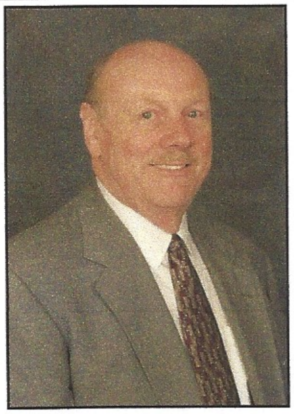
CONTRA COSTA COUNTY
RETIRED EMPLOYEES ASSOCIATION

PO Box 2973, Martinez, CA 94553 Phone Toll Free:1-855-522-2732
E-Mail: info@cccrea.info.
Representing the Past, Present & Future

Summer 2018

President's Message



Change in the Newsletter: I am sure you noticed in the last edition that there is something different about our newsletters. Starting with the March 2018 edition, we began having the Contra Costa County Print Shop print, collate, and mail our newsletters. We believe this change will bring a much easier to read, and more professional looking product.

I know there are those who may be wondering, "Why did we change?" There is really no short answer to that question, but I will try to explain. For the past few decades, CCCREA has been associated with Public Employees, Local One, and relied on them to disseminate our newsletter, as well as perform other necessary administrative tasks.

In January of this year, the board of directors decided to use other resources to print the newsletter. This decision was based on Local One's somewhat uncertain future. The fact that Local One lost many of their members to the Teamsters Union, several changes in leadership, the laying off of several key employees, and the high likelihood that they would join with AFSCME, were the basis of the board of director's decision to end our relationship with Local One, and move forward on our own.
We were able to negotiate a contract with the county print shop to produce our newsletter for virtually the same amount we were paying Local One. We believe the change will foster a lot of benefits for the Association.

Luncheon Announcements and Issues: Those of you who attended our April 12th luncheon at Zio Freado's Restaurant in Pleasant Hill probably noticed our change in personnel for registering the attendees. Lesley Hoover, who worked for Local One for many years, and was very familiar with our procedures and needs, graciously agreed to accept a position as our Administrative Assistant. Lesley will be working as an independent contractor, and not an employee of CCCREA.

I mentioned at the luncheon that Hennie, who normally worked our registration desk, has retired and moved back to the Philippines. We wish Hennie all the best in his retirement.
During the last luncheon, we had almost 80 members in attendance, and we ended up in a pretty small room. Since we had to cancel the March luncheon, Tony (the owner of Zio Freado's Restaurant), had to make adjustments to accommodate us. These small quarters caused some frustration for members arriving late to find the remaining seating would not allow their party to be seated together. For this reason, I would urge those of you who would like to sit with friends, or have more than one in your party, to try to get to the restaurant by the lunches start time of 11:30 a.m.

Luncheon Speaker for the June Luncheon: Nathan Johnson, the County's Veterans Service Officer, and one of his assistants, Brian Vargas will join us. Both are veterans of foreign wars and receive disability benefits from the VA. Both have been working with the county's Veteran's Services for years, and will be able to answer questions you might have regarding veteran's benefits. If you know of any veterans who may like to hear this presentation, don't hesitate to invite them to the luncheon.

Membership Identity Crisis: We seem to have been involved in an identity crisis lately, and this has caused some bewilderment among many county retirees. The problem seems to stem from the fact that there are three recognized retiree associations in Contra Costa County. Besides our group, there is the Retiree Support Group (RSG), and the AFSCME Union retiree group. Many county retirees belong to more than one group, as I do, however the benefits of one group will not extend to any of the others groups.

To try to remedy this issue, we will soon be sending out a letter to all retirees to explain what each association does, and why it is important to know which group you are joining. We will also use this occasion to encourage the all current retirees to join CCCREA.

Associate Member Category: On the subject of membership, your Board of Directors voted at the meeting in April to change our bylaws to allow for a new membership category. This group will be called Associate Members. This change is to allow those county employees who are within 1 to 3 years of retiring, the chance to become familiar with our Association and the benefits we offer.

The Associate Member dues will only be $12.00 per year, and they will have all the rights and privileges of the Association, except they will be restricted from voting, sitting on committees, holding office in the Association, or qualifying for scholarship benefits. As soon as the member fully retires, they will automatically become full members, and their dues will increase to $3.00 per month, which will be deducted from their retirement benefits.

