



July 12, 2011

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VIA EMAIL AND REGULAR MAIL

Alex Gurza
Director of Employee Relations
Office of the City Manager, City of San Jose
200 E Santa Clara St
San Jose, CA 95113

**Re: California Public Records Act Request
File No. 038220**

Dear Mr. Gurza:

The undersigned represents the San Jose Police Officers' Association ("POA"). This is a Proposition 59 Public Records Act Request for documents, records, and/or writings detailed herein.

If you are not authorized to respond to this request on behalf of the City of San Jose, please forward this request to the appropriate individual and inform me of the name and contact information for that individual as soon as possible.

Pursuant to the Information Practices Act (Civil Code Section 1798 *et seq.*), Article I, Section 3(b) of the California Constitution (added by Proposition 59, effective November 3, 2004) and the California Public Records Act (Government Code Section 6250 *et seq.*), it is requested that you produce to the undersigned for inspection and copying the following:

- 1. All documents submitted to Moody's Investor Services by the City over the past three years pertaining to the City's financial condition.**
- 2. All documents submitted to Fitch Ratings by the City over the past three years pertaining to the City's financial condition.**
- 3. All documents submitted to Standard and Poor's by the City over the past three years pertaining to the City's financial condition.**

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Please note that this request does not seek any personal information of any county employee.

In the event you determine a reason to withhold any records covered by this request, or any portion thereof, please provide the following information for each document withheld:

1. List the writing's and/or record's date, time, author(s), recipients(s), any title or reference identifier, and general subject matter, together with any and all purported statutory or other bases for your withholding.
2. For any statute or other authority you are relying on as a basis for withholding any writings and/or records, or any portions thereof, please explain why your withholding is supported by the narrowest available construction of the statute or other authority you rely upon.
3. If you are withholding writings and/or records for any other reason, please explain your purported basis for such withholding in the context of the command of Article I, Section 3(b) (2) that the terms "records" (as used in the Public Records Act) and "writings" (as used in Article I, Section 3(b)) "shall be broadly construed" in order to "further the people's right of access."

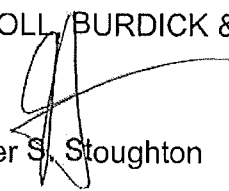
Please response within ten (10) calendar days of your receipt of this letter as required by Government Code section 6253(c). If you are unable to produce all requested documents, records, and/or writings to the undersigned within ten (10) calendar days of your receipt of this letter, please contact our office to arrange for production within a reasonable period of time.

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Thank you for your prompt attention to this matter.

Very truly yours,

CARROLL BURDICK & McDONOUGH LLP



Jennifer S. Stoughton

JSS:jo

cc: George Beattie, President, POA
Jim Unland, Vice President, POA
John R. Tennant, Esq., General Counsel, POA
Gregg McLean Adam, Esq.

