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Exempt from fees per Gov't Code § 6103
To the benefit of the City of San Diego

7
8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
9

10 CITY OF SAN DIEGO,

11 Petitioner,

12 v.

13 SAN DIEGO CITY EMPLOYEES'
RETIREMENT SYSTEM, by and through its
14 Board of Administration and DOES 1-10,

15 Respondents.

) Case No. 37-2010-00091207-CU-CM-CTL

) DECLARATION OF SHELLEY
) ZIMMERMAN IN SUPPORT OF THE
) CITY'S MOTION FOR GOOD FAITH
) SETTLEMENT

) Judge: Hon. Joseph Zimmerman
) Dept.: P
) Complaint filed: May 31, 2010

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17 I, Shelley Zimmerman, hereby declare as follows:

18 1. I am the Assistant Chief of Police for Petitioner City of San Diego ("City.") I am
19 in charge of many of the administrative matters for the police department of the City. I have
20 personal knowledge of the facts stated herein. If called upon to testify, I could and would
21 competently testify to the facts set forth herein.

22 2. I am aware of the City's lawsuit against the San Diego City Employees'
23 Retirement System.

24 3. As I understand it, the lawsuit sought to have the employees share with the City in
25 equal proportion the investment and actuarial losses and gains of the pension fund.

26 4. Over the last few months, I have heard from numerous members of the police
27 department that, if the City prevailed at trial, they would likely retire from the City so as to
28 ensure that their pension contributions would not be affected by the outcome of the trial. Many

1 others who were not eligible to retire also indicated they would seek employment at other law
2 enforcement agencies or private entities.

3 5. I estimate that the total number of officers that potentially would have retired or
4 left the Police Department if the City prevailed could be more than two hundred.

5 6. If hundreds of officers left in a short period of time, the operations of the
6 Department and the safety of the public could be adversely affected and that would not be in the
7 best interests of the City.

8 I declare under penalty of perjury under the laws of the State of California that the
9 foregoing is true and correct. Executed this 3 day of DECEMBER, 2013 at San
10 Diego, California.

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12 By Shelley Zimmerman
13 Shelley Zimmerman
14 Declarant
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