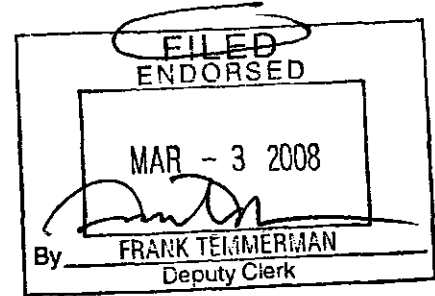


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12 SUPERIOR COURT OF CALIFORNIA
13 COUNTY OF SACRAMENTO
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15

16 **JOSH SHAW, Taxpayer and Executive Director of**
17 **California Transit Association; and the**
18 **CALIFORNIA TRANSIT ASSOCIATION, a**
19 **nonprofit corporation,**

Petitioners,

v.

20 **JOHN CHIANG, California State Controller and**
21 **MICHAEL C. GENEST, California Director of**
22 **Finance, in their official capacity,**

Respondents.

Case No. 07CS01179

~~RECEIVED~~ JUDGMENT

Date:

Time:

Dept: 20

Judge: Hon. Jack Sapunor

Action Filed: September 6, 2007

23
24 In accordance with the Court's Statement of Decision filed January 29, 2008, IT IS
25 HEREBY ADJUDGED AND DECREED as follows:

26 1. The Court declares that subdivision (a) of section 24.80, of the Budget Act of
27 2007, added by section 71 of Chapter 172, Statutes of 2007 authorizing the California Director of
28 Finance to transfer four hundred nine million dollars (\$409,000,000) from the Public

1 Transportation Account to the General Fund to offset the cost of debt service made in prior years
2 from the General Fund for bonds issued pursuant to Proposition 108 is not for transportation
3 planning or mass transportation purposes and violates of Public Utilities Code section 99310.5.

4 2. A writ of mandate shall issue under the seal of this Court commanding
5 respondents to transfer from the General Fund four hundred nine million dollars (\$409,000,000)
6 to the Public Transportation Account to be used for transportation planning or mass
7 transportation purposes.


8 3. Petitioners Josh Shaw and the California Transit Association shall recover their costs
9 in the amount of \$_____.


10 4. The Court retains jurisdiction to consider any motions for an award of attorneys' fees.

11 5. All other relief sought by petitioners is denied.

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Dated: March 3, 2008


The Honorable Jack Sapunor
Superior Court Judge
Sacramento County Superior Court



SA2007102415

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **Shaw, Josh, et al. v. John Chiang, et al.**

No.: **07CS01179**

I declare.

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550.

On February 13, 2008, I served the attached

**LETTER ADDRESSED TO THE HONORABLE JACK SAPUNOR DATED
FEBRUARY 13, 2008 RE PROPOSED JUDGMENT AND PROPOSED WRIT OF
MANDATE;**

[PROPOSED] WRIT OF MANDATE; and

[PROPOSED] JUDGMENT

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at Sacramento, California, addressed as follows:

Richard D. Martland, Esq. Kurt Oneto, Esq. Nielsen Merksamer Parrinello Mueller & Naylor, LLP 1415 "L" Street Suite 1200 Sacramento, CA 95814 E-mail Address: rmartland@nmgovlaw.com <i>VIA FIRST CLASS MAIL and ELECTRONIC MAIL</i>	James R. Parrinello, Esq. Christopher E. Skinnell, Esq. Nielsen Merksamer Parrinello Mueller & Naylor, LLP 591 Redwood Highway, #4000 Mill Valley, CA 94941 E-mail Address: cskinnell@nmgovlaw.com <i>VIA FIRST CLASS MAIL and ELECTRONIC MAIL</i>
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I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on February 13, 2008, at Sacramento, California.

Brenda Sanders

Declarant



Signature