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 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

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

12 In re:

Case No. 12-32118

13 CITY OF STOCKTON, CALIFORNIA,

Chapter 9

14 Debtor.

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

Adv. No.

DECLARATION OF KATHY TOMURA
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, Kathy Tomura, 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 December 3, 1960 and am 51 years old. I live at 3634 Adobe Creek
5 Court, Stockton, CA 95219.

6 3. I have one dependent on the City's Medical Plan. I do not have enough quarters
7 to qualify for Medicare when I reach 65, but my spouse does, and I believe I will be eligible
8 under his coverage.

9 4. I was hired by the City of Stockton in May 1985 and retired in June 2011 as a
10 Program Manager III.

11 5. My gross CALPERS retirement check is \$3,299.66. My estimated net annual
12 household income for 2012 is \$83,000.

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

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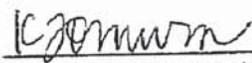
1 even with the \$300 subsidy from the City for one year, my monthly premium would be
2 \$1,276.66, or \$15,319.92 annually. This would represent approximately 18% of our income.

3 7. I am currently under frequent doctors' care at the University of California Davis
4 Medical Center (Cancer Center) in Sacramento for a somewhat rare form of cancer known as
5 pleomorphic sarcoma. The tumor is quite large and is located in my left hip/buttock. I have
6 undergone radiation therapy and chemotherapy. My chemotherapy was administered
7 intravenously during 5 sessions of 3-4 days of hospitalization each. I was also hospitalized for
8 an infection at the end of my chemotherapy when my white blood count was very low. I had
9 major surgery on June 20 to remove the tumor, and hope to leave the hospital on July 2, 2012
10 after 13 days. I expect to have 1.5 months for healing and several months of physical therapy to
11 learn to walk again. I will not know if I am cancer-free until after the surgery and subsequent
12 testing. I anticipate on-going frequent care through the end of the calendar year. My husband
13 has diabetes and glaucoma but currently controls both through medication/diet only. I have
14 maxed out my \$5,000 deductible for both 2011 and 2012.

15 8. My spouse does not have alternative health insurance coverage but he does have
16 access to it through his employer for a premium. However, he will not be able to sign up until
17 the November open enrollment period with an effective date of February. I am unsure if I can
18 receive coverage under this insurance for a pre-existing condition.

19 9. When I retired, I did not expect to have any premium expenses for retiree
20 medical, I did not expect to have a major illness at retirement, and I had planned to supplement
21 my pension with part time employment. Had I know that retirees might be required to pay an
22 insurance premium or that we might not have lifetime retiree medical in its current form, I would
23 not have retired when I did. Lifetime retiree medical coverage was a MAJOR deciding factor for
24 me. I retired to "lock" in this earned benefit.
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1 I declare under penalty of perjury under the law of the United States of America that the
2 foregoing is true and correct and that this declaration was executed in Stockton, California on
3 July 2, 2012.

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