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8 Attorney for Respondent and Defendant San Diego Police Officers Association Incorporated

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**FOR THE COUNTY OF SAN DIEGO**

CITY OF SAN DIEGO, )  
 )  
 ) Petitioner and Plaintiff, )  
 )  
 ) v. )  
 )  
 ) SAN DIEGO POLICE OFFICERS )  
 ) ASSOCIATION INCORPORATED, )  
 ) and DOES 1 to 100, inclusive, )  
 )  
 ) Respondent and Defendant. )

CASE NO: 37-2009-00086499-CU-PT-CTL  
  
DECLARATION OF DETECTIVE  
JOHN AUSTIN  
  
Date: June 25, 2009  
Time: 9:00 a.m.  
Judge: Hon. David B. Oberholtzer  
Dept: C-67  
Action Filed: April 1, 2009

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8 Attorney for Plaintiff San Diego Police Officers Association Incorporated

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 FOR THE COUNTY OF SAN DIEGO

11 CITY OF SAN DIEGO,	)	CASE NO: 37-2009-00086499-CU-PT-CTL
12	)	
13 Petitioner and Plaintiff,	)	DECLARATION OF JOHN AUSTIN
14	)	IN SUPPORT OF SAN DIEGO
15 v.	)	POLICE OFFICERS ASSOCIATION
16	)	INCORPORATED'S APPLICATION
17 SAN DIEGO POLICE OFFICERS	)	FOR PRELIMINARY INJUNCTION
18 ASSOCIATION INCORPORATED,	)	
19 and DOES 1 to 100, inclusive,	)	
20	)	
21 Respondent and Defendant.	)	Date: June 8, 2009
22	)	Time: 1:45 p.m.
23	)	Judge: Hon. David B. Oberholtzer
24	)	Dept: C-67
25	)	Action Filed: April 1, 2009
26	)	
27	)	

28 I, John Austin, declare as follows:

1. I am a Detective with the City of San Diego Police Department. I have personal knowledge of the matters stated herein and if called to do so could testify competently thereto.
2. I have been employed by the City as a police officer for 29 years.
3. I am currently in the Deferred Retirement Option Plan ("DROP").
4. Because of the reduction in DROP interest rate, to be effective July 1, 2009 for those who have not yet retired from City employment, I will be retiring by June 30, 2009, earlier than I otherwise would.

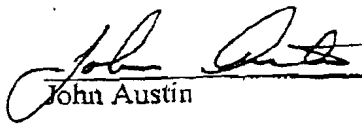
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 28th day of May, 2009, at San Diego, California.

  
John Austin