

1 ADAM E. CHAIKIN (SBN 199458)
2 OLINS RIVIERE COATES AND BAGULA

2 2214 Second Avenue
3 San Diego, CA 92101
3 Tel: (619) 272-4235
4 Fax: (619) 272-4309

4 Attorneys for Charging Party DEPUTY CITY ATTORNEYS
5 ASSOCIATION OF SAN DIEGO

6
7
8 STATE OF CALIFORNIA

9 PUBLIC EMPLOYMENT RELATIONS BOARD

10 DEPUTY CITY ATTORNEYS)
11 ASSOCIATION OF SAN DIEGO,)

12 Charging Party,)

13 v.)

14 CITY OF SAN DIEGO,)

15 Respondent.)

16 SAN DIEGO MUNICIPAL EMPLOYEES)
17 ASSOCIATION,)

18 Charging Party,)

19 v.)

20 CITY OF SAN DIEGO,)

21 Respondent.)

22 AMERICAN FEDERATION OF STATE,)
23 COUNTY AND MUNICIPAL)
24 EMPLOYEES, AFL-CIO, LOCAL 127,)

25 Charging Party,)

26 v.)

27 CITY OF SAN DIEGO,)

Respondent.)

Case No.: LA-CE-752-M

CHARGING PARTY DEPUTY CITY
ATTORNEYS ASSOCIATION OF SAN
DIEGO'S OPPOSITION TO CITY OF SAN
DIEGO'S CONSOLIDATED MOTION TO
DISMISS COMPLAINTS.

Case No. LA -CE-746-M

Case No.: LA-CE-755-M

1 SAN DIEGO CITY FIREFIGHTERS
2 LOCAL 145,

CASE NO.: LA-CE-758-M

3 Charging Party.

4 v.

5 CITY OF SAN DIEGO,

6 Respondent.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

1 TO THE HONORABLE DONN GINOZA, ADMINISTRATIVE LAW JUDGE, AND ALL
2 PARTIES AND THEIR COUNSEL OF RECORD:

3 Charging Party Deputy City Attorneys Association of San Diego ("DCAA") submits its
4 opposition to City of San Diego's ("City") consolidated motion to dismiss complaints as follows.


5 On or about July 6, 2012, City moved to dismiss the PERB complaints ("City's second
6 motion") in the following matters: 1. *San Diego City Firefighters, Local 145 v. City of San Diego*,
7 Unfair Practice Charge No. LA-CE-758-M; 2. *San Diego Municipal Employees Association v City of*
8 *San Diego*, Unfair Practice Charge No. LA-CE-746-M; 3. *AFSCME Local 127 v City of San Diego*,
9 Unfair Practice Charge No. LA-CE-755-M; and 4. *Deputy City Attorneys Association v City of San*
10 *Diego*, Unfair Practice Charge No. LA-CE-752-M.

11 City previously made a similar motion in the MEA matter ("City's first motion"). San Diego
12 Municipal Employees Association ("MEA") opposed City's first motion. On July 5, 2012, the
13 Honorable Administrative Law Judge Donn Ginoza denied City's first motion.

14 DCAA incorporates herein in its entirety MEA's opposition to City's first motion. In
15 addition, if MEA, San Diego City Firefighters, Local 145 ("Local 145"), and/or AFSCME Local 127
16 ("Local 127") file an opposition to City's second motion, then DCAA joins in and incorporates those
17 oppositions herein in their entirety.

18 Respectfully Submitted,

19 Dated: 7/11, 2012

OLINS RIVIERE COATES AND BAGULA

ADAM E. CHATKIN, ESQ.
Attorney for Charging Party DEPUTY CITY
ATTORNEYS ASSOCIATION OF SAN
DIEGO

PROOF OF SERVICE

I declare that I am a resident of the State of California and over the age of eighteen years, and am not a party to the above-referenced action. My business address is 2214 Second Avenue San Diego California, 92101. On July 11, 2012, I served the follow documents listed below:

1. Charging Party Deputy City Attorney's Association of San Diego's Opposition to City of San Diego's Consolidated Motion to Dismiss Complaints.
2. Proof of Service.

I served the following documents above on the parties listed below by causing them to be served:

XX By Fax Transmission. Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission will be retained in our records.

Honorable Donn Ginoza, Administrative Law Judge
Public Employment Relations Board
San Francisco Regional Office
1330 Broadway, Suite 1532
Oakland, CA 94612-2514
Fax: (510) 622-1027

XX By U.S. Mail. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at 2214 Second Avenue, San Diego, California 92101 in the ordinary course of business. I am aware on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Honorable Donn Ginoza, Administrative Law Judge
Public Employment Relations Board
San Francisco Regional Office
1330 Broadway, Suite 1532
Oakland, CA 94612-2514

///

///

Ann M. Smith, Esq.
TOSDAL, SMITH, STEINER & WAX
401 West A. Street, Ste. 220
San Diego, CA 92101
Email: asmith@tosdalsmith.com
Also Via Email

Fern Steiner, Esq.
TOSDAL, SMITH, STEINER & WAX
401 West A. Street, Ste. 220
San Diego, CA 92101
Email: fsteiner@tosdalsmith.com
Also Via Email


Ellen Greenstone, Esq.
Connie Hsia, Esq.
ROTHNER, SEGALL and GREENSTONE
510 South Morengo Avenue
Pasadena, CA 91101-3115
Email: egreenstone@rsglabor.com; chsiao@rsglabor.com
Also Via Email

Timothy Yeung, Esq.
RENNE SLOAN HOLTZMAN SAKAI LLP
428 J Street, Suite 400
Sacramento, CA 95814
Email: tyeung@rshslaw.com
Also Via Email

Donald Worley, Esq.
Office of the City Attorney
1200 Third Avenue, Suite 1620
San Diego, CA 92101
Email: dworley@sandiego.gov
Also Via Email

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 11, 2012 at San Diego, California



Rachel Brent