Continued on Page 2

(President's Message Continued from Page 1)

If you know anyone who is still working for the county who you think would be interested, please have them contact me (mesloan1@aol.com), and I will send them out an application.

2018 Scholarship Results: I am extremely pleased to announce that we had 22 scholarship applications this year, including two applicants who have been award winners in the past. Unfortunately, we have again had to disqualify 7 of those applicants because they either did not submit a complete application, or their application packets were not received by the cutoff date.

I would like to take this opportunity to remind our members who may be planning to sponsor a relative for the scholarship program, you must make sure they are aware of the requirements for a complete application, and urge them to begin gathering their necessary documents early. We begin accepting applications on January 1st, and the applicants have until March 31st to get the application submitted. The application and instructions are currently on our website – www.cccrea.info.

This year's winners are Isabella Mercurio (sponsored by her father, John Mercurio), Samone Anderson (sponsored by her aunt, Aniece Jackson), Jonathan Souza (sponsored by his grandmother, Kathy Souza), and Alyssa Telles (sponsored by her grandfather, Jerry Telles).

CRCEA Conference: Last month, five members of your Board attended the CRCEA biannual conference in Santa Barbara. CRCEA (California Retired County Employees Association) is the state organization that represent the twenty 1937 Act counties, of which Contra Costa is a member.

CRCEA's focus is the monitoring of state and federal legislation which could affect retiree benefits and security. To this end, they have a full time lobbyist in Sacramento, and are affiliated with several national public retiree organizations. I am privileged to be the current Vice President of CRCEA.

These conferences allow us to learn what the other 19 counties are doing to protect retiree benefits and enhance the health and safety of all seniors. This is also where attendees learn what other associations are doing to maintain and grow their membership. Many of the articles you read in this newsletter are generated by one of our sister associations.

Legislative Report and information regarding the CalPERS Long Term Disability law suit can be found is this newsletter on Pages 6 and 8.

Donations To Local Charities: It has been the past practice of CCCREA to provide an annual donation to the local Meals On Wheels and the Contra Costa and Solano County Food Bank. Due to the cutback of federal funds this year, they are more in need that ever. Your Board of Directors voted unanimously to send each organization $500 for this year's contribution. If you are looking for a charitable organization, you would never go wrong supporting both of these very worthwhile and necessary charities.

Senior Information Seminar: Many of you will recall that several years ago CCCREA joined with the Retiree Support Group (RSG) to sponsor a Senior Information Seminar. These seminars were approximately four hours long and involved having several speakers make presentations on subjects of interest to our members. There was also a BBQ type lunch afterward at no cost to the members. The CCCREA Board of Directors has recently decided to try to reanimate these seminars, and will keep you apprised of our efforts.

Eight Changes to Social Security in 2018
by Matthew Frankel – The Motley Fool

For 2018, the basic structure of Social Security is the same in terms of how workers are taxed and how benefits are calculated and paid. However, there are a few notable changes to be aware of, such as gradually increasing the retirement age and other Social Security figures that adjust over time with inflation.
Here is a rundown of the planned changes:

For those born in 1954 or earlier, their full retirement age is still 66, but the age increases two months a year after that. That means the full retirement age is increasing to 67 if you were born after 1960.
There will finally be a decent cost-of-living adjustment (COLA) for retirees. The Social Security Administration announced that there will be a raise in benefits starting with the December 2017 payment. Unfortunately for many retirees, the rising Medicare costs will probably consume any increase in SS benefits.

On the brighter side, beneficiaries will also get the benefit of the increase, and the average increase a recipient will receive is estimated to be about $27 per month, to $1,404.

There will also be a slightly higher taxable earnings cap for those still working in 2018. The maximum amount of wage income that is subject to tax will now be $128,500, up from 127,200 in 2017.

The monthly benefit for disability benefits is also rising. Non-blind recipients will increase from $1,170 to $1,180, and blind recipients will increase from $1,950 to $1,970.

The "earnings test limits" are going up as well. If you continue to work after you begin drawing SS benefits, but are still under the full retirement age, your SS benefits could be reduced by as much as 50%. If you reach full retirement age during 2018, $45,360 in annualized earnings are excluded. Any earnings over that threshold will cause your benefits to be reduced by $1 for every $3 in excess earnings.

