

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF ADMINISTRATION  
Office of the Director-Legal Unit  
320 W. Fourth Street, Suite 600  
Los Angeles, CA 90013

Telephone No.: (213) 576-7725  
Facsimile No.: (213) 576-7735



January 27, 2004

VIA OVERNIGHT MAIL

Paula Higashi, Executive Director  
Commission on State Mandates  
980-Ninth Street, Suite 300  
Sacramento, CA 95814

**RECEIVED**

JAN 28 2004

**COMMISSION ON  
STATE MANDATES**

RE: Clovis Unified School District  
Test Claim No.: 01-TC-28  
Prevailing Wage Rates

Dear Ms. Higashi:

This office is the primary representative of the Department of Industrial Relations in this matter. The Department is supposed to file a Response to the above claim by February 2, 2004, after being granted a 90 day extension from the prior November 3, 2003, deadline. Unfortunately, neither the Department of Industrial Relations nor the Labor and Workforce Development Agency have had permanent appointments made to Director or Secretary yet. As a result, the administration's position on some prevailing wage issues, including some that are affected by this Test Claim, has yet to be formulated in full.

We are therefore not sure what position the new administration wishes to take on this Test Claim. I am hopeful that enough clarity will be provided within the next three weeks that I can file a proper response to the Test Claim. I am therefore requesting an additional 30 days from February 4, 2004, in which to respond. If our request for an extension is granted, our response would be due on or before Monday, March 3, 2004.

Thank you in advance for your anticipated cooperation.

Yours truly,

A handwritten signature in black ink, appearing to read "Anthony Mischel".

Anthony Mischel

ASM/ms

cc: See Attached Mailing List

**PROOF OF SERVICE**  
(Code Civ. Proc. §§ 1013a, 2015.5)

**Re: Prevailing Wage Rate, 01-TC-28  
Clovis Unified School District, Claimant  
Labor Code Section 1720, et al.  
Public Contract Code Section 22022  
Title 8, CCR, Section 16000 et al.  
Statutes 2001, Chapter 938 et al.**

**And Affected Parties and State Agencies**

I am employed in the City and County of Sacramento, California. I am over the age of eighteen years and not a party to the within action; my business address is 320 W. Fourth Street, Suite 600, Los Angeles, CA 90013.

On January 27, 2004, I served the enclosed **Letter to Paula Higashi, Executive Director, dated January 27, 2004**, on the parties listed below, through their attorneys of record, by placing true copies thereof in sealed envelopes addressed as shown below for service as designated below:

- (A) By First Class Mail: I am readily familiar with the practice of the Department of Industrial Relations, Office of the Director Legal Unit, for the collection and processing of correspondence for mailing with the United States Postal Service. I caused each such envelope, with first-class postage thereon fully prepared, to be deposited in a recognized place of deposit of the U.S. Mail in Los Angeles, California, for collection and mailing to the office of the addressee on the date shown herein.
- (B) By Personal Service: I caused each such envelope to be personally delivered to the office of the addressee by a member of the staff of the Department of Industrial Relations, Office of the Director Legal Unit, on the date last written below.
- (C) By Messenger Service: I am readily familiar with the practice of the Department of Industrial Relations, Office of the Director Legal Unit for messenger delivery, and I caused each such envelope to be delivered to a courier employed by Golden State Overnight, with whom we have a direct billing account, who personally delivered each such envelope to the office of the address at the place and on the date last written below.
- (D) By Facsimile Transmission: I caused such document to be served via facsimile electronic equipment transmission (fax) on the parties in this action, pursuant to oral and/or written agreement between such parties regarding service by facsimile by transmitting a true copy to the following fax numbers:

TYPE OF SERVICE

ADDRESSEE & FAX NUMBER (IF APPLICABLE)

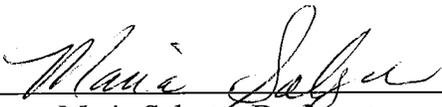
PARTY REPRESENTED

A	Ms. Shirley Opie Asst. Executive Director Commission on State Mandates 980-Ninth Street, Suite 300 Sacramento, CA 95814	State Agency
A	Mr. Ramon dela Guardia Deputy Attorney General Department of Justice 1300 I. Street, Suite 125 Sacramento, CA 95814	State Agency
A	Ms. Harmeet Barkschat Mandate Resource Service 5325 Elkhorn Blvd., Suite 307 Sacramento, CA 95842	Interested Party
A	Dr. Carol Berg Education Mandated Cost Network 1121 L. Street, Suite 1060 Sacramento, CA 95814	Interested Party
A	Executive Director, (E-08) State Board of Education 721 Capitol Mall, Room 558 Sacramento, CA 95814	State Agency
A	Mr. Michael Havey State Controller's Office Division of Accounting and Reporting 3301 C. Street, Suite 500 Sacramento, CA 95816	State Agency
A	Ms. Beth Hunter, Director Centration, Inc. 8316 Red Oak Street, Suite 101 Rancho Cucamonga, CA 91730	Interested Person

A	Mr. Tom Lutzenberger (A-15) Principal Analyst Department of Finance 915 L. Street, 6 <sup>th</sup> Floor Sacramento, CA 95814	State Agency
A	Mr. Bill McGuire Assistant Superintendent Clovis Unified School District 1450 Herndon Clovis, CA 93611-0599	Claimant
A	Mr. Paul Minney Spector, Middleton, Young & Minney, LLP 7 Park Center Drive Sacramento, CA 95825	Interested Person
A	Mr. Keith B. Petersen President SixTen & Associates 5252 Balboa Avenue, Suite 807 San Diego, CA 92117	Claimant
A	Mr. Gerald Shelton, Director (E-8) California Department of Education Fiscal & Administrative Services Division 1430 N. Street, Suite 2213 Sacramento, CA 95814	State Agency
A	Mr. Steve Shields Shields Consulting Group, Inc. 1536 - 36 <sup>th</sup> Street Sacramento, CA 95816	Interested Party
A	Mr. Steve Smith, CEO Mandated Cost Systems, Inc. 11130 Sun Center Drive, Suite 100 Rancho Cordova, CA 95670	Interested Party
A	Mr. Scott Kronland Altshuler, Berzon, Nassbaum, Rubin & Demain 177 Post Street, Suite 300 San Francisco, CA 94108	Interested Party

- |   |   |                     |
|---|---|---------------------|
| A | Ms. Sandy Reynolds<br>Reynolds Consulting Group, Inc.<br>P.O. Box 987<br>Sun City, CA 92586                       | Interested<br>Party |
| A | Mr. Keith Gmeinder<br>Department of Finance (A-15)<br>915 L Street, 8 <sup>th</sup> Floor<br>Sacramento, CA 95814 | Interested<br>Party |

Executed on January 27, 2004, at Los Angeles, California. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

  
\_\_\_\_\_  
Maria Salazar, Declarant