

1 **MICHAEL A. CONGER, ESQUIRE (State Bar #147882)**  
2 **LAW OFFICE OF MICHAEL A. CONGER**  
3 16236 San Dieguito Road, Suite 4-14  
4 **Mailing:** P.O. Box 9374  
5 Rancho Santa Fe, California 92067  
6 Telephone: (858) 759-0200  
7 Facsimile: (858) 759-1906

8 Attorney for Respondent and Defendant 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,	)	
14		)	DECLARATION OF POLICE
15	v.	)	OFFICER PAUL HARRIS
16		)	
17	SAN DIEGO POLICE OFFICERS	)	
18	ASSOCIATION INCORPORATED,	)	
19	and DOES 1 to 100, inclusive,	)	
20		)	
21	Respondent and Defendant.	)	Date: June 25, 2009
22		)	Time: 9:00 a.m.
23		)	Judge: Hon. David B. Oberholtzer
24		)	Dept: C-67
25		)	Action Filed: April 1, 2009

1 MICHAEL A. CONGER, ESQUIRE (State Bar #147882)  
LAW OFFICE OF MICHAEL A. CONGER  
2 16236 San Dieguito Road, Suite 4-14  
Mailing: P.O. Box 9374  
3 Rancho Santa Fe, California 92067  
Telephone: (858) 759-0200  
4 Facsimile: (858) 759-1906

5 Attorney for Plaintiff San Diego Police Officers Association Incorporated  
6  
7

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 PAUL HARRIS
	)	IN SUPPORT OF SAN DIEGO
12 v.	)	POLICE OFFICERS ASSOCIATION
	)	INCORPORATED'S APPLICATION
13 SAN DIEGO POLICE OFFICERS	)	FOR PRELIMINARY INJUNCTION
ASSOCIATION INCORPORATED,	)	
14 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
17	)	

18  
19 I, Paul Harris, 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 26 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.

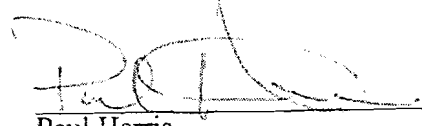
28 Therefore, the City's increase in the entry age for DROP to age 55 is causing me to retire sooner

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 29th day of May, 2009, at San Diego, California.

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

  
Paul Harris