Social Security "credits" are going to be more stringent. Now you only need 40 credits over a 10 year period. In 2018, each credit represents $1,320 in earnings, and since you are limited to four credits per year, **you will need to earn at least $5,280 to earn full credit.**
This year (2018) you will also be receiving a new Social Security Card in the mail. On Page 5, there is a copy of what it will look like:

(Continued on page 5)

2018 Luncheon Dates

- *June 14*
- *September 13*
- *December 13*

Remember, if you are a new member your first lunch is free. Just be sure to call in your reservation and let us know you're a new member. The telephone number is: (855-527-2732)

Please feel free to invite friends who have recently retired to our luncheon!

Contra Costa County Retired Employees Association Board of Directors

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Vicki Doolittle
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Jim Hattum
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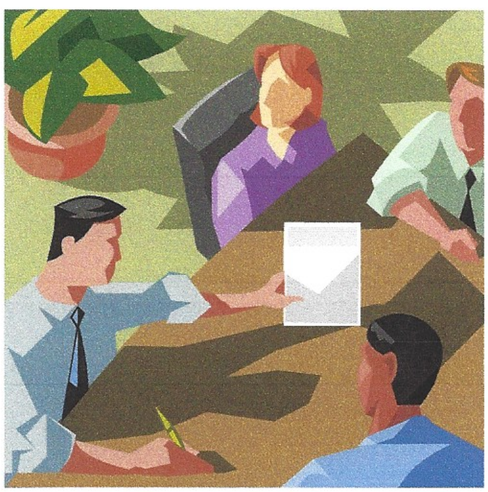
Milt O'Neill
Mary Lou Williams,
(Past President)

CRCEA CONFERENCE DATES



The Fall conference will be in Marin County (October 15-17), and will be held at the Sheraton Four Points Hotel.

Additional information about these conferences will be posted on the CRCEA website (crcea.org) as the dates get closer.

2018 REGULAR MEETING DATES

July 10th
August No Meeting
October 9th
November 13th

MEETING LOCATION:

TJ's Restaurant - 3210 Pacheco Blvd. (The old Pegg's Restaurant across from the Shell Refinery entrance)
Martinez, CA 94553. 9:30 A.M.
All are welcome to attend and share your thoughts and suggestions.

Call to let us know you are coming.

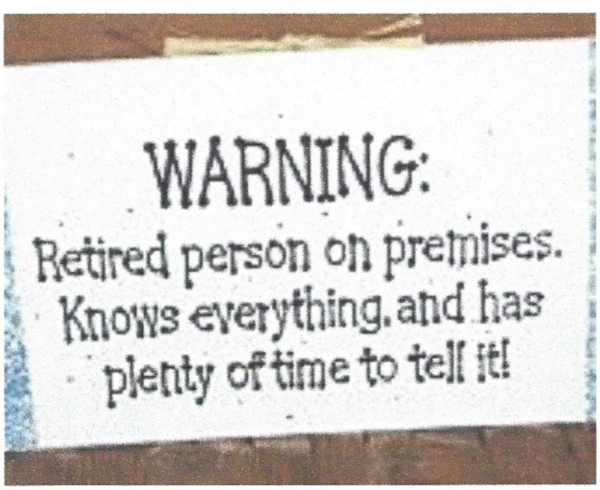
(855-527-2732)

PASSAGES

Some people come into our lives and quickly go. Some people move our souls to dance. They awaken us to new understandings with the passing whisper of their wisdom. Some people make the sky more beautiful to gaze upon. They stay in our lives for awhile, leave footprints in our heart, and we are never ever the same.

Chicken Soup for the Soul

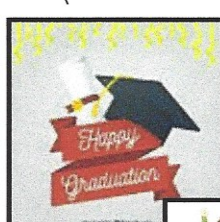
Dorothy Houseman	3/6/2018
Bertha Knox	1/24/2018
Betty Owiecki	4/6/2018
Robert Parks	3/11/2018
Sara Parmley	2/4/2018
Herman Rellar	4/7/2018
Carmen Rodriquez	2/14/2018
Peter Schepens	1/22/2018
Harold Thompson	1/14/2018

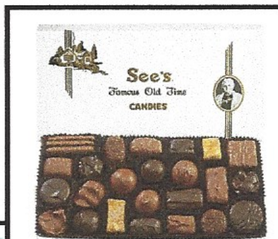


See's CANDIES

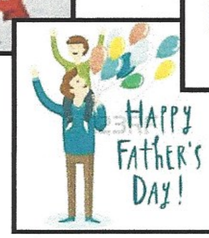
We still have See's Gift Certificates for sale for $16.00 which is a good price. They are available at our luncheons or you can send a check, made out to CCCREA for the amount of your purchase, to P. O. Box 2973, Martinez, Ca. 94553. To order by mail please include postage of $1.50 for 5 or less and $3.00 for more than 5.

