

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
A Limited Liability Partnership
2 Including Professional Corporations
PAMELA J. NAUGHTON, Cal. Bar No. 97369
3 ELIZABETH S. BALFOUR, Cal. Bar No. 213994
REBECCA S. ROBERTS, Cal. Bar No. 225757
4 12275 El Camino Real, Suite 200
San Diego, California 92130-2006
5 Telephone: 858-720-8900
Facsimile: 858-509-3691

6 Attorneys for THOMAS STORY
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SAN DIEGO
10

11 THE PEOPLE OF THE STATE OF
CALIFORNIA,

12 Plaintiff,

13 v.

14 THOMAS STORY,

15 Defendant.
16

Case No. M-014519

**DECLARATION OF THOMAS
STORY IN SUPPORT OF MOTION
TO DISQUALIFY THE OFFICE OF
THE CITY ATTORNEY AND CITY
ATTORNEY MICHAEL AGUIRRE
PURSUANT TO CALIFORNIA PENAL
CODE SECTION 1424(b)**

17 Date: April 30, 07

18 Time: 8:15 am

19 Dept.: 2

20 Time Estimate: 45 minutes
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I, Thomas Story, declare as follows:

1. Currently, I am the Vice President of Development for Sunroad Centrum, L.P. ("Sunroad"). Previously, I was the Senior Policy Advisor and later the Chief of Staff to the former Mayor Dick Murphy. I terminated from my employment with the City on or about July 29, 2005.

2. On or about January 26, 2007, I wrote an editorial which was published in the San Diego Union Tribune responding to the City Attorney's accusations against Sunroad, a copy of this editorial is attached as Exhibit 5 to the Notice of Lodgment ("NOL"). Following my editorial, the City Attorney publicly accused me, Sunroad, and other city officials of being "corrupt." Copies of these articles are also attached as Exhibits 6,7, and 8 to the NOL.

3. On or about March 22, 2007, I received a call **from a reporter** about the City Attorney's warrant to search Sunroad's documents and files for any and all evidence pertaining to my employment and any communications I had with employees of the City. A copy of the search warrant is attached as Exhibit 9 to the NOL. Prior to the conversations with the reporter, I had no knowledge of the City Attorney's intention to issue a search warrant.

4. I am not aware of any investigations, proceedings, or charges by the District Attorney's office, the United States Attorney's office, or the Attorney General's office regarding the Sunroad building dispute.

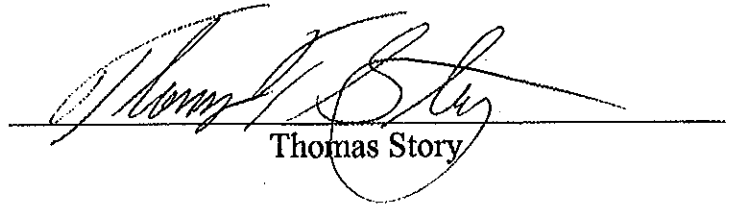
5. From January, 2001 – July, 2005 I worked in the office of Mayor Dick Murphy as a Senior Policy Advisor, Chief of Policy and the Chief of Staff. The City

1 Attorney supported the election of Mayor Murphy's opponent and was also extremely
2 antagonistic toward the Mayor, his office and staff during the time of my employment.

3
4 I declare under penalty of perjury under the laws of the State of California that the
5 foregoing is true and correct.

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7 Executed this 5th day of April, 2007 in San Diego, California.

8
9
10 By


Thomas Story

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