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8 Attorney for Respondent and Defendant San Diego Police Officers Association Incorporated

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**FOR THE COUNTY OF SAN DIEGO**

CITY OF SAN DIEGO,	)	CASE NO: 37-2009-00086499-CU-PT-CTL
	)	
Petitioner and Plaintiff,	)	
	)	
v.	)	DECLARATION OF POLICE
	)	OFFICER ROBERT
	)	SCHENKELBERG
SAN DIEGO POLICE OFFICERS	)	
ASSOCIATION INCORPORATED,	)	
and DOES 1 to 100, inclusive,	)	
	)	
Respondent and Defendant.	)	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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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**FOR THE COUNTY OF SAN DIEGO**

10 CITY OF SAN DIEGO,	)	CASE NO: 37-2009-00086499-CU-PT-CTL
11	)	
12	)	DECLARATION OF ROBERT
13	)	SCHENKELBERG IN SUPPORT OF
14	)	SAN DIEGO POLICE OFFICERS
15	)	ASSOCIATION INCORPORATED'S
16	)	APPLICATION FOR
17	)	PRELIMINARY INJUNCTION
18	)	
19	)	Date: June 8, 2009
20	)	Time: 1:45 p.m.
21	)	Judge: Hon. David B. Oberholtzer
22	)	Dept: C-67
23	)	Action Filed: April 1, 2009
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19 I, Robert Schenkelberg, 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 21 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.

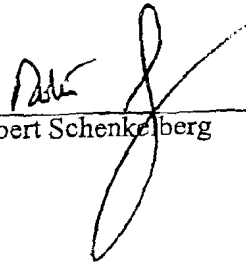
27 4. Once I join DROP, I understand I must retire from the City within 60 months.

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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7 Robert Schenkelberg  
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