Don't forget that we have the new discount store on Monument Blvd. in Concord where you may buy candy at a discount by showing your CCCREA membership card. (Account #6013636)

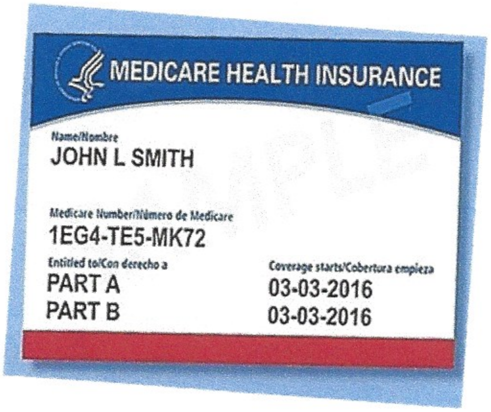




2 layers of chocolate



(Social Security Changes from page 2)



Starting 4/1/18 Medicare will start a year long, project to replace all current Medicare cards for beneficiaries by converting to alphanumeric ID numbers. Currently the ID number is your social security number.

The new Medicare card will come to you in the mail. You don't need to request it or do anything. It will show up, and as with any change, the "Scammers" become more opportunistic.

You might ask, "WHAT'S THE SCAM?" It will usually begin with somebody calling on the telephone and saying they are from "Medicare". They will tell you to that you will be getting a new Medicare card. However, until it comes, you will need a temporary card, and the processing fee for the card is somewhere between 5 and 50 dollars. Their ultimate goal is to obtain personal information, such as a bank account or a credit card number, which will be used to gain access to your accounts.

Things to remember:
Medicare will never call you unless you ask them to.
Medicare does all communications by mail, unless you ask them to call.
Anybody saying they "work with Medicare to make sure you get everything you are entitled to" is an immediate "Scammer alert."
Protect yourself and others by spreading the word, and feel free to share this information with friends and family.
Use your answering machine to screen calls, or just don't answer if it is a number you don't recognize. If the call is important, they will leave a message. However, be aware that the scammers have become very sophisticated and can actually "spoof" the phone number they are calling from, to make it appear the call is coming from a social security office, or even the IRS.

If it has happened to you or a friend or loved one, and personal info has been given out, immediately take action to protect yourself against identity theft. This type of scam happens considerably more often than you think, so don't feel bad or stupid. Reporting this incident, and letting your friends know what happened, may save someone else from being victimized.

SOCIAL SECURITY USA ADMINISTRATION

ATTENTION ALL RETIREES ! REMINDER

If you are moving, and have changed your address with the retirement office in Concord, that will not automatically change your address with our Association. The retirement office guards your address closely, and will not share it with us. Please send us a note as well with your new address so you don't miss any editions of the newsletter or any important notices.

Also, as a reminder, if you are the surviving spouse of a Contra Costa County retiree, you are also qualified to be a member of CCCREA. If you, or someone you know, qualify for this status, please send us a note at:

mesloan1@aol.com or www.cccrea.info, and we will reinstate your membership immediately.

A Rose By Any Other Name

An elderly couple had dinner at another couple's house, and after eating, the wives left the table and went into the kitchen. The two gentlemen were talking, and one said, "Last night we went out to a new restaurant and it was really great I would recommend it very highly."
The other man said, "What is the name of the restaurant?"
The first man thought and thought, and finally said, "What's the name of that flower you give to someone you love? You know, the one that's red and has thorns."
"Do you mean a rose?"
"Yes, that's the one," the man replied. He then turned towards the kitchen and yelled, "Rose, what's the name of that restaurant we went to last night?"

