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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

**SUPPLEMENTAL
DECLARATION OF
SHARON A. RUDNICK IN
SUPPORT OF LOCAL
GOVERNMENT
INTERVENORS' MOTIONS
FOR SUMMARY
JUDGMENT**

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

1 I, Sharon A. Rudnick, make the following declaration, based upon my personal
2 knowledge, in support of the Local Government Intervenors' Motions for Summary
3 Judgment.

4 1. I am a member of the law firm of Harrang Long Gary Rudnick P.C.,
5 counsel for Intervenors Lane County, City of Eugene, Multnomah County, City of
6 Portland, City of Roseburg, City of Huntington, Canby Utility Board, and Rogue River
7 Valley Irrigation District.

8 2. On June 5, 2008, I filed a declaration in support of that matter that stated,
9 "Through the date of the ORCP 67 B Judgment, the *City of Eugene* petitioners had
10 incurred fees and costs in the amount of \$844,156.82." On further examination, I
11 discovered that that amount was incorrect, and that I had not included in the calculation
12 other fees and costs that were incurred by the *City of Eugene* petitioners through the date
13 of the ORCP 67 B Judgment.

14 3. Through the date of the ORCP 67 B Judgment, the *City of Eugene*
15 petitioners had incurred fees in the amount of \$852,890.93 and costs in the amount of
16 \$153,158.73, for a total of \$1,006,049.60.

17 4. After negotiation with PERB's counsel, the petitioners compromised the
18 amount of fees and costs to which they believed they were entitled under the trial court's
19 Judgment, and accepted \$750,000 as full satisfaction of that entitlement.

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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 20th day of June, 2008.

Sharon A. Rudnick

CERTIFICATE OF SERVICE

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I certify that on June 20, 2008, I served or caused to be served a true and complete copy of the foregoing **SUPPLEMENTAL DECLARATION OF SHARON A. RUDNICK IN SUPPORT OF 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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