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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 GARY RIVERS

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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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
ASSOCIATION INCORPORATED,)	
14 and DOES 1 to 100, inclusive,)	
)	
15 Respondent and Defendant.)	Date: June 8, 2009
)	Time: 1:45 p.m.
16)	Judge: Hon. David B. Oberholtzer
)	Dept: C-67
17)	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

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