Legislative Report for April 2018

By Art Goulet, CRCEA Legislative Chairperson

(This report has been edited due to space constraints)

AB 1912 (Rodriguez). *This bill originally would have made non-substantive changes to PERL (Public Employees Retirement Law). It was gutted and amended on March 19, and would now eliminate many provisions within the Joint Exercise of Powers Act regarding the debts, liabilities, and obligations of the joint powers agency.* The bill would additionally specify that a joint powers agency that participates in a public retirement system, all parties, both current and former to the joint powers agreement, would be jointly and severally liable for all obligations to the retirement system. The bill would also provide that if a judgment is rendered against an agency or a party to the agreement for a breach of its obligations to the retirement system, the time within which a claim for injury may be presented or an action commenced against the other party that is subject to the liability determined by the judgment begins to run when the judgment is rendered. The bill would specify that those provisions apply retroactively to all parties, both current and former, to the joint powers agreement. This bill would prohibit the CalPERS board from contracting with any agency formed under the Joint Exercise of Powers Act unless all the parties to the joint powers agreement are jointly and severally liable for all the agency's obligation to the system, and would specify that those provisions apply retroactively to all parties, both current and former, to the agreement. The bill would also require any current joint powers agreement that does not meet these requirements to be reopened to include a provision holding all member agencies party to the agreement jointly and severally liable for all the joint powers agency's obligations to the system.

The bill would also revise the provisions of PERL regarding termination of an agreement with CalPERS and an agency formed under the Joint Exercise of Powers Act. This bill would extend that liability and lien to all of the parties of a terminating agency that was formed under the Joint Exercise of Powers Act. The bill would specify that the liability to the system for any deficit in funding for earned benefits, interest, and for reasonable and necessary costs of collection, including attorney's fees of those parties is joint and several. The bill is at the Assembly PER&SS Committee.

AB 2076 (Rodriguez). This bill was introduced at the request of LACERA (Los Angeles County). It would authorize LACERA to correct a prior board decision determining the date of retirement for a member permanently incapacitated for disability that was made between January 1, 2013, and December 31, 2015, and was based upon an error of law existing at the time of the decision. The bill would also authorize a member seeking correction under these provisions to file an application with the board no later than one year from the date this law becomes operative. The bill passed out of the Assembly PE, R, & SS Committee (7-0) on March 14, and out of the Assembly (69-0) on March 22. It is in the Senate awaiting referral.

the Senate awaiting referral.

AB 2085 (Cooley). This bill was introduced at the request of VCERA (Ventura County). It is intended to clarify existing law by defining "surviving spouse" as a person legally married to the member, who is neither divorced nor legally separated at the time of the member's death, and who meets all other requirements of CERL pertaining to the length of marriage and the person's age at the time of the member's death. Although there was no earlier indication there would be active opposition to the bill, LACERA filed a lengthy letter in opposition. VCERA's proposed amendment to address LACERA's opposition apparently did not suffice. Due to the unmitigated opposition, the author decided to "park" the bill. VCERA agrees with that decision.

AB 3150 (Brough). Existing law creates state and local public pension and retirement systems that provide pension benefits based on age at retirement, service credit, and final compensation. Existing law requires each state and local public pension or retirement system, on and after the 90th day following the completion of the annual audit of the system, to provide a concise annual report on the investments and earnings of the system, as specified, to any member who makes a request and pays a fee, if required, for the costs incurred in preparation and dissemination of that report. This bill would also require each state and local pension or retirement system to post a concise annual audit of the information described above on that system's Internet Web site no later than the 90th day following the audit's completion.

The bill is at the Assembly PER&SS Committee.

SB 1031 (Moorlach). *This bill would prohibit all public retirement systems, except those of charter cities and counties unless they choose to be covered by the new law, from granting a cost-of-living adjustment (COLA) to any retiree or to his or her survivor or beneficiary for any year beginning on or after January 1, 2019, in which the unfunded actuarial liability of that system is greater than 20%.* The bill would require that the determination of unfunded actuarial liability be based on the retirement system's CAFR and would apply the COLA prohibition to the calendar year following the fiscal year upon which the report is based.

I think there are some procedural difficulties with the drafting of this bill. To begin with, CAFRs are not generally completed until sometime within the calendar year following the fiscal year the report is for. Secondly, for CERL systems, COLAs are effective on April 1. Would the COLA prohibition extend through March 31 of the next calendar year? The bill doesn't appear to say so. The bill was amended on April 5 and now applies only to employees who became a new member of the retirement system on or after January 1, 2019. It is at the Senate PE & R Committee, with a hearing set for April 23.

