

IN THE IOWA DISTRICT COURT  
FOR POLK COUNTY

LISA KRAGNES, et. al.,

Plaintiff,

vs.

CITY OF DES MOINES, IOWA,

Defendant.

)  
) Law No. CE 49273  
)  
)

) DEFENDANT'S PROPOSED  
) NOTIFICATION LANGUAGE  
) REGARDING POSSIBLE  
) FINANCIAL CONSEQUENCES  
) OF THE LITIGATION

FILED  
POLK COUNTY, IA  
ON AUG 21 PM 1:14  
CLEM DISTRICT COURT

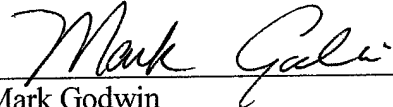
COMES NOW the Defendant, the City of Des Moines, and hereby submits to the Court its proposed language regarding the possible financial consequences of this litigation:

One of the possible financial consequences of this litigation is that the majority of class members may actually lose money as a result of the litigation. This is so because the City may finance a large refund with an increase in property taxes. Since the non-profit members of the class do not pay property taxes, the remainder of the class must bear the non-profits' share of the refund. As a result, the tax increase to pay for the refund will exceed the amount of the refund for those class members who pay property taxes.

Depending upon your personal situation, other adverse financial consequences are possible, including possible adverse financial consequences for landlords and purchasers of property who may not share in a full refund, but who may bear the brunt of the full property tax increase to pay for the refund.

RECEIVED  
AUG 22 2008

STOLTZE & UPDEGRAFF, P.C.

  
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Original Filed.

Copies to:

Hon. Joel D. Novak, Judge, 5th Judicial District

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ATTORNEY FOR PLAINTIFF

**PROOF OF SERVICE**  
The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses.  
Directed to file pleadings on 8-21-08  
 First Class Mail       FAX  
 Certified Mailed       Overnight Courier  
 Federal Express       Other:  
Signature Diane Roscoe