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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, )  
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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 POLICE  
OFFICER BYRON HIBSHMAN

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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9 FOR THE COUNTY OF SAN DIEGO

10 CITY OF SAN DIEGO, )  
11 )  
Petitioner and Plaintiff, )  
12 v. )  
13 SAN DIEGO POLICE OFFICERS )  
ASSOCIATION INCORPORATED, )  
14 and DOES 1 to 100, inclusive, )  
15 Respondent and Defendant. )

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

DECLARATION OF BYRON  
HIBSHMAN 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, Byron Hibshman, 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 24 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.

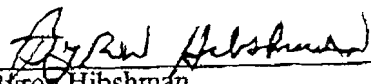
27 4. Once I join DROP, I understand I must retire from the City within 60 months.  
28 Therefore, the City's increase in the entry age for DROP to age 55 is causing me to retire sooner

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than I otherwise would have.

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.

  
Byron Hibshman