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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

MICHAEL ARKEN, DALE CANNON,)
ROBYN CARRICO, CAROL YOUNG, JOHN)
HAWKINS, LESLIE HUNTER, RICK)
MULLINS, S.M. RUONALA, PATRICIA)
THOMPSON WESTOVER, and MYRNA)
WILLIAMS,)
Plaintiffs,)
v.)
CITY OF PORTLAND, WESTERN OREGON)
UNIVERSITY, PORTLAND SCHOOL)
DISTRICT, CITY OF GRESHAM, LINN)
COUNTY, UNIVERSITY OF OREGON,)
PORTLAND COMMUNITY COLLEGE,)
MULTNOMAH COUNTY, CENTRAL)
SCHOOL DISTRICT 13J, FOREST GROVE)
SCHOOL DISTRICT #15, and the PUBLIC)
EMPLOYEES RETIREMENT BOARD,)
Defendants.)

Case No. 0601-00536

PLAINTIFFS' RESPONSE TO
DEFENDANT PUBLIC EMPLOYEES
RETIREMENT BOARD'S MOTION
FOR STAY OF ANY JUDGMENT
ENTERED HEREIN PENDING
NOTICE OF APPEAL

(Oral Argument Requested)

Plaintiffs Michael Arken, Dale Cannon, Robyn Carrico, Carol Young, John Hawkins,
Leslie Hunter, Rick Mullins, S.M. Ruonala, Patricia Thompson Westover, and Myrna
Williams (hereinafter "plaintiffs") respectfully request that the court deny defendant PERB's
Motion for Stay of any Judgment Entered Herein Pending Notice of Appeal for the reason that
the motion is premature.

POINTS AND AUTHORITIES

To date, no form of judgment has been submitted in this case. To the contrary, on July
27, 2007 plaintiffs filed a motion for clarification of this court's decision on summary
judgment. This court has yet to rule on that motion for clarification or to decide class

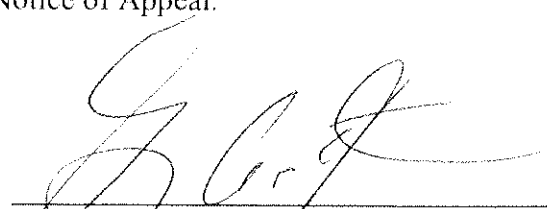
1 certification issues. Both or either of these may require additional proceedings at the trial
2 level. Consequently, PERB's Motion for Stay of any Judgment Entered Herein Pending
3 Notice of Appeal is not properly before this court at this time and should be denied by the
4 court as premature.

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CONCLUSION

For all these reasons, plaintiffs respectfully request that the court deny PERB's Motion
for Stay of any Judgment Entered Herein Pending Notice of Appeal.

Dated this 13th day of August, 2007.



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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **PLAINTIFFS' RESPONSE TO DEFENDANT PUBLIC EMPLOYEES RETIREMENT BOARD'S MOTION FOR STAY** upon the following persons at the following addresses:

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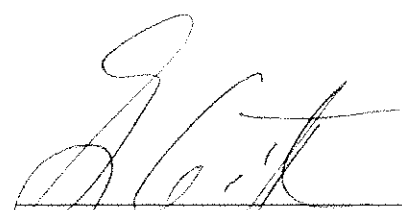
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Dated this 13th day of August, 2007.



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