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Attorneys for Defendant AFSCME LOCAL 3299

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

TERRANCE MARSH, *et al.*,

Plaintiffs,

v.

AFSCME LOCAL 3299, *et al.*,

Defendants.

Case No. 2:19-cv-02382-JAM-DB

**STIPULATION TO FILING OF  
CORRECTED SECOND AMENDED  
COMPLAINT; ORDER THEREON**

Courtroom: 6

Judge: The Honorable John A. Mendez

Trial Date: None Set

Action Filed: November 26, 2019

**Stipulation; Order**

*Marsh v. AFSCME Local 3299*, No. 2:19-cv-02382-JAM-DB

1 **STIPULATION**

2 Plaintiffs Terrance Marsh, *et al.* (“Plaintiffs”), and Defendants AFSCME Local 3299, Xavier  
3 Becerra, and Janet Napolitano (“Defendants”), collectively referred to as the “Parties,” by and through  
4 their undersigned counsel, hereby stipulate and agree as follows:

5 1. On July 28, 2020, this Court issued its Order Granting Defendants’ Motion to Dismiss  
6 and Denying Plaintiffs’ Motion to Strike (“Order”), Docket No. 46, dismissing Plaintiffs’ First  
7 Amended Complaint. That Order provided Plaintiffs with twenty days to file a Second Amended  
8 Complaint (“SAC”) and Defendants with twenty days thereafter to respond thereto. Order at 23.

9 2. On August 17, 2020, Plaintiffs filed their SAC. Defendants’ response thereto is  
10 currently due by September 15, 2020, having been extended by one week by stipulation of the parties,  
11 approved by the Court.

12 3. The Parties hereby agree and stipulate that Plaintiffs shall file a Corrected SAC to  
13 correct the following four allegations in the SAC that Plaintiffs now understand are incorrect:

14 a. SAC ¶77 alleges that Plaintiff Theodore Mendoza’s payroll dues deductions  
15 continued “until October 2019.” In fact, those deductions terminated at the end of July 2019.

16 b. SAC ¶137 alleges that “UC continues to deduct money from [Plaintiff Rebecca]  
17 Van Antwerp’s paycheck, and the Union continues to accept that money.” In fact, those deductions  
18 terminated at the end of August 2020.

19 c. SAC ¶148 alleges that “UC continues to deduct money from [Plaintiff Barbara  
20 Grosse’s] paycheck, and the Union continues to accept that money.” In fact, those deductions  
21 terminated at the end of January 2020.

22 d. SAC ¶158 alleges that “UC continues to deduct money from [Plaintiff Kiska  
23 Carter’s] paycheck, and the Union continues to accept that money.” In fact, those deductions  
24 terminated at the end of July 2020.

25 4. The Corrected SAC shall not contain any other changes to the SAC and shall not alter  
26 the paragraph numbering of the SAC.

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1 The foregoing is so stipulated and agreed.

2 Dated: September 11, 2020.

Respectfully submitted,

3 ARTHUR LIOU  
4 Leonard Carder, LLP

5 SCOTT A. KRONLAND  
6 JEFFREY B. DEMAINE  
7 ELIZABETH VISSERS  
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By: /s/ Jeffrey B. Demain  
Jeffrey B. Demain

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Attorneys for Xavier Becerra, in his official  
capacity as Attorney General of California

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**Stipulation; Order**

Marsh v. AFSCME Local 3299, No. 2:19-cv-02382-JAM-DB

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By: /s/ Gilbert J. Tsai  
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JANET NAPOLITANO, in her official capacity  
as President of the University of California

**SIGNATURE ATTESTATION**

I attest that concurrence in the filing of this document has been obtained from each of the above signatories.

Dated: September 11, 2020

ARTHUR LIOU  
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By: /s/ Jeffrey B. Demain  
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Attorneys for Defendant AFSCME LOCAL 3299

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**Stipulation; Order**

*Marsh v. AFSCME Local 3299*, No. 2:19-cv-02382-JAM-DB

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**ORDER**

PURSUANT TO THE STIPULATION OF THE PARTIES, and finding good cause therein, IT  
IS HEREBY ORDERED that Plaintiffs shall file a Corrected Second Amended Complaint that shall  
correct the allegations as set forth in the parties' Stipulation.

IT IS SO ORDERED.

DATED: September 11, 2020

/s/ John A. Mendez

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THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE