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PIERCE COUNTY, WASHINGTON
BOB SAN SOUCIE, COUNTY CLERK
BY _____ DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF PIERCE

JOSEPH J. KIRBY and DEBORAH A.
KIRBY, husband and wife,

Plaintiffs,

v.

THE CITY OF TACOMA, a municipal
corporation; RAY CORPUZ and "JANE
DOE" CORPUZ, husband and wife;
PHILIP ARREOLA and "JANE DOE"
ARREOLA, husband and wife; WILLIAM
WOODARD and CATHERINE
WOODARD, husband and wife;
RAYMOND ROBERTS and "JANE DOE"
ROBERTS, husband and wife; DAVID
BRAME and "JANE DOE" BRAME,
husband and wife; and JAMES
HAIRSTON and "JANE DOE"
HAIRSTON, husband and wife,

Defendants.

No. 99-2-13911-4

AFFIDAVIT OF SHELLEY M.
KERSLAKE IN SUPPORT OF
DEFENDANTS' MOTION FOR
PARTIAL SUMMARY JUDGMENT
TO DISMISS PHILIP ARREOLA,
DAVID BRAME AND RAYMOND
ROBERTS

NOTED FOR:
December 13, 2002

ASSIGNED:
Judge Katherine M. Stolz

ORIGINAL

1 STATE OF WASHINGTON)
) ss.
 2 COUNTY OF PIERCE)

3 SHELLEY M. KERSLAKE, being first duly sworn on oath, deposes and
 4 states as follows:

5 1. That I am the attorney of record for the defendants in the above-
 6 captioned action, and am over the age of eighteen and competent to testify
 7 herein.

8 2. That attached to the Motion and Memorandum in Support of
 9 Defendant's Motion for Summary Judgment, and marked as Exhibit "1", is a
 10 true and accurate copy of deposition excerpts of Joseph Kirby, Volume II, taken
 11 on October 23, 2001.
 12

13 3. That attached to the Motion and Memorandum in Support of
 14 Defendants' Motion for Summary Judgment, and marked as Exhibit "2", is a
 15 true and accurate copy of Joseph Kirby's 5th Month Probation Report prepared
 16 by Assistant Chief Ray Roberts.
 17

18 4. That attached to the Motion and Memorandum in Support of
 19 Defendants' Motion for Summary Judgment, and marked as Exhibit "3", is a
 20 true and accurate copy of deposition excerpts of Joseph Kirby, Volume I, taken
 21 on February 15, 2001.

22 5. That attached to the Motion and Memorandum in Support of
 23 Defendants' Motion for Summary Judgment, and marked as Exhibit "4", is a
 24 true and accurate copy of Joseph Kirby's rebuttal to his 5th Month Probation
 25 Report.
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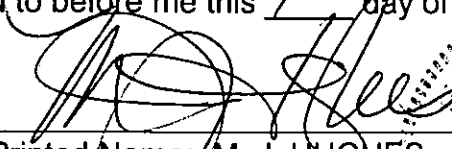
6. That attached to the Motion and Memorandum in Support of Defendants' Motion for Summary Judgment, and marked as Exhibit "5", is a true and accurate copy of deposition excerpts of Michael Darland.

FURTHER YOUR AFFIANT SAYETH NAUGHT.



SHELLEY M. KERSLAKE

SUBSCRIBED and SWORN to before me this 13th day of November, 2002.



Printed Name: M. J. HUGHES
NOTARY PUBLIC in and for the State of
Washington, residing at: Tacoma
My commission expires: 11/11/03

