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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,

Petitioners,

v.

PUBLIC EMPLOYEES RETIREMENT
BOARD,

Respondent,

and

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

Intervenors.

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 OR
ROSEBURG, CITY OF HUNTINGTON,
CANBY UTILITY BOARD, and ROGUE
RIVER VALLEY IRRIGATION DISTRICT,

Intervenors.

No. 0404-04118

**INTERVENOR STATE OF OREGON'S
MOTION FOR SUMMARY JUDGMENT**

(Oral Argument Requested)

The Honorable Henry Kantor

No. 0411-11848

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I. UTCR 5.050(1) STATEMENT

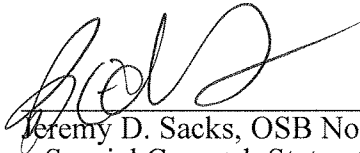
Intervenor the State of Oregon requests oral argument on its Motion for Summary Judgment, and estimates that three hours will be required for oral argument. The State also requests official court reporting services.

II. MOTION

Intervenor the State of Oregon moves for summary judgment in its favor on all of petitioners' claims because there is no genuine issue of material fact and the State is entitled to judgment as a matter of law. In support of this motion, the State adopts and incorporates herein the facts and arguments presented in the Respondent PERB's Memorandum in Support of Motions for Summary Judgment and the supporting declarations of Steven P. Rodeman and Sarah C. Marriott and in the Local Government Intervenor's Memorandum in Support of Motions for Summary Judgment and the supporting declaration of Sharon A. Rudnick.

DATED: June 5, 2008.

STOEL RIVES LLP



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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing INTERVENOR STATE OF OREGON'S MOTION FOR SUMMARY JUDGMENT on the following named person(s) on the date indicated below by

- mailing with postage prepaid
- hand delivery (As Noted Below)
- facsimile transmission
- overnight delivery
- e-mail

to said person(s) a true copy thereof, contained in a sealed envelope, addressed to said person(s) at his or her last-known address(es) indicated below.

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DATED: June 5, 2008.


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