

BALL JANIK LLP

A T T O R N E Y S

101 SOUTHWEST MAIN STREET, SUITE 1100
PORTLAND, OREGON 97204-3219

LISA M. UMSCHIED

www.balljanik.com

TELEPHONE 503-228-2525

FACSIMILE 503-295-1058

lumscheid@balljanik.com
DIRECT FAX 503-226-3910

August 20, 2010

VIA EMAIL

Stephen Brischetto
Attorney at Law
621 SW Morrison, Ste. 1025
Portland, OR 97205

George P. Fisher
3635 SW Dosch Road
Portland, OR 97239

Robert Franz, Jr.
Law Office of Robert E. Franz, Jr.
730 B. Street
PO Box 62
Springfield, OR 97477

Re: *Bova v. City of Medford*
Jackson County Circuit Court Case No. 081663EZ
Oregon Court of Appeals Case No. A144254

Dear Robert, Steve, and George:

I am writing to suggest that the city's counsel and class counsel in this case join me in my suggestion, made to Judge Schiveley on August 17, that the parties in this case attempt to resolve in mediation the health and welfare benefits design and injunctive remedy issues. I understood from the August 17 hearing that the city proposes (a) to bargain with its union-represented employees to provide OTET benefits (now that retiree coverage is available to Teamsters members), and (b) to offer a CIS plan or plans to the non-union represented employees. Steve's August 19 letter, however, is premised on the assumption that the city is proposing to provide CIS benefits to *all* employees, both union-represented and management employees. This apparent misunderstanding underscores the need for discussions between the parties that can take into account the needs of the employees themselves.

I suggest that counsel for the parties notify the court that the class and the city will mediate the health and welfare benefits design issues and injunctive remedy issues, and will report to the court no later than September 24, 2010 on the outcome of those discussions.

Steve Brischetto
George Fisher
Robert Franz
August 20, 2010
Page 2

As you know, I am out of state on vacation from August 30 through September 10, returning on September 13. Assuming that the court does not issue an order that precludes me from participating any further in this matter, and if my clients wish to involve me in any mediation the class and the city agree to undertake, I am generally available the week of September 20.

As always, please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa M. Umscheid". The signature is fluid and cursive, with a large initial "L" and "U".

Lisa M. Umscheid

LMU:hls