Chambers* case should submit a 3-page letter brief within 10 days of the Court entering an order
6 permitting the parties to submit such supplemental briefing. Thereafter, the parties' cross-
7 motions for summary judgment will be submitted.

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9 Respectfully submitted,

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11 Dated: September 12, 2018

XAVIER BECERRA
Attorney General of California

12 By: /s/ Peter Chang
13 Peter Chang
14 Attorneys for Defendant
15 Julie Su, in her official capacity as Labor
Commissioner

16 Dated: September 12, 2018

SMART-TD

17 By: /s/ Erika Diehl-Gibbons (as authorized on Sept. 12,
18 2018)
19 Erika A. Diehl-Gibbons
20 Kevin C. Brodar
21 Attorneys for Intervenor
Transportation Division of the
International Association of Sheet Metal, Air, Rail and
Transportation Workers

22 Dated: September 12, 2018

ZWERDLING, PAUL, KAHN & WOLLY, P.C.

23 By: /s/ Michael S. Wolly (as authorized on Sept. 12, 2018)
24 Michael S. Wolly
25 Attorney for Intervenors
26 Brotherhood of Locomotive Engineers and Trainmen,
27 National Conference of Firemen & Oilers District of Local
32BJ, SEIU, and International Brotherhood of Electrical
28 Workers

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Dated: September 12, 2018

MOONEY, GREEN, SAINDON, MURPHY AND WELCH
PC

By: /s/ Richard Edelman (as authorized on Sept. 11, 2018)

Richard Edelman
Attorney for Intervenors
Brotherhood of Railroad Signalmen,
Brotherhood of Maintenance of Way Employees
Division/IBT, and Mechanical Division of the International
Association of Sheet Metal, Air, Rail and Transportation
Workers

Dated: September 12, 2018

JONES DAY

By: /s/ Donald J. Munro (as authorized on Sept. 12, 2018)

Donald J. Munro
Kelsey Israel-Trummel
Attorneys for Plaintiffs

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ORDER

Pursuant to the Joint Proposed Schedule, IT IS ORDERED that each side may submit a 3-page supplemental letter brief specifically addressing the impact, if any, of *Board of Trustees v. Chambers, No. 16-15588, slip op. (9th Cir. Sept. 4, 2018)* on the pending cross-motions for summary judgment. The supplemental letter briefs may be submitted no later than 10 days after the entry of this order.

DATED: September 13, 2018.


UNITED STATES DISTRICT JUDGE