

BALL JANIK LLP

A T T O R N E Y S

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LISA M. UMSCHIED

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DIRECT FAX 503-226-3910

July 23, 2010

BY OVERNIGHT DELIVERY

The Honorable Mark Schiveley
Jackson County Courthouse
Justice Building
100 S. Oakdale
Medford, OR 97501

Re: *Bova v. City of Medford*
Jackson County Case No.: 08-1663E7

Dear Judge Schiveley:

I have been retained as the personal counsel for a group of City of Medford employees who are members of the certified class in this case. As the Court may recall, the January 27, 2009 Notice to the Class advised class members that they could seek advice from their own lawyer. The names of the employees I represent are listed on the enclosed Exhibit A. In addition to these class members, I have also been retained by a group of current City of Medford employees who, because of their hire dates, are not members of the certified class. Both groups have sincere, good faith concerns about how the outcome of this case will affect the health insurance benefits they receive as City of Medford employees. Health insurance benefits are a substantial and important component of overall compensation, and these employees are understandably concerned about changes to their benefits.

Last week, your judicial assistant informed the City of Medford's attorney, Robert Franz, that I should submit a notice of appearance if I wish to be notified of pleadings or hearings in this matter. As suggested by your chambers, we have filed a notice of appearance on behalf of those of our clients who are members of the certified class.

Sincerely,


Lisa M. Umscheid

LMU:hls
Enclosure

cc: Robert Franz (w/enclosures via email)
Stephen Brischetto (w/enclosures via email)
George Fisher (w/enclosures via email)

::ODMA\PCDOCS\PORTLAND\719167\1

EXHIBIT A

1. Jeanette K. "Kathy" Ameral
2. Samuel D. Barnum
3. David G. Bierwiler
4. Laurence J. Beskow
5. Tad S. Blanton
6. Denise R. Bostwick
7. Kimberly M. Budreau
8. Michael L. Budreau
9. Rhonda K. Buma
10. Robert E. Calkins
11. Alison B. Chan
12. Scott A. Clausen
13. Lori Cooper
14. Melissa D. Cooper
15. Cynthia L. Danzl-Jenkins
16. Douglas G. Detling
17. Timothy N. Doney
18. Cory J. Crebbin
19. Annette J. Cunningham
20. Philip G. Eastman
21. Steven B. Edwards
22. Charles D. Elliott
23. Brian E. Fish
24. Jana M. Forsyth
25. Ron L. Forsyth
26. Kaily E. Freund
27. Timothy J. George
28. Anne L. Gordon
29. Diane C. Greer
30. Robert C. Hansen
31. Dennis W. Hart
32. John W. "Bill" Hoke
33. Thomas V. Ianieri
34. Donna L. Jerden
35. Yuhui Jiao
36. Brett L. Johnson
37. John G. "Greg" Kleinberg
38. Greg A. Lemhouse
39. Benjamin T. Lytle
40. Sue A. McKenna
41. Peter T. Mackprang

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42. Barbara L. Madruga
43. Brent E. Mak
44. Sharon L. Melendy
45. Elizabeth M. Mier
46. Julie K. Moran
47. Paul A. Morrow
48. Lynette M. O'Neal
49. Michael M. Osterman
50. Glenda P. Owens
51. Frances G. "Gary" Palmer
52. Judy M. Parton
53. Brice W. Perkins
54. Daniel V. Petersen
55. Bianca Petrou-Smith
56. Christopher A. Reising
57. Winnie M. Rezendes
58. Patrick H. Roam
59. Carol D. "Darlene" Roberts
60. Randall H. Schoen
61. Ralph G. Scott
62. Randy L. Sparacino
63. Karen M. Spoons
64. Brian N. Sjothun
65. Edward D. Sturtevant
66. Thomas E. Suttle
67. Roger E. Thom
68. Douglas D. Townsend
69. Kevin G. Walruff
70. Mark S. Warwick
71. Pamela S. Webber
72. Christy L. West
73. Curtis W. Whipple
74. Derek R. Zwagerman

EXHIBIT B

Interested Persons Outside the Class

1. Cheryl A. Adams
2. Kelly Akin
3. Sunny Bridges
4. Carmen L. Caballero
5. Heidi Hill Chestnut
6. Errin L. Constantine
7. Keith P. Green
8. James E. Huber
9. Kevin R. McConnell
10. Gregory S. McKown
11. Keith J. Massie
12. Brandon L. Meyer
13. Adam J. Mueller
14. Jesse R. Nyberg
15. Jon Proud
16. David J. Renz
17. Richard Rosenthal

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3
4 **IN THE CIRCUIT COURT FOR THE STATE OF OREGON**
5 **FOR THE COUNTY OF JACKSON**
6

7 **JOSEPH BOVA,**

8 Plaintiff,

9 v.

10 **CITY OF MEDFORD**, an incorporated
11 Subdivision of the State of Oregon, and
12 **MICHAEL DYAL**, City Manager of the City
of Medford, as an Individual, and in his official
capacity,

13 Defendants.
14

Case No. 08-1663-E7

NOTICE OF APPEARANCE

15 PLEASE TAKE NOTICE that Lisa Umscheid of Ball Janik LLP represents (as personal
16 counsel, but not as court-approved class counsel) the members of the certified class listed on
17 Exhibit "A."

18 DATED: July 23, 2010

BALL JANIK LLP

19
20 By: 

Lisa M. Umscheid, OSB No. 925718

BALL JANIK LLP

101 SW Main Street, Suite 1100

Portland, OR 97204

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503-226-3910 (fax)

lumscheid@balljanik.com

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22
23
24 Attorney for Class Members on Exhibit "A"

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1. Jeanette K. "Kathy" Ameral
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3. David G. Bierwiler
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72. Christy L. West
73. Curtis W. Whipple
74. Derek R. Zwagerman

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I served a true and correct copy of the foregoing **NOTICE OF**
3 **APPEARANCE** by:

- 4 U.S. POSTAL SERVICE;
- 5 FACSIMILE SERVICE;
- 6 ELECTRONIC MAIL (via CM/ECF);
- ARRANGING FOR HAND DELIVERY;
- FEDERAL EXPRESS.

7 addressed to the following named attorneys at their last known address on the date stated below:


8 George P. Fisher
9 Attorney at Law
10 3635 SW Dosch Road
Portland, OR 97239
Attorney for Plaintiff

11 Stephen L. Brischetto
12 Attorney at Law
13 621 SW Morrison St., Ste. 1025
Portland, OR 97205
14 503-223-5814
Attorney for Plaintiff

15 Robert E. Franz, Jr.
16 Law Office of Robert E. Franz, Jr.
PO Box 62
Springfield, OR 97477
17 Attorney for Defendants

18 DATED: July 23, 2010

BALL JANIK LLP

19
20 By: 
21 Lisa M. Umscheid, OSB No. 925718
22 BALL JANIK LLP
23 101 SW Main Street, Suite 1100
Portland, OR 97204
503-228-2525 (phone)
503-226-3910 (fax)
lumscheid@balljanik.com
24 Attorney for Class Members on Exhibit "A"
25
26

CERTIFICATE OF SERVICE