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Superior Court of California
County of Los Angeles

DEC 03 2015

Sherri R. Carter, Executive Officer/Clerk
By Annette Fajardo, Deputy

8 Attorneys for State of California,
9 PUBLIC EMPLOYMENT RELATIONS BOARD

10 IN THE SUPERIOR COURT FOR THE STATE OF CALIFORNIA
11 COUNTY OF LOS ANGELES

12 PUBLIC EMPLOYMENT RELATIONS
13 BOARD,

14 Plaintiff,

15 v.

16 ALLIANCE COLLEGE-READY PUBLIC
17 CHARTER SCHOOLS et al.

18 Defendants,

19 UNITED TEACHERS LOS ANGELES,

20 Real Party in Interest.

Case No.: BC598881

**ORDER GRANTING PRELIMINARY
INJUNCTION**

Hon. Gail Feuer
Department 78

Preliminary Injunction Hearing Date:

Date: December 3, 2015

Time: 9:30 a.m.

Dept.: 85

Judge: Hon. Judge Chalfant

**Exempt from Fees
(Gov. Code, § 6103)**

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25 Upon reading and considering the Application and supporting Declarations and Points
26 and Authorities on file in this action, the evidence submitted at the hearing, the oral argument of
27 the parties, and other pleadings and papers on file in this action, the Court finds that Plaintiff
28 Public Employment Relations Board (PERB or the Board) has demonstrated that the applicable
legal test (*Public Employment Relations Board v. Modesto City Schools District* (1982) 136

1 Cal.App.3d 881 [*Modesto*]) has been met for purposes of a Preliminary Injunction against
2 Defendants Alliance College-Ready Public Charter Schools, and all of the approximately 30
3 schools, including, but not limited to, Alliance Susan & Eric Smidt Technology High School,
4 Alliance Collins Family College-Ready High School, Alliance Gertz-Ressler High School,
5 Alliance Renee & Meyer Luskin Academy High School, and Alliance Patti and Peter Neuwirth
6 Leadership Academy (Defendants), including that PERB has demonstrated that it is "just and
7 proper" under the standards of *Modesto, supra*, 136 Cal.App.3d 881, that a Preliminary
8 Injunction should issue, which shall remain in full force and effect until the PERB administrative
9 proceedings on all four complaints are completed.

10 **ORDER GRANTING PRELIMINARY INJUNCTION**

11 Accordingly, IT IS HEREBY ORDERED THAT:

12 1. The December 3, 2015 Tentative Decision on Application for Preliminary . . .
13 Injunction is adopted as orally modified at the December 3, 2015 hearing. The Tentative
14 Decision is attached and incorporated herein.

15 2. Defendants and its agents shall be enjoined from:

- 16 a) Maintaining and sponsoring petitions on its website(s) or otherwise, that solicit .
17 employee signatures that affirm opposition to unionization and/or collective
18 bargaining;
- 19 b) Polling certificated employees concerning their beliefs, position or intention
20 regarding unionization and/or collective bargaining;
- 21 c) Denying access to Real Party in Interest United Teachers Los Angeles on behalf
22 of United Teachers Los Angeles/Alliance Educators United (UTLA) and its
23 representatives to Defendants' work sites during after-school hours; and
- 24 d) Denying or blocking UTLA electronic mail (e-mail) messages to certificated
25 employees' work e-mail addresses.

26 3. Defendants' administrators also must stay at least 100 feet away from any UTLA
27 organizer once the organizer is identified as such with the exception that an administrator may be
28 closer than 100 feet if there is a specific need concerning student safety. When Defendants'

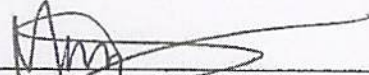
1 administrators and an identified organizer are indoors, Defendants' administrators must stay at
2 least 40 feet away from any UTLA organizer.

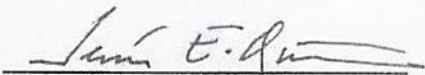
3 4. Defendants also must meet and confer with UTLA at a time and date to be agreed
4 upon to discuss implementing the Preliminary Injunction.

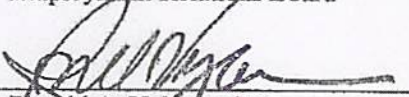
5 5. Defendants are further ordered to provide each of Defendants' certificated
6 employees with copies of this Order through all of the following means of communication within
7 twenty-four (24) hours notice of the Order being signed: (1) sent via an e-mail message to all
8 certificated employees; and (2) posted for a period of thirty (30) work days at all of Defendants'
9 school sites at all teacher bulletin boards. Such copies of this Order shall be posted without
10 accompanying disclaimer.

11 6. The Preliminary Injunction shall remain in full force and effect until the PERB
12 administrative proceedings on all four complaints are completed.


13
14 **APPROVED AS TO FORM:**

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16 _____
17 Mary Weiss for the Public
18 Employment Relations Board

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16 _____
17 Jesus Quinonez for Real Party in
18 Interest United Teachers Los
19 Angeles

18 
19 _____
20 Ronald A. Valenzuela, Proskauer
21 Rose, LLP, for Defendants

21 Dated: December 3, 2015

22  JOANNE B. O'DONNELL
23 HONORABLE JUDGE ~~CHALBANI~~
24 JOANNE B. O'DONNELL
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