

1 PILLSBURY WINTHROP SHAW PITTMAN LLP  
2 JOHN S. POULOS #154689  
3 CHRISTOPHER RODRIGUEZ #212274  
4 CARRIE L. BONNINGTON #227570  
5 400 Capitol Mall, Suite 1700  
6 Sacramento, CA 95814-4419  
7 Telephone: (916) 329-4700  
8 Facsimile: (916) 441-3583

9 AMERICAN NURSES ASSOCIATION  
10 ALICE L. BODLEY, General Counsel  
11 MAUREEN CONES, Senior Counsel  
12 JOCELYN WINSTON, Senior Counsel  
13 8515 Georgia Avenue, N.W., Suite 400  
14 Silver Spring, MD 20910  
15 Telephone: (301) 628-5127  
16 Facsimile: (301) 628-5345

17 Attorneys for Plaintiffs and Petitioners  
18 AMERICAN NURSES ASSOCIATION;  
19 AMERICAN NURSES ASSOCIATION/CALIFORNIA; and  
20 CALIFORNIA SCHOOL NURSES ORGANIZATION

21 CALIFORNIA NURSES ASSOCIATION  
22 LEGAL DEPARTMENT  
23 PAMELA ALLEN #139136  
24 LINDA M. SHIPLEY #230165  
25 2000 Franklin Street, Suite 300  
26 Oakland, CA 94612  
27 Telephone: (510) 273-2271  
28 Facsimile: (510) 663-4822

Attorneys for Plaintiffs and Petitioners  
CALIFORNIA NURSES ASSOCIATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SACRAMENTO

AMERICAN NURSES ASSOCIATION;  
AMERICAN NURSES ASSOCIATION/  
CALIFORNIA; CALIFORNIA SCHOOL  
NURSES ORGANIZATION; and  
CALIFORNIA NURSES ASSOCIATION,

Plaintiffs/Petitioners,

vs.

JACK O'CONNELL, STATE  
SUPERINTENDENT OF PUBLIC  
INSTRUCTION; and CALIFORNIA  
DEPARTMENT OF EDUCATION,

Defendants/Respondents.

Case No. 07AS04631

PROOF OF SERVICE BY OVERNIGHT  
COURIER

1 I, Catherine Ferrannini, the undersigned, hereby declare as follows:

2 1. I am over the age of 18 years and am not a party to the within cause. I am  
3 employed by Pillsbury Winthrop Shaw Pittman LLP in the City of Sacramento, California.

4 2. My business address is 400 Capitol Mall, Suite 1700, Sacramento, CA  
5 95814-4419.

6 3. On July 28, 2008, in the city where I am employed, I served a true copy of  
7 the attached document(s) titled exactly:

- 8 • NOTICE OF MOTION AND MOTION IN SUPPORT OF VERIFIED SECOND  
9 AMENDED PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR  
DECLARATORY AND INJUNCTIVE RELIEF;
- 10 • MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF  
11 VERIFIED SECOND AMENDED PETITION FOR WRIT OF MANDATE AND  
COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF;
- 12 • PETITIONERS' REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF  
13 REQUEST FOR WRIT OF MANDAMUS; DECLARATION OF MAUREEN E.  
CONES; and
- 14 • APPENDIX OF OUT-OF-STATE AND OTHER AUTHORITIES

15 by depositing it/them in a box or other facility regularly maintained by FedEx, an express  
16 service carrier providing overnight delivery, or delivering it to an authorized courier or  
17 driver authorized by the express service carrier to receive document, in an envelope or  
18 package designated by the express service carrier, with overnight delivery fees paid or  
19 provided for, clearly labeled to identify the person being served at the address shown below:  
20

21 [See Attached Service List]

22 I declare under penalty of perjury that the foregoing is true and correct. Executed  
23 this 28th day of July, 2008, at Sacramento, California.

24  
25  
26 \_\_\_\_\_  
Catherine Ferrannini

SERVICE LIST

American Nurses Association, et al. v. Jack O'Connell, et al.  
Superior Court of California, County of Sacramento  
Case No. 07AS04631

<p>Robin B. Johansen, Esq. Kari Krogseng, Esq. Remcho, Johansen &amp; Purcell, LLP 201 Dolores Avenue San Leandro, CA 94577 Telephone: (510) 346-6200 Facsimile: (510) 346-6201 Email: <a href="mailto:rjohansen@rjp.com">rjohansen@rjp.com</a></p> <p><i>Attorneys for Defendants Jack O'Connell and California Department of Education, the Board of Education, and its members</i></p>	<p>James M. Wood, Esq. Kenneth J. Philpot, Esq. Reed Smith LLP 1999 Harrison Street, Suite 2400 Oakland, CA 94612-3572 Telephone: (510) 763-2000 Facsimile: (510) 273-8832 Email: <a href="mailto:jmwood@reedsmith.com">jmwood@reedsmith.com</a> <a href="mailto:kphilpot@reedsmith.com">kphilpot@reedsmith.com</a></p> <p><i>Attorneys for Intervenor American Diabetes Association</i></p>
<p>Arlene Mayerson, Esq. Larisa Cummings, Esq. Disability Rights Education and Defense Fund, Inc. 2212 Sixth Street Berkeley, CA 94710 Telephone: (510) 644-2555 Facsimile: (510) 841-8645 Email: <a href="mailto:amayerson@dredf.org">amayerson@dredf.org</a> <a href="mailto:lcummings@dredf.org">lcummings@dredf.org</a></p> <p><i>Attorneys for Intervenor American Diabetes Association</i></p>	<p><i>Courtesy Copy:</i> Allan H. Keown, Esq. Marsha A. Bedwell, Esq. Michael E. Hersher, Esq. California State Department of Education 1430 N Street, Room 5319 Sacramento, CA 95814 Telephone: (916) 319-0860 Facsimile: (916) 319-0155 Email: <a href="mailto:akeown@cde.ca.gov">akeown@cde.ca.gov</a> <a href="mailto:mbedwell@cde.ca.gov">mbedwell@cde.ca.gov</a> <a href="mailto:mhersher@cde.ca.gov">mhersher@cde.ca.gov</a></p>
<p>Pamela Allen, Esq. Linda M. Shipley, Esq. California Nurses Association 2000 Franklin Street, Suite 300 Oakland, CA 94612 Telephone: (510) 273-2200 Facsimile: (510) 663-5712 Email: <a href="mailto:pallen@calnurses.org">pallen@calnurses.org</a> <a href="mailto:lshipley@calnurses.org">lshipley@calnurses.org</a></p> <p><i>Attorneys for Plaintiffs and Petitioners California Nurses Association</i></p>	