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10 John Mukhar, Dale Dapp, James Atkins, William Buffington  
and Kirk Pennington

11 **IN THE SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
12 **IN AND FOR THE COUNTY OF SANTA CLARA**

13 SAN JOSE POLICE OFFICERS' ASSOCIATION,

14 Plaintiff,

15 v.

16  
17 CITY OF SAN JOSE AND BOARD OF  
18 ADMINISTRATION FOR THE POLICE AND FIRE  
19 DEPARTMENT RETIREMENT PLAN OF CITY OF  
SAN JOSE, and DOES 1-10 inclusive,

20 Defendants.

21 AND RELATED CROSS-COMPLAINT  
22 AND CONSOLIDATED ACTIONS.

Case No. 1-12-CV-225926  
(and Consolidated Actions 1-12-CV-  
225928, 1-12-CV-226570, 1-12-CV-  
226574, and 1-12-CV-227864)

**OBJECTION TO CITY OF SAN JOSE'S  
RESPONSE TO 1) SAN JOSE POLICE  
OFFICERS ASSOCIATION'S  
OBJECTIONS TO TENTATIVE  
DECISION; 2) SAPIEN PLAINTIFFS'  
REQUEST FOR STATEMENT OF  
DECISION; AND 3) AFSCME'S  
OBJECTIONS TO TENTATIVE  
DECISION AND PROPOSED  
STATEMENT OF DECISION**

23 Dept: 2  
24 Judge: Hon. Patricia M. Lucas  
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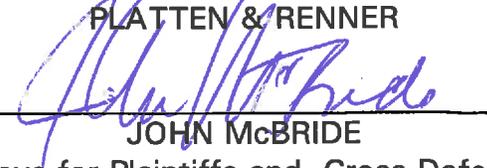
1 Plaintiffs Sapien, Harris and Mukhar et al, object to the January 16, 2014  
2 response of the City of San Jose and ask that it be stricken.

3 Plaintiffs submitted their Request for Statement of Decision pursuant to Calif.  
4 Rules of Court 3.1590(c). That provision and the rest of Rule 3.1590(c) do not  
5 provide for the filing of any response.

6 Therefore, we request that the Court strike the response or in any event  
7 disregard it.

8 Dated: January 17, 2014

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10 WYLIE, McBRIDE,  
PLATTEN & RENNER

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12 \_\_\_\_\_  
JOHN McBRIDE

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