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PORTLAND, OREGON

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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

**LOCAL GOVERNMENT  
INTERVENORS' MOTIONS  
FOR SUMMARY  
JUDGMENT**

**[ORAL ARGUMENT  
REQUESTED – Estimated  
Time: 1 Hour, Official Court  
Reporting Services  
Requested]**

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

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JUDGMENT

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1 Intervenor Lane County, City of Eugene, Multnomah County, City of Portland,  
2 City of Roseburg, City of Huntington, Canby Utility Board and Rogue River Valley  
3 Irrigation District ("local government intervenors") are represented by William F. Gary,  
4 Sharon A. Rudnick and Joshua P. Stump of Harrang Long Gary Rudnick P.C., 1001 S.W.  
5 5<sup>th</sup> Avenue, Floor 16, Portland, Oregon.

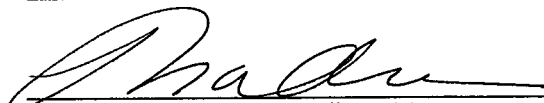
6 Oral argument is requested and is expected to last 1 hour. Official court reporting  
7 services are requested.

### 8 MOTIONS

9 Local government intervenors move for summary judgment in their favor on each  
10 of petitioners' five claims for relief because, based on the undisputed material facts  
11 viewed in a light most favorable to petitioners, no objectively reasonable juror could  
12 return a verdict for petitioners on their claims, and local government intervenors are  
13 entitled to summary judgment on each claim as a matter of law. These motions are based  
14 on the court file, the Local Government Intervenors' Memorandum in Support of  
15 Motions for Summary Judgment and the Declaration of Sharon A. Rudnick in Support of  
16 Local Government Intervenors' Motions for Summary Judgment.

17 DATED this 4<sup>th</sup> day of June, 2008.

18 **HARRANG LONG GARY RUDNICK P.C.**

19 

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of Roseburg, City of Huntington, Canby Utility  
Board and Rogue River Valley Irrigation District  
Trial Attorney: William F. Gary, OSB #77032

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JUDGMENT**

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**CERTIFICATE OF SERVICE**

I certify that on June 5, 2008, I served or caused to be served a true and complete copy of the foregoing **LOCAL GOVERNMENT INTERVENORS' MOTIONS FOR SUMMARY JUDGMENT** on the party or parties listed below as follows:

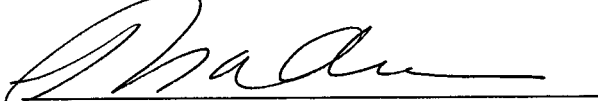
- Via First Class Mail, Postage Prepaid
- Via Facsimile
- Via Personal Delivery

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**CERTIFICATE OF SERVICE**

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