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By  Deputy

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO, RANCHO CUCAMONGA DISTRICT

CALIFORNIA CORRECTIONAL
SUPERVISORS ORGANIZATION, INC.;
RICK ROTE, and KELLY WOOD,

Case No: RCV 059013

Plaintiffs,

VS.

CALIFORNIA DEPARTMENT OF
CORRECTIONS; ANTHONY GRAHAM;
and VAUGHN SCHULTZ

**STIPULATION TO JUDGEMENT;
PERMANENT INJUNCTION; AND
DISMISSAL OF DEFENDANTS
GRAHAM AND SCHULTZ**

Defendants.

Date: July 26, 2002
Time: 9:30 a.m.
Dept: R3

Judge: Hon. Peter H. Norell

Plaintiffs, California Correctional Supervisors Organization, Inc. Rick Rote, and Kelly Wood, and Defendant California Department of Corrections, have agreed to the following terms and conditions for a Stipulated Judgment.

STIPULATED JUDGMENT

Defendant California Department of Corrections (CDC) stipulates to judgment against defendant and in favor of plaintiffs, and agrees to the following Permanent Injunction.

PERMANENT INJUNCTION

CDC, its employees and agents are prohibited from:

1. Proceeding with an interrogation of a correctional supervisor if the representative of his or her choice is unavailable, except that in any such case the one-year time period specified in Government Code §3304(d) automatically shall be tolled for the same amount of time the chosen representative is unavailable without the necessity of a written stipulation when the correctional supervisor to be interviewed is provided a minimum of five (5) working days advance notice of the interrogation at the time of service of the notice of interrogation. "Working days" is defined as Monday through Friday, excluding holidays, and excluding the correctional supervisor's scheduled vacation, and excluding the first day of notice if notice is served after noon;
2. Taking any adverse action or otherwise imposing any discipline on Plaintiff Rick Rote arising out of any statements made by him during the August 22, 2001, and October 5, 2001, investigatory interviews conducted by defendants;
3. Taking any adverse action or otherwise imposing any discipline on Plaintiff Kelly Wood arising out of any statements made by him during the September 7, 2001, investigatory interview conducted by defendants.
4. Defendant CDC, on behalf of itself, and plaintiff CCSO, on behalf of the correctional supervisors it represents, agreed to be bound by the terms of this permanent injunction in each and every county throughout the State of California, unless later modified by mutual agreement or by order of this court.

DISMISSAL

Plaintiffs and defendants hereby stipulate to the dismissal of named defendants Anthony Graham and Vaughn Schultz.