

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

BRIAN CHARLES VAETH

*

Plaintiff,

*

v.

*

Case No.:RDB-08-708

MAYOR AND CITY COUNCIL
OF BALTIMORE, et al.

*

*

Defendants.

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AFFIDAVIT OF RAYMOND O. DEVILBISS, JR.

STATE OF MARYLAND

CITY OF BALTIMORE

Raymond O. Devilbiss, Jr. being first duly sworn says:

1. I am a resident of the State of Maryland and am over the age of eighteen.
2. I am employed as the Division Chief of Administration and Support for the Baltimore City Fire Department ("BCFD") competent to swear oaths and give testimony in a court of law.
3. I have personal knowledge and am competent to testify to the matters herein.
4. From December 6, 1993 until December 28, 2002 Brian Charles Vaeth served as a Firefighter with BCFD.
5. During his employment as a BCFD Firefighter, Brian Charles Vaeth was a member of the Baltimore City Civil Service with rights under the Baltimore City Charter, Baltimore City Code and the Rules of the City of Baltimore Civil Service Commission.
6. Pursuant to Civil Service Rule 57 (Exhibit 6), an employee who "has reason to believe that his removal is without just cause . . . shall file with the Commission within five days after the receipt of an order of removal, a

removal, a request in writing that the Commission investigate his or her removal and shall contain a statement that he believes that the removal was without just cause as required in the Civil Service Commission Rules

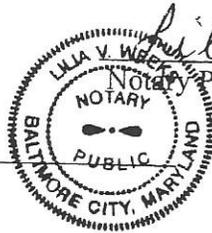
7. ~~After a diligent search, BCFD can locate no notice of a request to investigate a removal without just cause on behalf of Brian Charles Vaeth to the Baltimore City Civil Service Commission.~~

I SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY AND UPON PERSONAL KNOWLEDGE THAT THE CONTENTS OF THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.


Raymond O. Devilbiss, Jr.

Subscribed and sworn to before me this 28th day of April, 2008.

My commission expires _____



Lilia V. Weeks
Lilia V. Weeks
NOTARY PUBLIC
Baltimore City
State of Maryland
My Commission Expires
June 1, 2010