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1/2/03
485-989

DEPARTMENT OF JUSTICE
TRIAL DIVISION

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

CITY OF EUGENE, a municipal corporation,

Petitioner,

v.

STATE OF OREGON, PUBLIC EMPLOYEES RETIREMENT BOARD,

Respondent,

and

KAREN JENKINS, DIANE DAVIDSON, ARLYN STEPPER, GARY GILLESPIE, ANN MONTAGUE, JUDITH ANN SUGNET, GARY NAUTA, and ROGER GARVER,

Intervenors.

Case No. 99C-12794
Honorable Paul J. Lipscomb

STIPULATED ORDER POSTPONING ORCP 68 FILING AND SERVICE OF STATEMENT OF ATTORNEY FEES, COSTS AND DISBURSEMENTS

CITY OF EUGENE, LANE COUNTY, MULTNOMAH COUNTY, CITY OF PORTLAND, CITY OF ROSEBURG, CITY OF HUNTINGTON, and CANBY UTILITY BOARD, municipal corporations,

Petitioners/Plaintiffs,

v.

STATE OF OREGON, and STATE OF OREGON by and through PUBLIC EMPLOYEES RETIREMENT BOARD,

Respondents/Defendants,

and

KAREN JENKINS, DIANE DAVIDSON, ARLYN STEPPER, GARY GILLESPIE, ANN MONTAGUE, JUDITH ANN SUGNET, GARY NAUTA, and ROGER GARVER,

Intervenors.

Case No. 99C-12838
Honorable Paul J. Lipscomb

Page 1 - STIPULATED ORDER POSTPONING ORCP 68 FILING AND SERVICE OF STATEMENT OF ATTORNEY FEES, COSTS AND DISBURSEMENTS

Hartman Affidavit
Exhibit 3, Page 1 of 4

HARRANG
GARY
PC
ADWAY
SUITE 400
EUGENE, OR 97401
me (541) 486-0220
& (541) 686-6564

1 THE CITY OF EUGENE, a municipal
2 corporation, by and through Eugene Water
& Electric Board,

Case No. 99C-20235
Honorable Paul J. Lipscomb

3 Petitioner,

4 v.

5 STATE OF OREGON, PUBLIC
EMPLOYEES RETIREMENT BOARD,

6 Respondent,

7 and

8 KAREN JENKINS, DIANE DAVIDSON,
9 ARLYN STEPPER, GARY GILLESPIE,
ANN MONTAGUE, JUDITH ANN
SUGNET, GARY NAUTA, and ROGER
10 GARVER,

Intervenors.

11 ROGUE RIVER VALLEY IRRIGATION
12 DISTRICT, a municipal corporation,

Case No. 00C-16173
Honorable Paul J. Lipscomb

13 Petitioner,

14 v.

15 STATE OF OREGON, PUBLIC
EMPLOYEES RETIREMENT BOARD,

16 Respondent.

17
18 By stipulation of the below signed parties, and for good cause shown, it is hereby

19 **ORDERED** that the time within which any party is to file and serve its ORCP 68
20 Statement of Attorney Fees and Costs and Disbursements is extended until 50 days after this
21 court's judgment becomes final if not appealed, all appeals are dismissed or the appellate
22 courts enter a final appellate judgment, whichever is later; objections shall be due and the
23 court shall set a hearing on any objections within the times specified in ORCP 68 or pursuant
24 to a schedule established by the court. It is further

25 ///

26 ///

Page 2 - STIPULATED ORDER POSTPONING ORCP 68 FILING AND SERVICE OF
STATEMENT OF ATTORNEY FEES, COSTS AND DISBURSEMENTS

Hartman Affidavit
Exhibit 3, Page 2 of 4

HARRANG
GARY
CANNICK PC
1 E. BROADWAY
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EUGENE, OR 97401
Phone (541) 485-0220
Fax (541) 686-6564

1 **ORDERED** that, pursuant to the agreement of and this stipulation by the parties, this
2 court is authorized to and shall determine whether and, if so, in what amount attorney fees and
3 costs and expenses incurred on appeal should be awarded.

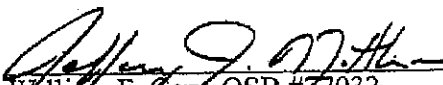
4 DATED this _____ day of _____, 2003.

