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SUPERIOR COURT, STATE OF CALIFORNIA, COUNTY OF STANISLAUS

<u>E. PAZ, ET AL</u>	V.S.	<u>CLAUDE SANDERS, ET AL</u>
PLAINTIFF		DEFENDANT

NATURE OF HEARING: Request for Briefing Re: Impact of No. 311470
Proposition 64

JUDGE: <u>ROGER M. BEAUCHESNE</u>	Bailiff: <u>None</u>	Date: <u>Nov. 23, 2004</u>
Clerk: <u>P. Murray</u>	Reporter: <u>None</u>	<u>Modesto, California</u>

APPEARANCES:

None

The Court directs counsel to submit a supplemental brief of no more than ten pages regarding the impact, if any, of the recently passed Proposition 64 in the November 2, 2004 election.

The specific issue to be addressed is whether or not Proposition 64 is retroactive to cases not yet final on appeal or is prospective only.

Since Proposition 64 allows Business and Professions Code Section 17200 causes of action to be filed only by a public prosecutor or by private counsel in a class action context, the issue raised is pertinent to the case at bar because Proposition 64 would have barred the Business and Professions Code § 17200 action.

The briefs are due by 4:00 p.m. on December 10, 2004 with a courtesy copy to Dept. 5.

IT IS SO ORDERED.

CC: Kimberly Mayhew, Esq.
Malcolm Stewart, Esq.

MINUTE ORDER