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

URSULA WHITE, BRUCE N. REITER, and MARGARET
RETZ,

Plaintiffs,

v.

PUBLIC EMPLOYEES RETIREMENT BOARD,

Defendant,

and

STATE OF OREGON, LANE COUNTY, CITY OF
EUGENE, MULTNOMAH COUNTY, CITY OF
PORTLAND, CITY OF ROSEBURG, CITY OF
HUNTINGTON, CANBY UTILITY BOARD, and ROGUE
RIVER VALLEY IRRIGATION DISTRICT,

Intervenors.

Case No.: 0404-04118

**DECLARATION OF
SHARON A. RUDNICK
IN SUPPORT OF LOCAL
GOVERNMENT
INTERVENORS'
RESPONSE TO
PLAINTIFFS' MOTION
FOR ORDER STRIKING
DECLARATIONS OF
SHARON RUDNICK**

URSULA WHITE, BRUCE N. REITER, and MARGARET
RETZ,

Petitioners,

v.

PUBLIC EMPLOYEES RETIREMENT BOARD,

Respondent,

and

STATE OF OREGON, LANE COUNTY, CITY OF
EUGENE, MULTNOMAH COUNTY, CITY OF
PORTLAND, CITY OF ROSEBURG, CITY OF
HUNTINGTON, CANBY UTILITY BOARD, and ROGUE
RIVER VALLEY IRRIGATION DISTRICT,

Intervenors.

Case No.: 0411-11848

Page 1 – **DECLARATION OF SHARON A. RUDNICK IN SUPPORT OF LOCAL
GOVERNMENT INTERVENORS' RESPONSE TO PLAINTIFFS'
MOTION FOR ORDER STRIKING DECLARATIONS OF SHARON
RUDNICK**

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1. I, Sharon A. Rudnick, am one of the attorneys for the Local Government Intervenors in this case, and I make this declaration in support of their Response to Plaintiffs' Motion for Order Striking Declarations of Sharon Rudnick, and upon personal knowledge.

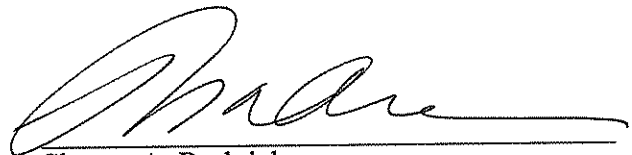
2. After we filed Local Government Intervenors' Motions for Summary Judgment, counsel for Petitioners send me an email seeking all of our time and billing records for the *City of Eugene* litigation. During a follow up telephone call, I responded that the documents were beyond the scope of discovery as they were neither relevant to any claim or issue, nor reasonably calculated to lead to the discovery of admissible evidence. Moreover, the time and billing records contained information protected by the attorney-client privilege.

3. In an effort to avoid a discovery dispute I produced a summary of the billing information showing the fees billed and paid on the *City of Eugene* litigation by month. At the request of petitioners' counsel, I also confirmed by email that none of the fees shown included work done on the Reform Legislation.

4. Petitioners never responded with a formal request for production or brought a motion to compel production. I believed the issue to be resolved.

5. I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

Dated this 21st day of July, 2008.



Sharon A. Rudnick

Page 2 – **DECLARATION OF SHARON A. RUDNICK IN SUPPORT OF LOCAL GOVERNMENT INTERVENORS' RESPONSE TO PLAINTIFFS' MOTION FOR ORDER STRIKING DECLARATIONS OF SHARON RUDNICK**

1 **CERTIFICATE OF SERVICE**

2 I certify that on July 21, 2008, I served or caused to be served a true and complete
3 copy of the foregoing **DECLARATION OF SHARON A. RUDNICK IN SUPPORT**
4 **OF LOCAL GOVERNMENT INTERVENORS' RESPONSE TO PLAINTIFFS'**
5 **MOTION FOR ORDER STRIKING DECLARATIONS OF SHARON RUDNICK**
6 on the party or parties listed below as follows:

- 7 Via First Class Mail, Postage Prepaid
- 8 Via Facsimile
- Via Personal Delivery

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