

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

Intervenors.

CASE NO. 0404-04118

**DECLARATION OF JAMES P.  
BAKER IN SUPPORT OF  
RESPONDENT PUBLIC  
EMPLOYEES RETIREMENT  
BOARD'S MOTION FOR SUMMARY  
JUDGMENT**

Case No. 0411-11848

1 I, James Baker, state as follows:

2 1. I represented the Public Employees Retirement Board ("PERB") in *City of Eugene*  
3 *v. Public Employees Retirement Board*, Marion County Case Nos. 99C12794, 99C12838,  
4 99C20235 and 00C16173 from later October 2003 through January 2005. I make this declaration  
5 based on personal knowledge and, if called as a witness, I could and would testify competently to  
6 the matters set forth herein.

7 2. I negotiated the settlement agreement between PERB and the City of Eugene, Lane  
8 County, Multnomah County, City of Portland, City of Roseburg, City of Huntington, Canby  
9 Utility Board, and Rogue River Valley Irrigation District ("Employers").

10 3. During the course of the settlement negotiations, I met personally with William  
11 Gary, counsel for Employers. In connection with the negotiation of the provision concerning  
12 payment of the Employers' attorneys' fees, Mr. Gary gave me access to his billing records on the  
13 *City of Eugene* matter, which I reviewed on behalf of PERB.

14

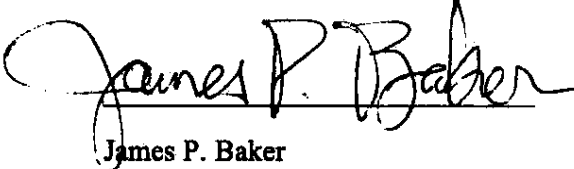
15 I hereby declare that the above statement is true to the best of my knowledge and belief,  
16 and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

17 Executed in San Francisco, California, this 16th day of July, 2008.

18

19

20

  
James P. Baker

21

22

23

24

25

26

27

28