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8 Attorneys for Plaintiffs Kelly Lancaster, David Boentiz,
9 Mary Erickson and Richard Gilb, individually, and on
10 behalf of all others similarly situated

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

KELLY LANCASTER, DAVID BOENTIZ, MARY ERICKSON and RICHARD GILB,)	CASE NO: 37-2011-00096238-CU-PO-CTL
)	
Plaintiffs,)	
)	
v.)	NOTICE OF MOTION AND MOTION TO CERTIFY CLASS ACTION
)	[C.C.P. §382]
SAN DIEGO CITY EMPLOYEES' RETIREMENT SYSTEM, and DOES 1-30,)	
)	
Defendants.)	Date: April 17, 2013
)	Time: 10:00 a.m.
)	Judge: Hon. Ronald S. Prager
)	Dept: C-71
)	Action Filed: August 12, 2011
)	Trial Date: Not yet set

19 **TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:**

20 NOTICE IS HEREBY GIVEN that on April 17, 2013, at 10:00 a.m., or as soon
21 thereafter as counsel may be heard in Department C-71 of the above-entitled Court, located at
22 330 West Broadway, San Diego, California, plaintiffs will move, pursuant to Code of Civil
23 Procedure section 382, and hereby do move, on behalf of themselves and all others similarly
24 situated, for an order:

- 25 1. Determining that a class action is proper.
- 26 2. Certifying a plaintiff class (the "*Lancaster class*") defined as follows:
27 "All SDCERS members or beneficiaries, employed or formerly
28 employed by the San Diego County Regional Airport Authority,

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who have been subjected to SDCERS' Board Rule 4.90, relating to
Purchase of Service Credit Corrections.”

3. Appointing Kelly Lancaster, David Boentiz, Mary Erickson and Richard Gilb as
class representatives for the *Lancaster* class, and Michael A. Conger, as class counsel for the
Lancaster class.

This motion is made on the ground that class action treatment is proper in this case.
This motion will be based upon this Notice of Motion and Motion to Certify Class Action, the
Memorandum of Points and Authorities in Support of Plaintiffs' Motion to Certify Class Action,
Declaration of Michael A. Conger in Support of Plaintiff's Motion to Certify Class Action and
Notice of Lodgment of Documents in Support of Plaintiffs' Motion to Certify Class Action,
served and filed herewith, the pleadings and records on file herein, and on such oral and
documentary evidence as may be presented to the court upon hearing of this motion.

Dated: January 24, 2013

LAW OFFICES OF MICHAEL A. CONGER

By: 
MICHAEL A. CONGER
Attorneys for Plaintiffs and all those
similarly situated