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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **FOR THE COUNTY OF SAN DIEGO**

10 CITY OF SAN DIEGO,)

11 Petitioner and Plaintiff,)

12 v.)

13 SAN DIEGO POLICE OFFICERS)
14 ASSOCIATION INCORPORATED,)
and DOES 1 to 100, inclusive,)

15 Respondent and Defendant.)

CASE NO: 37-2009-00086499-CU-PT-CTL

DECLARATION OF SCOTT
JOHNSTON IN SUPPORT OF SAN
DIEGO POLICE OFFICERS
ASSOCIATION INCORPORATED'S
APPLICATION FOR
PRELIMINARY INJUNCTION

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, Scott Johnston, 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 31 years.

24 3. I am currently in the Deferred Retirement Option Plan ("DROP").

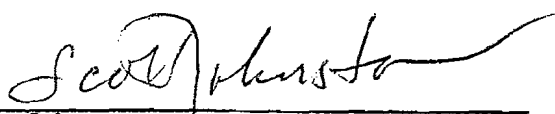
25 4. Because of the reduction in the DROP interest rate, to be effective July 1, 2009,
26 for those who have not yet retired from City employment, I will be retiring before June 30, 2009,
27 earlier than I otherwise would have retired.

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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.



Scott Johnston