

ENDORSED

2012 NOV 29 3:31

San Jose Superior Court
Clerk/Deputy Clerk

by: Patricia M. Lucas
D. Mendel

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City of San Jose

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SANTA CLARA

12 SAN JOSE POLICE OFFICERS'
ASSOCIATION,
13
14 Plaintiff,
15
16 v.
17 CITY OF SAN JOSE, BOARD OF
ADMINISTRATION FOR POLICE AND
FIRE RETIREMENT PLAN OF CITY OF
SAN JOSE, and DOES 1-10 inclusive.
18 Defendants,

Case No. 1-12-CV-225926
[Consolidated with Case Nos. 112CV225928,
112CV226570, 112CV226574, 112CV227864].
Assigned for all purposes to the Honorable Patricia
M. Lucas

PROOF OF SERVICE

BY FAX

22 AND RELATED CROSS-COMPLAINT
AND CONSOLIDATED ACTIONS

25 ///
26 ///
27 ///

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1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF ALAMEDA**

3 At the time of service, I was over 18 years of age and **not a party to this action**. I am
4 employed in the County of Alameda, State of California. My business address is 555 12th Street,
Suite 1500, Oakland, CA 94607.

5 On November 29, 2012, I served true copies of the following documents described as:

- 6 • **NOTICE OF MOTION AND MOTION FOR JUDGMENT ON THE**
7 **PLEADINGS AS TO THE SAN JOSE POLICE OFFICERS' ASSOCIATION'S**
8 **SEVENTH CAUSE OF ACTION FOR VIOLATION OF THE MEYERS-**
9 **MILIAS-BROWN ACT**
- 10 • **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF**
11 **DEFENDANT CITY OF SAN JOSE'S MOTION FOR JUDGMENT ON THE**
12 **PLEADINGS AS TO THE SAN JOSE POLICE OFFICERS' ASSOCIATION'S**
13 **SEVENTH CAUSE OF ACTION FOR VIOLATION OF THE MEYERS-**
14 **MILIAS-BROWN ACT**
- 15 • **DEFENDANT'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF**
16 **MOTION FOR JUDGMENT ON THE PLEADINGS AS TO THE SAN JOSE**
17 **POLICE OFFICERS' ASSOCIATION'S SEVENTH CAUSE OF ACTION FOR**
18 **VIOLATION OF THE MEYERS-MILIAS-BROWN ACT; EXHIBITS A-F IN**
19 **SUPPORT THEREOF**
- 20 • **[PROPOSED] ORDER FOR JUDGMENT ON THE PLEADINGS AS TO THE**
21 **SAN JOSE POLICE OFFICERS' ASSOCIATION'S SEVENTH CAUSE OF**
22 **ACTION FOR VIOLATION OF THE MEYERS-MILIAS-BROWN ACT**

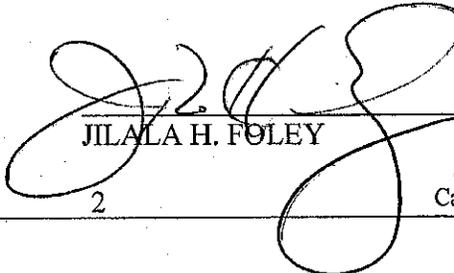
23 on the interested parties in this action as follows:

24 **SEE ATTACHED SERVICE LIST**

25 **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the
26 persons at the addresses listed in the Service List and placed the envelope for collection and
27 mailing, following our ordinary business practices. I am readily familiar with Meyers, Nave,
28 Riback, Silver & Wilson's practice for collecting and processing correspondence for mailing. On
the same day that the correspondence is placed for collection and mailing, it is deposited in the
ordinary course of business with the United States Postal Service, in a sealed envelope with
postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 29, 2012, at Oakland, California.



JILALA H. FOLEY

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SERVICE LIST

<p>John McBride Christopher E. Platten Mark S. Renner WYLIE, MCBRIDE, PLATTEN & RENNER 2125 Canoas Garden Ave, Suite 120 San Jose, CA 95125</p>	<p>Attorneys for Plaintiffs/Petitioners, ROBERT SAPIEN, MARY MCCARTHY, THANH HO, RANDY SEKANY AND KEN HEREDIA (Santa Clara Superior Court Case No. 112CV225928)</p> <p>AND</p> <p>Plaintiffs/Petitioners, JOHN MUKHAR, DALE DAPP, JAMES ATKINS, WILLIAM BUFFINGTON AND KIRK PENNINGTON (Santa Clara Superior Court Case No. 112CV226574)</p> <p>AND</p> <p>Plaintiffs/Petitioners, TERESA HARRIS, JON REGER, MOSES SERRANO (Santa Clara Superior Court Case No. 112CV226570)</p>
<p>Gregg McLean Adam Jonathan Yank Gonzalo Martinez Jennifer Stoughton CARROLL, BURDICK & MCDONOUGH, LLP 44 Montgomery Street, Suite 400 San Francisco, CA 94104</p>	<p>Attorneys for Plaintiff, SAN JOSE POLICE OFFICERS' ASSOC. (Santa Clara Superior Court Case No. 112CV225926)</p>
<p>Teague P. Paterson Vishtap M. Soroushian BEESON, TAYER & BODINE, APC Ross House, 2nd Floor 483 Ninth Street Oakland, CA 94607-4051</p>	<p>Plaintiff, AFSCME LOCAL 101 (Santa Clara Superior Court Case No. 112CV227864)</p>

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BOARD OF ADMINISTRATION FOR POLICE AND
FIRE DEPARTMENT RETIREMENT PLAN OF
CITY OF SAN JOSE
(Santa Clara Superior Court Case No. 112CV225926)

AND

Necessary Party in Interest, THE BOARD OF
ADMINISTRATION FOR THE 1961 SAN JOSE
POLICE AND FIRE DEPARTMENT RETIREMENT
PLAN
(Santa Clara Superior Court Case No. 112CV225928)

AND

Necessary Party in Interest, THE BOARD OF
ADMINISTRATION FOR THE 1975 FEDERATED
CITY EMPLOYEES' RETIREMENT PLAN
(Santa Clara Superior Court Case Nos. 112CV226570
and 112CV226574)

AND

Necessary Party in Interest, THE BOARD OF
ADMINISTRATION FOR THE FEDERATED CITY
EMPLOYEES RETIREMENT PLAN
(Santa Clara Superior Court Case No. 112CV227864)

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