(Continued on page 7)

(Legislative Report continued from page 6)

SB 1032 (Moorlach). This bill applies to PERS. Existing law authorizes a contracting agency to terminate its contract with PERS if the contract has been in effect for at least 5 years. Under existing law, PERS is required to hold the accumulated contributions from a terminated contract in a terminated agency pool for the benefit of the members and requires the terminating contracting agency to contribute to the terminated agency pool the difference between the accumulated contributions and the PERS's pension liability for the contracting agency's members.
This bill would authorize a contracting agency to terminate its contract with PERS at the agency's will and would not require the contracting agency to fully fund PERS's pension liability upon termination of the contract. The bill would also authorize PERS to reduce the member's benefits by the percentage of liability unfunded. It would also authorize a contracting agency who terminates its contract with PERS to transfer the assets accumulated in PERS to a pension provider designated by the contracting agency.

The bill was amended on April 5 to correct a spelling error, and is set for hearing at the Senate PE & R Committee on April 23.

SB 1033 (Moorlach). This bill would require that an agency participating in PERS that increases the compensation of a member who was previously employed by a different agency to bear all actuarial liability for the action, if it results in an increased actuarial liability beyond what would have been reasonably expected for the member. The bill would require, in this context, that the increased actuarial liability be in addition to reasonable compensation growth that is anticipated for a member who works for an employer or multiple employers over an extended time. The bill would also require, if multiple employers cause increased liability, that the liability be apportioned equitably among them. The bill would apply to an increase in actuarial liability, as specified, due to increased compensation paid to an employee on and after January 1, 2019.

This bill is obviously intended to prevent spiking of pension benefits resulting from inordinate salary increases. However, who is to determine what was reasonably expected, and how will movement between agencies for the purpose of career advancement be addressed? It's also notable that CERL is not addressed in the bill since the same issues of spiking apply in CERL counties. **The bill is set for hearing at the Senate PE & R Committee on April 23.**

SB 1062 (Mendoza). This bill would require certain employers who fail to make a required employer contribution to STRS or PERS to notify members of the delinquency within 30 days.

SB 1149 (Glazer). ***This bill would create a new optional defined contribution plan for new state employees who are eligible to become members of PERS and who choose not to make contributions into the defined benefit program.*** The bill would require state employees who opt to participate in this alternate system to contribute the same percent of compensation as similarly situated employees who contribute to the defined pension program, subject to applicable limits of federal law. The bill would authorize an employee in the defined contribution program, after 5 years, to have the right to continue in the program or switch to the defined benefit plan, subject to certain terms and conditions. The bill would require those employees who are subject to the bill's provisions, within 30 days of beginning employment, to choose either to contribute to the defined contribution plan, or to become a member of PERS. The bill would require, if an employee fails to make this decision within that timeframe, that the employee automatically be placed in PERS. The bill was set for hearing at the Senate PE & R Committee on April 9, but that hearing was cancelled and re-set for April 23.

SB 1270 (Vidak). CERL authorizes the retirement boards of 5 specified counties to appoint assistant administrators and chief investment officers who, following appointment, are outside county charter, civil service, and merit system rules. CERL also provides that these appointees are employees of the county, although they will serve at the pleasure of the appointing retirement board, and who may be dismissed without cause.
This bill would apply these provisions to any county if the board of supervisors for that county, by resolution adopted by majority vote, makes those provisions applicable in the county.

The bill passed out of the Senate PE & R Committee (5-0) on April 9, and ordered to consent.

SB 1433 (Moorlach). This bill was gutted and amended on April 2 and now would prohibit a county or district that is part of a CERL system having a Deferred Retirement Option Program (DROP) from allowing a member to participate in the program if that member was not participating in it on or before December 31, 2018. The bill would also prohibit such counties or districts from establishing a new or additional DROP. It is at the Senate PE & R Committee.

As noted in the previous report, the Senate Public Employees and Retirement Committee met on April 23rd, and a representative from CRCEA attended the meeting. A synopsis of the results of that meeting is noted below:

SB 1031 (Moorlach). This bill would prohibit all public retirement systems (except charter cities) from granting a COLA to any retiree for any year beginning on or after January 1, 2019, in which the unfunded actuarial liability of that system is greater than 20%. **Failed passage in committee:** (Ayes 1, Noes 3).

