



violates my freedom of association rights under the Federal and State Constitutions.

9. ~~My personal belief is that this lawsuit is a sham and for the benefit primarily for the Plaintiff's attorneys.~~ *Ch*

10. My belief as an elected official for the City and as a homeowner in Des Moines is that the financial consequences of this litigation will be unfavorable to me and to other homeowners.

11. The Court should grant and opt out provision to the class because of the inherent conflicts among class members in this case.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

*Christine Hensley*  
Christine Hensley

Subscribed and sworn to before me this 18<sup>th</sup> day of August, 2008.

IOWA \* Notarial Seal \* IOWA  
**Marjorie C. Burgess**  
Commission No. 175804  
My Commission Expires August 31, 2009

*Marjorie C. Burgess*  
Notary Public

Original filed.

Copies to:

Honorable Joel D. Novak  
Judge, Fifth Judicial District

Mr. Brad Schroeder  
Hartung & Schroeder LLP  
Equitable Building, Suite 100  
608 Locust Street  
Des Moines, IA 50309  
ATTORNEY FOR PLAINTIFF

Bruce H. Stoltze  
Stoltze & Updegraff, P.C.  
P.O. Box 93295  
300 Walnut, Ste. 260  
Des Moines, IA 50393  
ATTORNEY FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing instrument was served upon all parties to the above-entitled cause by transmittal to each of the attorneys of record at their respective addresses disclosed on the pleadings of record on the 19<sup>th</sup> day of August 2008.

By:  U.S. Mail  Fax  
 Hand-Delivered

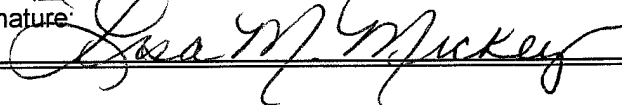
Signature: 

EXHIBIT A



OATH OF OFFICE  
DES MOINES CITY COUNCIL

1949  
1976  
1981  
2003

All-America City  
1949 1976 1981 2003

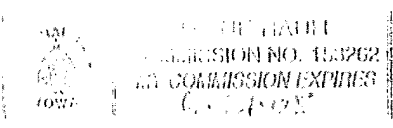
I CHRISTINE HENSLEY do solemnly swear, that I will support the Constitution of the United States, and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability, discharge all the duties of the office of

Ward III Council Member

in the City of Des Moines, Iowa, as now or hereafter required by law.

*Christine Hensley*  
\_\_\_\_\_  
SIGNATURE

Subscribed and sworn to me by the said above, signed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_



\_\_\_\_\_  
Notary Public in and for  
Polk County, Iowa