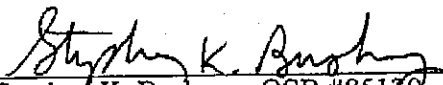
6 _____
7 Judge Paul J. Lipscomb
8 Circuit Court Judge

8 Stipulated to by:

9 HARRANG LONG GARY RUDNICK P.C.

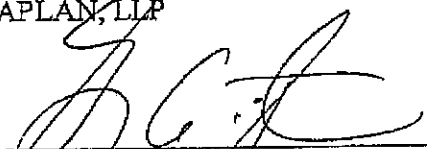
ASSISTANT ATTORNEY GENERAL

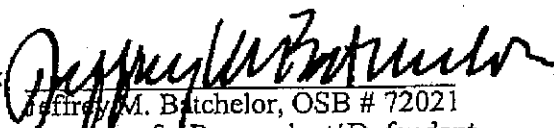
10
11 By: 
12 William F. Gary, OSB #77032
13 Jeffery J. Matthews, OSB #97328
14 Attorneys for Petitioners

By: 
Stephen K. Bushong, OSB #85180
Attorneys for Respondents/efendants
State of Oregon by and through the
PERB and the PERB

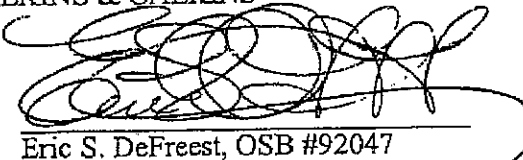
14 BENNETT HARTMAN MORRIS
15 & KAPLAN, LLP

MARKOWITZ, HERBOLD, GLADE &
MEHLHAF, P.C.

16
17 By: 
18 Gregory A. Hartman, OSB # 74128
19 Attorneys for Intervenor

By: 
Jeffrey M. Batchelor, OSB # 72021
Attorneys for Respondent/Defendant
State of Oregon in its Capacity as
Employer

19 CALKINS & CALKINS

20
21 By: 
22 Eric S. DeFrest, OSB #92047
23 Attorneys for Petitioner EWEB

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ENTER DT	FILE DT	EVENT/FILING/PROCEEDING	SCHD DT	TIME	ROOM
182	2/27/03	2/27/03 Order DENYING RESPONDENTS/DEFENDANTS & INTERVENORS MOTIONS TO STAY PENDING APPEAL			
	2/27/03	Signed CJU 1 Lipscomb Paul J			
183	3/13/03	3/13/03 Order ON PETITIONER'S ATTORNEY FEE CLAIM			
	3/12/03	Signed CJU 1 Lipscomb Paul J			
184	3/13/03	3/13/03 Order Stipulated POSTPONING ORCP 68 FILING AND SERVICE OF STATEMENT OF ATTORNEY FEES COSTS AND DISBURSEMENTS			
	3/12/03	Signed CJU 1 Lipscomb Paul J			
185	4/02/03	4/02/03 Order Dismiss on Appeal			
186	4/03/03	3/31/03 Notice of change of address for Ptf's counsel-orig #99C12794-Bill Gary			
187	4/07/03	4/07/03 Objections to Intervenor's proposed ord & jmt PRV 2 Bushong Stephen K			
188	4/07/03	4/07/03 Response to proposed order & jmt on new trial of intervenor's claims William Gary			
189	4/08/03	4/07/03 Motion for stay pending appeal PRV 2 Bushong Stephen K			
190	4/08/03	4/07/03 Affidavit of David Bailey			
191	4/21/03	4/21/03 Other Scheduled give files to PJL to review for 4/23 hrg	4/22/03		PJL2
192	4/21/03	4/21/03 Motion Strike RESPONDENT/DEFENDANT'S SECOND MOTION TO STAY PENDING APPEAL PTF 1 City Of Eugene			
193	4/22/03	4/22/03 Opposition TO PETITIONER'S MOTION TO STRIKE DEF 1 State Of Oregon Public PRV 2 Bushong Stephen K			
194	4/22/03	4/22/03 Hearing Scheduled PENDING ISSUES; 2 HOURS COURTROOM 5C/5TH FLOOR	4/23/03	2:00 PM	PJL1
195	4/24/03	4/23/03 Judgment 4/23/03 Signed CJU 1 Lipscomb Paul J Related event # 197			
196	4/24/03	4/24/03 Closed			
197	4/24/03	4/24/03 Notice Entry of Judgment			