(Continued on page 8)

(Legislative Report continued from page 7)

SB 1032 (Moorlach). This bill applies to PERS. Existing law authorizes a contracting agency to terminate its contract with PERS if the contract has been in effect for at least 5 years.
This bill would authorize a contracting agency to terminate its contract with PERS at the agency's will and would not require the contracting agency to fully fund PERS's pension liability upon termination of the contract. The bill would also authorize PERS to reduce the member's benefits by the percentage of liability unfunded. It would also authorize a contracting agency who terminates its contract with PERS to transfer the assets accumulated in PERS to a pension provider designated by the contracting agency.
Failed passage in committee: (Ayes 1, Noes 3).

SB 1033 (Moorlach). This bill would require that an agency participating in PERS who increases the compensation of a member who was previously employed by a different agency to bear all actuarial liability for the action, if it results in an increased actuarial liability beyond what would have been reasonably expected for the member. Testimony was taken.
Will be heard again.

SB 1149 (Glazer). This bill would create a new optional defined contribution plan for new state employees who are eligible to become members of PERS and who choose not to make contributions into the defined benefit program.
Co-Author is Catharine Baker, 16th Assembly District
Failed passage in committee (Ayes 1, Noes 3).

CalPERS Long Term Care Litigation
Update May 2018
By Dave Muir, Chair
CalPERS Long Term Care Ad Hoc Committee

<u>Background</u>

In 1995, the California Legislature authorized CalPERS to compete in the long term care (LTC) insurance market by offering LTC policies to state and local government employees and their families. An aggressive marketing program by CalPERS led to more than 175,000 people enrolling in the program.

CalPERS promised low and consistent premiums, and guaranteed that inflation protection benefits would not result in premium increases. Key policy provisions stated that premiums will never increase due solely to a change in age or health, and that any premium changes would be the time of issue, and based on age for all similar coverages. The policy expressly prohibited rate increases to meet increasing liabilities caused by those who purchased inflation protection benefits.

In 2013, CalPERS announced it was increasing premiums by a whopping 85% for those with policies that included inflation protection and life time benefits. Many, after paying premiums for over 20 years, had to reduce benefits in order to avoid the 85% rate increase, or drop their coverage entirely.
Outrage at the premium rate increase was quick and extreme, resulting in a class action against CalPERS that was filed in February 2016 by one of the premier law firms that specialize in representing insurance policy holders. The actuarial firm that advised CalPERS in establishing the original premium rates was also sued.

<u>Settlement with Actuarial Firm</u>

In October 2017, a settlement was reached with the actuarial firm for $9.75 million. The settlement proceeds will be distributed as follows:

- $598,000 to plaintiffs' law firm to cover costs incurred to date
- $1,000,000 to the plaintiff's law firm to cover future costs of litigation
- $200,000 to the firm that administers class actions to cover administrative costs
- The balance (roughly $8,000,000) is to be distributed on a pro-rata basis to the approximately 122,800 members of the class, without the need to file a claim.
- The $9.75 million settlement against the actuaries is considered an excellent result, given the extreme difficulty of having to prove that the actuaries were negligent nearly 22 year ago when the original premium rates were established.
- In case you are part of the class for this action, the 122,800 could expect to receive something around $65.00 each.

<u>What's Next?</u> **Motion to Decertify the Class**: In order for a case to proceed as a class action, the plaintiff must satisfy the court that issues of law and fact predominate. The plaintiffs were able to pass this test at the outset, allowing the case to proceed as a class action. As the case gets closer to trial, and discovery has been completed, CalPERS can attempt to get the case dismissed by showing that additional facts have been uncovered that now show the issues of law and fact do *not* predominate.
The hearing on CalPERS' motion to decertify the class is set for a hearing on May 11, 2018.

Trial Date: The case has been tentatively set for trial on November 9, 2018. Tentative trial dates frequently get extended, so the actual date of trial could be later.

Latest Update: CalPERS made a motion before the court to have the LTC suit decertified. On May 10th, the court denied the decertification motion and said, "Decertification requires a new law or newly discovered evidence showing changed circumstances. A motion for decertification is not an opportunity for a disgruntled class defendant to seek a do-over of its previously unsuccessful opposition to certification."

CalPERS