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17 *Attorneys for Plaintiff*

18 **UNITED STATES DISTRICT COURT**  
19 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

20 Alfred Sweet,

21 Plaintiff.

22 v.

23 California Association of Psychiatric  
24 Technicians, et al.,

25 Defendants.

Case No. 2:19-CV-00349-JAM-AC

**PLAINTIFF’S MOTION FOR  
PRELIMINARY INJUNCTION**

Hearing Date:

Time:

Judge:

26 Plaintiff, Alfred Sweet, respectfully moves this Court for a preliminary injunction  
27 against Defendants, California Association of Psychiatric Technicians (“CAPT”);  
28

1 Stephanie Clendenin, in her official capacity as Acting Director of the California  
2 Department of State Hospitals (“Director Clendenin”); and Xavier Becerra, in his official  
3 capacity as Attorney General of California (“General Becerra”).

4 Mr. Sweet respectfully requests that the Court enter a preliminary injunction:

- 5 1. Enjoining Director Clendenin from deducting union dues from Mr. Sweet’s  
6 paycheck;
- 7 2. Enjoining CAPT from directing Director Clendenin to deduct union dues  
8 from Mr. Sweet’s paycheck and from accepting the dues;
- 9 3. Enjoining General Becerra from enforcing Cal. Gov’t Code §§ 3515 and  
10 3515.7 and any other provisions of California law that require Mr. Sweet to  
11 pay what amount to agency fees to CAPT because he requested to become an  
12 agency fee payer;
- 13 4. Enjoining General Becerra from enforcing Cal. Gov’t Code §§ 1157.12,  
14 3513(i), 3515, and 3515.5 and all other provisions of California law that  
15 require Mr. Sweet to wait until a specified window of time to stop the  
16 deduction of union dues from his paycheck.
- 17 5. Enjoining CAPT from acting as Mr. Sweet’s exclusive representative in  
18 bargaining negotiations with his employer, the California Department of  
19 State Hospitals; and
- 20 6. Enjoining General Becerra from enforcing Cal. Gov’t Code §§ 3515.5 and  
21 3520.5 and all other provisions of California law that provide for exclusive  
22 representation of employees who do not affirmatively consent to union  
23 membership.

24 Dated: February XX, 2019

25 Respectfully submitted,

26 /s/ Mark W. Bucher

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