



1 G. SCOTT EMBLIDGE, State Bar No. 121613
 2 RACHEL J. SATER, State Bar No. 147976
 3 KATHRYN J. ZOGLIN, State Bar No. 121187
 4 MOSCONE EMBLIDGE & SATER LLP
 5 220 Montgomery Street, Suite 2100
 San Francisco, California 94104-4238
 Telephone: (415) 362-3599
 Facsimile: (415) 362-2006

6 Attorneys for Plaintiffs Association of Retired
 7 Employees of the City of Stockton, Shelley Green,
 8 Patricia Hernandez, Reed Hogan, Glenn E.
 Matthews, Patrick L. Samsell, Alfred J. Siebel,
 Brenda Jo Tubbs, and Teri Williams on Behalf of
 Themselves and Others Similarly Situated

9
 10 **UNITED STATES BANKRUPTCY COURT**
 11 **EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION**

12 In re:
 13 CITY OF STOCKTON, CALIFORNIA,
 14 Debtor.

Case No. 12-32118
 Chapter 9

15 ASSOCIATION OF RETIRED EMPLOYEES
 16 OF THE CITY OF STOCKTON, a nonprofit
 17 California corporation, SHELLEY GREEN,
 18 PATRICIA HERNANDEZ, REED HOGAN,
 19 GLENN E. MATTHEWS, PATRICK L.
 SAMSSELL, ALFRED J. SIEBEL, BRENDA
 JO TUBBS, TERI WILLIAMS, on Behalf of
 Themselves and Others Similarly Situated,

Adv. No.
 DECLARATION OF MICHAEL
 BURKHARDT IN SUPPORT OF
 APPLICATION FOR TEMPORARY
 RESTRAINING ORDER OR RELIEF
 FROM STAY

20 Plaintiffs,
 21 vs.
 22 CITY OF STOCKTON, CALIFORNIA,
 23 Defendant.

1 I, Michael Burkhardt, declare:

2 1. I have personal knowledge of the facts set forth in this declaration and, if called as
3 a witness, I could and would testify competently to these facts under oath.

4 2. I was born on March 9, 1958 and am 54 years old. I live at 4974 Driver Road,
5 Valley Springs, California.

6 3. I was hired by the City of Stockton in June of 1989 and retired in April of 2012 as
7 a Mechanic III Light.

8 4. My spouse is my dependent on the City's Health Plan. We both have enough
9 quarters to qualify for Medicare when we reach age 65.

10 5. My PERS retirement check is \$2000.00. My annual household income is
11 \$45,000.

12 6. I am informed and believe the City has adopted a monthly premium for retiree
13 health benefits. If required to pay this premium to receive City Health Plan benefits, even with a

14 //
15 //
16 //
17 //
18 //
19 //
20 //
21 //
22 //
23 //
24 //
25 //
26 //
27 //
28 //

1 \$300 subsidy that has been offered by the City for one year, my premium would be \$1276.66
 2 monthly, or \$15,319.92 annually. This represents 34% of my income.

3 I declare under penalty of perjury under the law of the United States of America that the
 4 foregoing is true and correct and that this declaration was executed in Valley Springs,
 5 California, on 6/24, 2012.

6
 7 
 8 MICHAEL BURKHARDT

9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28