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Attorney for Movant
DEAN ANDAL

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re:

CITY OF STOCKTON,
CALIFORNIA,

Debtor,

Case No. 12-32118-C-9
DC No.: JTS-03

Judge: Hon. Christopher M. Klein

**DECLARATION OF DEAN ANDAL IN
SUPPORT OF REPLY TO OPPOSITION
TO MOTION FOR
RECONSIDERATION OF MOTION
FOR ORDER SHORTENING TIME TO
HEAR MOTION FOR RELIEF FROM
AUTOMATIC STAY**

I, DEAN ANDAL, declare as follows:

1. I am a registered voter in San Joaquin County and live in Stockton California.
2. I am seeking relief from the bankruptcy court to bring a writ of mandate in state court challenging the language of the ballot title that will be submitted to the voters in the City of Stockton in the November 5, 2013 election regarding a ¾ cent general tax (hereinafter "Measure").
3. On July 24, 2013, upon request, San Joaquin County Registrar of Voters Austin Erdman provided the "Measure Control Sheet" for the Measure that specifically stated the schedule for the elections materials. The Measure Control Sheet provided that the 10-calendar-day public examination period would end on August 23, 2013. A true and correct copy of the

1 Measure Control Sheet is attached hereto as Exhibit "A".

2 4. On August 12, 2013, I learned, from the City Clerk's website, that the schedule for
3 the elections materials may have been altered from what was provided in the original Measure
4 Control Sheet. I immediately requested a copy of the most recent schedule from Registrar of
5 Voters Austin Erdman to confirm.

6 5. Despite the Measure Control Sheet originally stating that the 10-calendar-day
7 public examination period would end on August 23, 2013, I received an email on August 13,
8 2013 from Austin Erdman forwarding the changed schedule for the elections materials. The new
9 schedule states that the examination periods will be done in stages and that the deadline for the
10 first stage was moved to August 8, 2013. A true and correct copy of the email correspondence
11 providing the new schedule is attached hereto as Exhibit "B".

12 6. I declare under penalty of perjury, under the laws of the State of California that the
13 foregoing is true and correct of my own personal knowledge, and if called upon to testify, I could
14 and would competently testify thereto.

15 Executed this 14th day of August, 2013, at Roseville, California.

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/s/ Dean Andal
Dean Andal

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EXHIBIT “A”

SAN JOAQUIN COUNTY
REGISTRAR OF VOTERS OFFICE

MEASURE CONTROL SHEET

UDEL Election
November 5, 2013

DISTRICT/ENTITY: CITY OF STOCKTON

MEASURE* **A**
Letter Assigned

TYPE OF MEASURE: GENERAL TAX MEASURE

Percent To Pass: **50% +1**

| Document | DATE RECEIVED | ADMIN. TIMELINE ** DUE DATE | DAYS BEFORE ELECTION | | LEGAL DATE | E.C. §§ |
|---|---------------|--------------------------------|----------------------|--------|-------------------|-------------------------|
| | | | SUGGESTED | LEGAL | | |
| Resolution | 7/10/2013 | JULY 19, 2013 | 109 | 88 | AUGUST 9, 2013 | 9160, 9311, 9401, 10403 |
| Measure Wording | 7/10/2013 | | | | | |
| Ordinance | 7/10/2013 | | | | | |
| Tax Rate Statement (if required) | N/A | | | | | |
| Impartial Analysis (Max: 500 words) | 7/24/2013 | JULY 26, 2013 | 102 | 88 | AUGUST 9, 2013 | 9160, 9280, 9313 |
| Arguments in Favor (Max: 300 words) | | AUGUST 2, 2013 | 95 | 81 | AUGUST 16, 2013 | 9162, 9163, 9502 |
| Arguments Against (Max: 300 words) | | | | | | |
| Rebuttal Letters to Proponents in Favor/Against | | AUGUST 5, 2013 | 92 | 78 | AUGUST 19, 2013 | 9317 |
| Rebuttal to Argument in Favor (Max: 250 words) | | AUGUST 12, 2013 | 85 | 71 | AUGUST 26, 2013 | 9167, 9504 |
| Rebuttal to Argument Against (Max: 250 words) | | | | | | |
| Arguments/Rebuttals Withdrawal | | AUGUST 13, 2013 | 84 | 70 | AUGUST 27, 2013 | 9316 |
| Public Viewing - <u>10 Days</u> - ENDS | | AUGUST 23, 2013 | 74 | 60 | SEPTEMBER 6, 2013 | 13313 |
| Vote-by-Mail Application is AVAILABLE | | AUGUST 30, 2013 | 67 | 29 | OCTOBER 7, 2013 | 3001 |
| Vote-by-Mail Ballots/early voting BEGINS OCTOBER 7, 2013 | | | | 29 | OCTOBER 7, 2013 | 3001 |
| Last Day to Register to Vote in this Election is OCTOBER 21, 2013 | | | | 15 | OCTOBER 21, 2013 | 2102, 2107 |
| ROV Office can begin processing Vote-by-Mail Ballots on OCTOBER 25, 2013 | | | | 7 Bus. | OCTOBER 25, 2013 | 15101 |
| Last Day to Mail Vote-by-Mail Ballots is OCTOBER 29, 2013 | | | | 7 | OCTOBER 29, 2013 | 3007 .5 (b) |

Note: The ballot measure statement on the ballot shall contain NO more than 75 words. E.C. §9051(b)

* Measure letters are assigned in alphabetical sequence in the order in which they are received per calendar year but must avoid duplicating letters with other counties for shared districts.

** Suggested administrative timeline due dates for all items and steps included in submitting a measure are to allow enough time to submit the information to County Council and County Board of Supervisors, and to insure completion of translations and proofing to meet elections code legal deadlines. The actual filing date of each document may affect due dates for subsequent documents and steps. Contact Candidates Filing Section at (209) 468-8945, for affected due dates during this process.

EXHIBIT “B”

Joseph Speaker

From: DeanAndal@sbcglobal.net
Sent: Wednesday, August 14, 2013 3:16 PM
To: Joe Speaker
Subject: Fw: Measure Calendar

----- Forwarded Message -----

From: "Erdman, Austin" <aerdman@sigov.org>
To: "deanandal@sbcglobal.net" <deanandal@sbcglobal.net>
Sent: Tuesday, August 13, 2013 10:50 AM
Subject: FW: Measure Calendar

fyi

From: Bonnie Paige [mailto:Bonnie.Paige@stocktongov.com]
Sent: Monday, August 12, 2013 7:36 PM
To: Nakhla, Bassem
Cc: Erdman, Austin; Bret Hunter
Subject: Measure Calendar

Hi Bassem,

I received your voice message, but have been tied up for most of the day. I am using the Measure Calendar you provided and am following EC 9295 with regards to the public examination period. Therefore, Impartial Analysis can be viewed August 9 through August 19, Arguments in Favor or Against August 16 through August 26 and Rebuttals from August 26 through 9/5. Hope that answers your questions. Sorry for such a late response. I guess I can go home now! :)

*Bonnie Paige
City Clerk
City of Stockton
Phone: (209) 937-7121
Fax: (209) 937-8447*