

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

FILED  
ENDORSED  
MAR 12 2010  
*B. Frates*  
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SACRAMENTO

**JON COUPAL, an individual; HOWARD JARVIS TAXPAYERS ASSOCIATION, an incorporated California Association,**  
Petitioner,  
  
v.  
  
**DEBRA BOWEN, as the Secretary of State of California,**  
Respondent,  
  

---

**GEOFF BRANDT, in his official capacity as State Printer; the LEGISLATURE OF THE STATE OF CALIFORNIA,**  
Real Parties in Interest.

Case No. 34-2010-80000468  
**[PROPOSED] ORDER AND JUDGMENT AFTER HEARING ON PETITION FOR PEREMPTORY WRIT OF MANDATE**  
**ELECTION MATTER: PROPOSITION 15**  
  
Date: March 12, 2010  
Time: 10:30 a.m.  
Dept: 19  
Judge: Honorable Patrick Marlette  
Action Filed: March 8, 2010

*Jon Coupal, an individual,  
Howard Jarvis Taxpayers Association  
an incorporated  
California  
Association*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

The petition for peremptory writ of mandate by Petitioner ~~Allan H. Clark~~ came on for hearing in Department 19 of this Court on March 12, 2010.

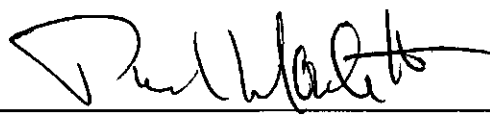
Having read and considered the memoranda of points and authorities filed by the parties, and having heard argument of counsel,

IT IS HEREBY ORDERED AND ADJUDGED THAT:

The Petition for Peremptory Writ of Mandate is granted in part and denied in part. As reflected in the attached exhibit, the Secretary of State shall implement changes to the Ballot Title and Summary for Proposition 15 as contained in the ballot pamphlet and furnish this information to the Acting State Printer.

The Petition for Peremptory Writ of Mandate is granted in part and denied in part. As reflected in the attached exhibit, the Secretary of State shall implement changes to the Ballot Label for Proposition 15 as contained in the ballot pamphlet and furnish this information to the Acting State Printer.

Dated: 3/12/10



Honorable Patrick Marlette  
Superior Court of California, County of Sacramento

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SACRAMENTO  
GORDON D SCHABER COURTHOUSE**

**MINUTE ORDER**

Date: 03/12/2010

Time: 10:00:00 AM

Dept: 19

Judicial Officer Presiding: Patrick Marlette

Clerk: B. Frates

Reporter/ERM: M. Cheng CSR# 6800

Bailiff/Court Attendant: O. Munoz

Case No: **34-2010-80000468-CU-WM-GDS** Case Init. Date: 03/08/2010

Case Title: **Coupal vs. Debra Bowen as the Secretary of State**

Case Category: Civil - Unlimited

---

EVENT ID/DOCUMENT ID: 1347736,4753163

**EVENT TYPE:** Petition for Writ of Mandate - Writ of Mandate

**MOVING PARTY:** Howard Jarvis Taxpayers Association, Jon Coupal

**CAUSAL DOCUMENT/DATE FILED:** Notice of Hearing, 03/09/2010

---

**APPEARANCES**

Geoffrey Graybill, counsel, present for Real Party In Interest (Rpii), Respondent(s).

Thomas W. Hiltachk, counsel, present for Petitioners;

Brian T. Hildreth, counsel, present for Petitioners;

Michael P. Beaver, counsel, present for RPI

---

The Court heard this election writ matter on Friday, March 12, 2010. The Court read and considered the briefing and other papers filed by the parties, and heard and considered the arguments of counsel at the hearing. All parties agreed that RPI State Printer shall be changed to "Kevin Hannah, in his official capacity as Acting State Printer." The Court then announced its ruling and the reasons for that ruling on the record, and ordered that the ballot label and ballot title and summary for Proposition 15 should be revised to read as follows:

Ballot label:

**CALIFORNIA FAIR ELECTIONS ACT.** Repeals ban on public funding of political campaigns. Creates a voluntary system for candidates for Secretary of State to qualify for a public campaign grant if they agree to limitations on spending and private contributions. Each candidate demonstrating enough public support would receive same amount. Participating candidates would be prohibited from raising or spending money beyond the grant. There would be strict enforcement and accountability. Funded by voluntary contributions and a biennial fee on lobbyists, lobbying firms, and lobbyist employers. Fiscal Impact: **Increased revenues (mostly from charges related to lobbyists) totaling over \$6 million every four years.** These funds would be spent on public financing for campaigns of Secretary of State candidates for the 2014 and 2018 elections.

Ballot title and summary:

**CALIFORNIA FAIR ELECTIONS ACT.**

- This act repeals the ban on public funding of political campaigns.

---

Date: 03/12/2010

MINUTE ORDER

Page: 1

Dept: 19

Calendar No.:

- Creates a voluntary system for candidates for Secretary of State to qualify for a public campaign grant if they agree to limitations on spending and private contributions.
- Candidates would have to qualify before receiving the grant.
- Candidates who demonstrate sufficient public support would receive the same amount.
- Participating candidates would be prohibited from raising or spending money beyond the grant.
- There would be strict enforcement and accountability with published reports open to the public.
- Funded by voluntary contributions and a biennial fee on lobbyists, lobbying firms, and lobbyist employers.

**Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:**

- Increased revenues (mostly from charges on lobbyists, lobbying firms, and lobbyist employers) totaling over \$6 million every four years. These funds would be spent on public financing for campaigns of Secretary of State candidates for the 2014 and 2018 elections.