

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ANTOINETTE GONZALES, et al.,

Plaintiffs,

vs.

No. CIV-09-0520 JB/RLP

CITY OF ALBUQUERQUE, et al.,

Defendants.

AFFIDAVIT

I, **ANNETTE MORA**, being duly sworn upon my oath, hereby swear and affirm that I have personal knowledge of the following facts and allegations and that they are true and correct to the best of my knowledge:

1. I was employed by the City at the 311-Citizen Contact Center since May, 2005.

2. Prior to working for the City I worked at Comcast Digital Cable. I worked there for 18 years. I left my employment at Comcast to take the 311 job with the City specifically because the City offered retirement and other benefits that I thought would be more stable than Comcast's.

3. I did not know the 311-CCC position was "unclassified" when I decided to leave my job at Comcast and accepted the position with the City.

EXHIBIT 3
AFFIDAVIT OF
ANNETTE MORA

4. When it was explained to me during training that we were “unclassified.” Michael Padilla said that the only difference between us and other City employees was that we would get more pay than we would if we were classified.

5. During the two and a half years I worked at 311-CCC it was generally believed that even though we were unclassified we had all the benefits and rights of other City employees. No one ever told us that was not true, that we did not have the same rights and benefits as other City employees.

6. Throughout the time I worked at the 311-CCC I frequently received awards for quality work and for satisfying all the key performance indicators.

7. I received a letter from Mary Scott stating that I was placed on physical layoff for a period of up to one year.

8. I then received another letter from Mary Scott stating that I was placed on physical layoff in error and that my services were no longer needed and that my employment will be terminated effective February 1, 2008.

9. I spoke with Esther regarding my injury time and she stated to me that I would always have a job with 311 Citizen Contact Center. I thought I was fired when I got a certified letter from Mary Scott in Human Resources.

I swear and affirm that the foregoing statements are true and correct and that they are made under penalty of perjury.

Annette Mora

ANNETTE MORA