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Attorney for Plaintiffs

UNITED STATES DISTRICT COURT  
THE DISTRICT OF OREGON

SANDY L. HENDERSON, ANNA  
MARGARET WICKER, JANE GRAY, and  
CARMELLE L. HARTIN,

CV 74-538

MOTION TO REOPEN

Plaintiffs,

v.

THE STATE OF OREGON BY AND  
THROUGH THE BUREAU OF LABOR  
AND THE BOARD OF HIGHER  
EDUCATION; NORMAN O. NILSEN,  
COMMISSIONER OF LABOR; DR. ROY  
LIEUALLEN, CHANCELLOR OF THE  
BOARD OF HIGHER EDUCATION; THE  
PUBLIC EMPLOYEES RETIREMENT  
SYSTEM; and JOSEPH J. ADAMS, HUGH  
McKINELY, CHALMERS L. JONES,  
ROGER S. MEIER and EDWIN H.  
ARMSTRONG, in their capacity as members  
of the PUBLIC EMPLOYEES RETIREMENT  
BOARD,

Defendants.

Movants Sawalak Ebner, Richard Mullins, Janice Pitts, Jane Poe, Eileen Shaffer,  
and Aimee Yogi current members of the Oregon Public Employees Retirement System ("PERS")

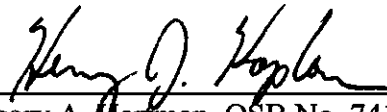
MOTION TO REOPEN

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and non-party beneficiaries of the permanent injunction issued by the Court in the above-captioned action on September 20, 1978, move the Court for an order reopening the above-captioned action. The purpose of reopening this matter is to seek a declaration of the meaning or application of the permanent injunction issued by this Court in 1978.

In support of their motion, movants rely upon (1) their own affidavits; (2) the exhibits already included in the record of the proceedings of a recent Motion for an Order to Show Cause filed by Eileen Shaffer, Tim Woolery, Richard Mullins, Jerry Trierweiller, Gina Santacroce, and Jacqueline Davais, which are already part of the record of this case, and the Motion and Petition for Declaratory Relief filed herewith. These documents establish the standing of movants to seek a declaration of their rights under the injunction, and the basis for the claim that the 1978 injunction has been violated.

Dated this 16 day of September, 2004.



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