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July 17, 2006

Jeffrey D. Austin
Miller Nash LLP
111 SW 5th Ave Ste 3400
Portland, OR 97204-3699

Re: Former Portland Public Schools Custodians - Recall Offer

Dear Mr. Austin:

This is in response to your July 6, 2006 letter to me and to Messrs. Brandt, Coon, Griffin, and Lunberg and to Ms. Hibpshman.

I am currently representing Don Strong, Richard Brooks, Richard Reynolds, Edward Tschida, Lonnie D. Flemming, John Kemp, Rodney Dale Myrick, and Nannie Penn.

On behalf of my clients, I acknowledge that you have asked for my clients' decisions on whether to return to the Portland Public Schools by this Thursday. Although Richard Brooks, Edward Tschida, Lonnie D. Flemming do want to return to the Portland Public Schools, my other clients need more time and more information before they can decide if they want to return to the Portland Public Schools. I hereby as request an extension of time of the recall offer until August 3, 2006 for my five clients who want additional time to make a decision.

In page 2 of your letter, you reference "successor agreements between the District and SEIU." I am ignorant of any and all such agreements other than any agreements enclosed with your letter. Please provide me with copies of all agreements the District believes have any impact on my clients' rights.

In page 3 of your letter, you say the District and SEIU Local 503 have recently concluded negotiations and agreed upon a new collective bargaining agreement. I have not seen such agreement. My clients have not seen such an agreement and they have not ratified it.

The fact that my clients have not seen or ratified any new agreement is particularly important in light of the fact that seven of my eight clients are dues paying members of SEIU 503. It is my understanding that my clients constitute a majority of the dues paying members of SEIU 503 who are former custodians of the Portland Public Schools. As I have not received confirmation from SEIU 503 as to the number and identity of its dues paying members who are former custodians, I may be wrong about my clients having majority status.

As I am sure you are aware, the Civil Service Board will be having a meeting tomorrow at 1:30 p.m. to work out the details of the custodians' recall. It seems to me that it is the Civil Service Board, not the District, which is in charge of the recall. Do you represent the Civil Service Board? If you do not represent the Civil Service Board, who does? What is the District's position on the role of the Civil Service Board? What is the District's position on

the current membership of the Civil Service Board? I will greatly appreciate receiving answers to my questions and copies of any above-described agreements between the District and SEIU Local 503 before noon tomorrow. The information I trust you will provide me before noon tomorrow will be helpful to me and the Civil Service Board during tomorrow's meeting.

As an alternative to answering my questions and providing me with copies of the agreements, you can accept my clients' settlement offer of \$1,000,000 per person as full, complete settlement of all claims by them – including a renunciation of their right to recall.

Sincerely,

JAMES E. LEUENBERGER PC

James E. Leuenberger

cc. Don Strong, Richard Brooks, Richard Reynolds, Edward Tschida, Lonnie D. Flemming, John Kemp, Rodney Dale Myrick, Nannie Penn, William Brandt, James Coon, Mark Griffin, and Christopher Lunberg and to Danica Hibpshman, SEIU 503, SEIU International, Don Jeffrey (Civil Service Board Secretary)