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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 BYRON
14		)	HIBSHMAN IN SUPPORT OF SAN
15	v.	)	DIEGO POLICE OFFICERS
16		)	ASSOCIATION INCORPORATED'S
17	SAN DIEGO POLICE OFFICERS	)	APPLICATION FOR
18	ASSOCIATION INCORPORATED,	)	PRELIMINARY INJUNCTION
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 I, Byron Hibshman, declare as follows:

- 27 1. I am a Police Officer II with the City of San Diego Police Department. I have
28 personal knowledge of the matters stated herein and if called to do so could testify competently
29 thereto.
- 30 2. I have been employed by the City as a police officer for 24 years.
- 31 3. Because of the City's unilaterally-imposed increase in the entry age for the
32 Deferred Retirement Option Plan ("DROP") from age 50 to age 55, effective July 1, 2009, I will
33 join DROP before June 30, 2009, earlier than I otherwise would have.
- 34 4. Once I join DROP, I understand I must retire from the City within 60 months.
35 Therefore, the City's increase in the entry age for DROP to age 55 is causing me to retire sooner

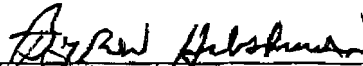
1 than I otherwise would have.

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

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

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Byron Hibshman

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