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

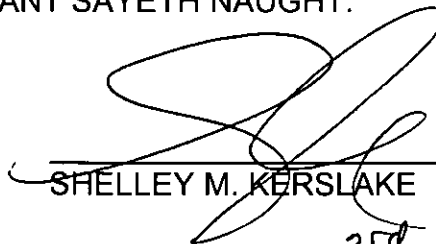
1. That I am the attorney of record for the defendants in the above-captioned action, and am over the age of eighteen and competent to testify herein.

2. That attached to the Motion and Memorandum in Support of Defendants' Motion for Summary Judgment, and marked as Exhibit "1", is a true and accurate copy of deposition excerpts of Joseph Kirby

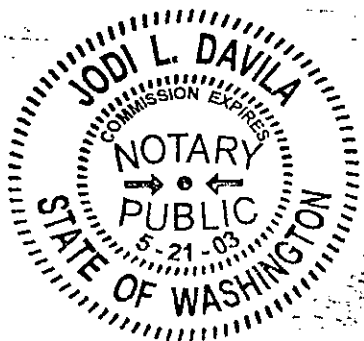
3. That attached to the Motion and Memorandum in Support of Defendants' Motion for Summary Judgment, and marked as Exhibit "2", are probationary reports given to Joseph Kirby dated 9-13-99 and 2-17-00.


4. That attached to the Motion and Memorandum in Support of Defendants' Motion for Summary Judgment, and marked as Exhibit "3", is a true and accurate copy requests for admissions propounded to the plaintiff.

FURTHER YOUR AFFIANT SAYETH NAUGHT.


SHELLEY M. KERSLAKE

SUBSCRIBED and SWORN to before me this 3rd day of December, 2002.




Printed Name: JODI L. DAVILA
NOTARY PUBLIC in and for the State of Washington, residing at: Puyallup
My commission expires: 5-21-03

Tacoma City Attorney
Civil Division
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