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 City of San Jose
 8

9 **IN THE SUPERIOR COURT FOR THE**
 10 **COUNTY OF SANTA CLARA**

11 SAN JOSE POLICE OFFICERS
 ASSOCIATION,

12 Plaintiff,
 13

14 v.

15 CITY OF SAN JOSE, BOARD OF
 ADMINISTRATION FOR POLICE AND
 FIRE RETIREMENT PLAN OF CITY OF
 16 SAN JOSE, and DOES 1-10 inclusive,

17 Defendants.
 18

19 AND RELATED CROSS-COMPLAINT
 AND CONSOLIDATED ACTIONS
 20

Case No. 1-12-CV-225926

[Consolidated with Case Nos. 112CV225928,
 112CV226570, 112CV226574, 112CV227864]

**[PROPOSED] SUPPLEMENTAL
 STIPULATION AND ORDER RE
 IMPLEMENTATION OF MEASURE B**

Complaint Filed: June 6, 2012
 Trial Date: June 17, 2013

BY FAX

21 WHEREAS, the parties are waiting for a court decision concerning the recent trial
 22 challenging Measure B; and

23 WHEREAS, the parties desire to avoid unnecessary litigation during this period; and

24 WHEREAS, the City expects that the process for implementing Measure B will occur over
 25 a period of several months;

26 IT IS HEREBY STIPULATED by and among the parties in these consolidated actions that
 27 the implementation by the City of San Jose of the following sections of Measure B, San Jose
 28

1 Charter Sections 1500-A, et seq., shall be subject to the following agreement.

2 1. The effective date for implementation of Section 1506-A (additional employee
3 contribution rates), section 1507-A (one time voluntary election program) and section 1514-A
4 (savings) shall occur no sooner than July 1, 2014.

5 2. The effective date for implementation of Section 1512-A (a) (minimum
6 contributions towards the cost of retiree healthcare) shall occur no sooner than July 1, 2014,
7 except that contributions towards retiree healthcare shall be subject to any existing or future union
8 agreements, or City resolutions, authorized prior to July 1, 2014, that specify employee
9 contributions towards retiree healthcare.

10 3. The effective date for implementation of Section 1510-A (emergency measures to
11 contain retiree cost of living adjustments) shall occur no sooner than July 1, 2014. The parties
12 note that there are no current plans by the City to declare a service-level or fiscal emergency.

13 4. The effective date for implementation of Section 1509-A (disability retirements)
14 shall occur no sooner than July 1, 2014.

15 5. The effective date for implementation of Section 1515-A (severability) shall occur
16 no sooner than July 1, 2014.

17 6. This stipulation sets forth an agreement concerning effective dates of various
18 sections of Measure B. It does not preclude the City from preparing for implementation of the
19 above referenced sections of Measure B, either through the enactment of ordinances or otherwise.


20 7. Execution of this stipulation does not waive any bargaining rights, if any, of any
21 labor organization over enabling ordinances, or any contentions by the City in connection with any
22 assertion of bargaining rights by any labor organization over enabling ordinances.

23 DATED: November 15, 2013

MEYERS, NAVE, RIBACK, SILVER & WILSON

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By:

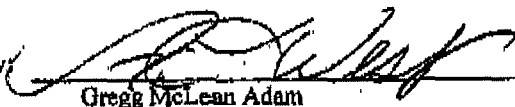


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City of San Jose

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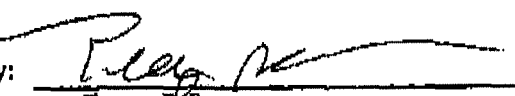
DATED: November 19, 2013

CARROLL, BURDICK & MCDONOUGH

By: 
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Gonzalo C. Martinez
Aruber L. West
Attorneys for San Jose Police Officers' Association

DATED: November 19, 2013

BEESON, TAYER & BODINE, APC

By: 
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Vishtasp M. Soroushian
Attorneys for Plaintiffs in AFSCME

Dated: November __, 2013

WYLIE, McBRIDE, PLATTEN & RENNER

By: _____
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Christopher E. Platten, Esq.
Mark S. Renner, Esq.
Attorneys for Plaintiffs/Petitioners, Sapten and Mukhar, et al.

Dated: November __, 2013

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Dated: November __, 2013

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Attorneys for Defendant City of San Jose, Board of Administration For Police and Fire Department Retirement Plan of City of San Jose

1 DATED: November ____, 2013

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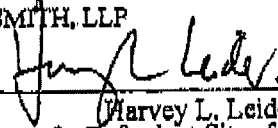
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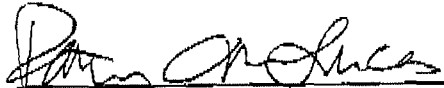
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ORDER

The forgoing Stipulation having been received and good cause appearing,

IT IS SO ORDERED

Dated: 11/22, 2013



JUDGE OF THE SUPERIOR COURT

Patricia Lucas

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