

1 **MICHAEL A. CONGER, ESQUIRE (State Bar #147882)**
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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN DIEGO**

10 CITY OF SAN DIEGO,)	CASE NO: 37-2009-00086499-CU-PT-CTL
)	
11 Petitioner and Plaintiff,)	DECLARATION OF GARY RIVERS
)	IN SUPPORT OF SAN DIEGO
12 v.)	POLICE OFFICERS ASSOCIATION
)	INCORPORATED'S APPLICATION
13 SAN DIEGO POLICE OFFICERS .)	FOR PRELIMINARY INJUNCTION
14 ASSOCIATION INCORPORATED,)	
and DOES 1 to 100, inclusive,)	
)	
15 Respondent and Defendant.)	Date: June 8, 2009
)	Time: 1:45 p.m.
)	Judge: Hon. David B. Oberholtzer
)	Dept: C-67
)	Action Filed: April 1, 2009

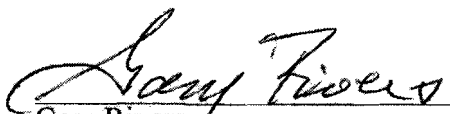
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19 I, Gary Rivers, declare as follows:
20 1. I am a Police Officer II with the City of San Diego Police Department. I have
21 personal knowledge of the matters stated herein and if called to do so could testify competently
22 thereto.
23 2. I have been employed by the City as a police officer for more than 23 years.
24 3. Because of the City's unilaterally-imposed increase in the entry age for the
25 Deferred Retirement Option Plan ("DROP") from age 50 to age 55, effective July 1, 2009, I will
26 join DROP before June 30, 2009, earlier than I otherwise would have.
27 4. Once I join DROP, I understand I must retire from the City within 60 months.
28 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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Gary Rivers