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CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

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10 Employees of the City of Stockton, Shelley Green,
11 Patricia Hernandez, Reed Hogan, Glenn E.
12 Matthews, Patrick L. Samsell, Alfred J. Siebel,
13 Brenda Jo Tubbs, and Teri Williams on Behalf of
14 Themselves and Others Similarly Situated

15
16 **UNITED STATES BANKRUPTCY COURT**
17 **EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION**

18 In re:
19 CITY OF STOCKTON, CALIFORNIA,
20 Debtor.

Case No. 12-32118

Chapter 9

21 ASSOCIATION OF RETIRED EMPLOYEES
22 OF THE CITY OF STOCKTON, a nonprofit
23 California corporation, SHELLEY GREEN,
24 PATRICIA HERNANDEZ, REED HOGAN,
25 GLENN E. MATTHEWS, PATRICK L.
26 SAMSELL, ALFRED J. SIEBEL, BRENDA
27 JO TUBBS, TERI WILLIAMS, on Behalf of
28 Themselves and Others Similarly Situated,

Adv. No.

NOTICE OF MOTION AND MOTION IN
SUPPORT OF APPLICATION FOR
TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION OR
IN THE ALTERNATIVE RELIEF FROM
STAY

Plaintiffs,
vs.
CITY OF STOCKTON, CALIFORNIA,
Defendant.

Date:
Time:
Courtroom:
Judge: Hon. Christopher Klein

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on July 12, 2012, at 1:30 p.m., or as soon thereafter as
3 counsel may be heard, in the Honorable Judge Christopher Klein's Courtroom of the Bankruptcy
4 Court in the Eastern District of California, located at 501 I Street, Sacramento, California,
5 Plaintiffs Association of Retired Employees of the City of Stockton ("ARECOS"), and Shelley
6 Green, Pat Hernandez, Reed Hogan, Lewis Patrick Samsell, Alfred Seibel, Brenda Jo Tubbs,
7 Teri Williams, and Glenn E. Matthews, Jr., will move for a temporary restraining order and
8 preliminary injunction (1) to order the City of Stockton to refrain from implementing any aspects
9 of its "pendency plan" that relate to the health care benefits of retirees of the City of Stockton;
10 (2) to order the City of Stockton to continue paying and providing health care benefits for the
11 retirees of the City of Stockton; and (3) to waive any bond requirements; or (4) in the alternative,
12 to grant relief from stay.

13 This Application is made pursuant to Rule 65 of the Federal Rules of Civil Procedure,
14 Local Rule 7065-1, and 11 U.S.C. § 362(d). It is based on this Notice of Motion; the Application
15 for Temporary Restraining Order and Preliminary Injunction or in the Alternative Relief from
16 Stay; the Declarations (and any attachments to the Declarations) of Kathryn Zoglin, Kent
17 Autrand, George Bist, Janet D. Bricker, Michael Burkhardt, Dulcencia Catlett, Debra Emery,
18 Elaine Freitas, Linda French, Delia Fernandez, Kelley Garrett, Pat Hernandez, Reed Hogan,
19 Kathy Glick, Vivian Look, Christine Lumpkin, Glenn Matthews, Dwane Milnes, Mary Morley,
20 Rick Ragsdale, Stephen Rehberg, Kenneth Rogers, Lewis P Samsell, Jeanette Schenck, Todd
21 Schiess, Alice Sterming, Sylvia Ramirez, Alfred Seibel, Cathy Sloan, Kathy Tomura, Helen
22 Tellyer, Brenda Jo Tubbs, Douglas Carroll Watkins, Josephine Weber, Teri Williams, and; such
23 other evidence along with the pleadings and documents on file in this action; and such other
24 argument or evidence as may be presented at the hearing on the Temporary Restraining order
25 and Preliminary Injunction.

26 The Retirees do not anticipate presenting oral testimony at the hearing for a preliminary
27 injunction, but reserve the right to do so. Retirees estimate that the hearing will require two
28 hours.

1 Dated: July 10, 2012

Respectfully Submitted,

2 MOSCONE EMBLIDGE & SATER LLP

3 By: /s/ G. Scott Emblidge
4 G. Scott Emblidge

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