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13 UNITED STATES BANKRUPTCY COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

17 In re
18 PACIFIC GAS AND ELECTRIC COMPANY, a
California corporation,
19 Debtor.

Case No. 01-30923 DM
Chapter 11 Case

21 Federal I.D. No. 94-0742640

Date: October 2, 2002
Time: 9:30 a.m.
Place: 235 Pine Street, 22nd Floor
San Francisco, CA
Judge: Honorable Dennis Montali

25 PG&E'S NOTICE OF MOTION AND MOTION FOR ORDER VALUING CERTAIN
26 EMPLOYMENT CLAIMS FOR PLAN FEASIBILITY PURPOSES

27 [INDIVIDUAL MEMORANDA OF POINTS AND AUTHORITIES AND SUPPORTING
28 DECLARATIONS FILED SEPARATELY]

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1 NOTICE OF MOTION AND MOTION

2 PLEASE TAKE NOTICE that on October 2, 2002, at 9:30 a.m., or as soon thereafter as
3 the matter may be heard, in the Courtroom of the Honorable Dennis Montali, located at 235 Pine
4 Street, 22nd Floor, San Francisco, California, Pacific Gas and Electric Company, the debtor and
5 debtor in possession in the above-captioned Chapter 11 case ("PG&E" or the "Debtor"), will and
6 hereby does move the Court (the "Motion") for an order valuing certain Employment Claims solely
7 for purposes of determining the feasibility of the Plan of Reorganization Under Chapter 11 of the
8 Bankruptcy Code for Pacific Gas & Electric Company (dated April 19, 2002) filed by PG&E and
9 PG&E Corporation on March 7, 2002, as the same may be amended from time to time (the "PG&E
10 Plan"). Specifically, PG&E will seek an order valuing the following Employment Claims against
11 the estate as follows for PG&E Plan feasibility purposes, as described more fully in the
12 accompanying individual Memoranda of Points and Authorities incorporated by reference herein:

- 13 1. Valuing the Claim of Samuel Anderson, Proof of Claim No. 178, in the amount of
14 \$10 million for "wrongful termination", at zero;
- 15 2. Valuing the Claim of Deanne L. Cannon, Proof of Claim No. 4898, in the amount
16 of \$10 million for "violation of civil rights", at zero;
- 17 3. Valuing the Claim of Geri Marchetti, Proof of Claim No. 3831, in the amount of
18 \$8,104,440.00 for alleged disability discrimination and retaliation, at no more than \$47,000;
- 19 4. Valuing the Claim of Douglas Raymond Nelson dba Apex Troubleshooters &
20 Testing Engineers, Ltd., Proof of Claim No. 7125, in the amount of \$1 million for wrongful
21 termination, at zero; and
- 22 5. Valuing the Claim of Gilbert Medeiros, Proof of Claim No. 7057, in the amount of
23 \$200,000, for wrongful termination, at zero.

24 This Motion is intended to establish the value of such Employment Claims for PG&E
25 Plan feasibility purposes only, shall not determine or affect the allowance of the Claims or any
26 distribution thereon, and shall not be binding on any other court in which litigation relating to the
27 Claim is or may be pending.

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1 This Motion is made pursuant to the Court's May 21, 2002 Order Granting In Part And,
2 Without Prejudice, Denying In Part PG&E's Motion For Order Determining Procedures For
3 Estimating Certain Claims For Plan Feasibility Purposes and Sections 1129(a)(11), 502(c) and
4 105(a) of the United States Bankruptcy Code (11 U.S.C. §§1129(a)(11), 502(c) & 105(a)) and is
5 based on the facts and law set forth herein (including the accompanying Memoranda of Points and
6 Authorities), the supporting Declarations filed concurrently herewith, the record of this case and any
7 evidence presented at or prior to the hearing on the Motion.

8 PLEASE TAKE FURTHER NOTICE that pursuant to Rule 9014-1(c)(2) of the
9 Bankruptcy Local Rules for the Northern District of California, any written opposition to the Motion
10 and the relief requested therein must be filed with the Bankruptcy Court and served upon
11 appropriate parties (including counsel for PG&E, the Office of the United States Trustee and the
12 Official Committee of Unsecured Creditors) at least five (5) days prior to the scheduled hearing
13 date. If there is no timely objection to the requested relief, the Court may enter an order granting
14 such relief without further hearing.

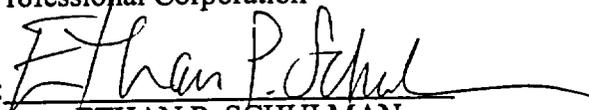
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HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN
A Professional Corporation

DATED: August 21, 2002

Respectfully,

HOWARD, RICE, NEMEROVSKI, CANADY,
FALK & RABKIN
A Professional Corporation

By: 
ETHAN P. SCHULMAN

Attorneys for Debtor and Debtor in Possession
PACIFIC GAS AND ELECTRIC COMPANY