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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,

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.

CV 74-538

AFFIDAVIT OF JACQUELINE
DAVAIS

males of the same age and amount of contributions received prior to [July 1, 1978].”¹ The newly adopted tables were implemented July 1, 2003.

5. As a result of the implementation of the new life expectancy tables, my total benefits upon retirement will be substantially *lower* than they would have been had the PERS Board complied with the stipulated judgment and permanent injunction issued by the court in the above-captioned action. Specifically, the refund annuity portion of my benefits will decrease below the level that would result from application of the pre-July 1, 1978 tables.

6. No previous application has been made for the order or relief sought in this proceeding.

Plaintiff requests:

1. An order requiring James Dalton, Eva Kripalani, Michael Pittman, Thomas Grimsley, and Brenda Rocklin, to show cause why they should not be held in contempt because of the above-mentioned violations of the judgment and injunction;

2. An order compelling the PERS Board to use life expectancy tables which comply with the judgment and permanent injunction issued in the above-captioned action; and

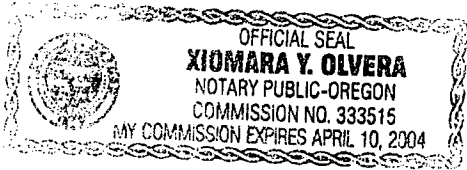
¹ Quoted language is from Judge Solomon’s September 20, 1978 Judgment.

3. Such other and further relief as the court may deem proper.

DATED this 23 day of Sept., 2003.

Jacqueline Davais
Jacqueline Davais

SUBSCRIBED AND SWORN TO before me this 23 day of Sept., 2003.



Xiomara Y. Olvera
Notary Public for Oregon
My Commission Expires: 4-10-04