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July 29, 2015

Honorable Justices
Supreme Court of California
350 McAllister Street
San Francisco, California 94102-7303

SUPREME COURT NO. S227786
COURT OF APPEAL NO. F068477

Re: Letter in Support of Respondent, Harris Construction Company, Inc.

Dear Honorable Justices:

Pursuant to Rule 8.504(g) of the California Rules of Court, the Construction Employers Association (“CEA”) respectfully submits this Amicus Curiae letter in support of the Petition for Review by Respondent, Harris Construction Company, Inc. CEA is familiar with the questions involved in this case and supports the granting of the Petition for Review.

Amicus Curiae Construction Employers Association (CEA) is a California non-profit trade association representing over 100 of the largest commercial building contractors in Northern California whose members performed over \$12 billion worth of construction work last year. CEA members performed approximately \$1.5 billion worth of Lease Lease Back school construction projects. Respondent is a member of CEA.

CEA believes that pursuant to Rule 8.500(b)(1) it is necessary for the Court to order review of the Appellate Court Decision to settle important questions of law as they relate to Lease Lease Back school construction projects in California. One of those questions is whether independent contractors and consultants can be deemed employees of the school district and subject to Government Code Section 1090. CEA members who are engaged in Lease Lease Back projects may have an independent relationship with a school district for pre-construction services. The Appellate Court Decision has created uncertainty with regard to the long standing principle that these contractors are independent contractors and not government employees subject to Government Code Section 1090.

Based upon the Appellate Court Decision, CEA members who perform Lease Lease Back work are not sure how to proceed with current projects under construction and projects that are

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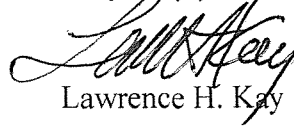
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coming up for negotiation. Under both scenarios a decision by the Supreme Court with regard to Lease Lease Back school construction could provide guidelines on how to proceed in the future and guidance on how disputes on existing projects and on previously constructed Lease Lease Back school projects can be resolved.

Very truly yours,

A handwritten signature in black ink, appearing to read "L.H. Kay", written in a cursive style.

Lawrence H. Kay

LHK/jp

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