



CITY OF COSTA MESA

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FROM THE OFFICE OF THE INTERIM DIRECTOR OF COMMUNICATIONS

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City of Costa Mesa responds to Superior Court judge's ruling

COSTA MESA, CALIF.—John A. Vogt, special counsel for the City of Costa Mesa, had this comment today after Orange County Superior Court Judge Barbara Tam Nomoto Schumann denied the City's motion to dispose of two of the four causes of action in a lawsuit brought against City in March by the Costa Mesa City Employees' Assn.

"The judge accepted the union's 'interpretation' of the labor contract between the employees' association and the City," said John A. Vogt, special counsel for the City of Costa Mesa. "However, the City maintains the union's alleged interpretation is not an interpretation at all, but rather a contradiction to the contract, which allows for outsourcing and even provides for a six-month notice for it. Unfortunately, the judge believes that she needed to accept the union's 'interpretation' in ruling on a pleadings motion.

"This ruling doesn't mean the union's interpretation will survive summary judgment or trial or otherwise withstand scrutiny on appeal."

The employees' association brought suit to prevent the City from outsourcing services to private companies. A trial date is set for April 9. In the meantime, the judge has issued an injunction preventing the City from outsourcing services to private companies.