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UNITED STATES DISTRICT COURT

THE DISTRICT OF OREGON

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

CV 74-538

ORDER TO SHOW CAUSE

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.

On reading the attached motion and affidavits of Eileen Shaffer, Tim Woolery, Richard Mullins, Jerry Trierweiller, Gina Santacroce, and Jacqueline Davais, and memorandum of law from which it appears that James Dalton, Eva Kripalani, Michael Pittman, Thomas Grimsley, and Brenda Rocklin, successors of the Oregon Public Employees Retirement System ("PERS") Board who were defendants in the above-captioned action, contrary to and in violation of the terms of the decree of this Court, have adopted and are using life expectancy tables to calculate refund annuity allowances for members retiring after July 1, 2003, which provide benefits inferior to the tables used, prior to September 20, 1978, to calculate the refund annuity allowances for PERS members of the same age and amount of contributions; now, therefore,

IT IS ORDERED that James Dalton, Eva Kripalani, Michael Pittman, Thomas Grimsley, and Brenda Rocklin, appear before the Honorable _____ of this court, on the _____ day of _____, 2003, at _____ a.m./p.m., in court room number _____, located at 1000 S.W. Third Avenue, Portland, Oregon, or as soon thereafter as counsel can be heard, then and there to show cause why they should not be adjudged guilty of, and punished for contempt of court because of their adoption and use of life expectancy tables to calculate refund annuity allowances for members retiring after July 1, 2003 which provide lower payments than the tables used, prior to September 20, 1978, to calculate the refund annuity allowances for PERS members of similar age and amount of contributions, and why they should not pay the costs of this motion.

It is further ordered that a copy of the motion, affidavits of Eileen Shaffer, Tim Woolery, Richard Mullins, Jerry Trierweiller, Gina Santacroce, Jacqueline Davais, William F. Hoelscher, and Brad Creveling, and memorandum of law be attached to this order and be served

on James Dalton, Eva Kripalani, Michael Pittman, Thomas Grimsley, and Brenda Rocklin, at least _____ days before the time fixed in this order for showing cause.

Dated this ___ day of _____, 2003.

U.S. District Court Judge

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