

**ATTACHMENT C**

**RESPONDENT'S ARGUMENT**

RESPONDENTS ARGUMENT

Cheree Swedensky, Assistant to the Board  
CalPERS Executive Office  
P.O. Box 942701  
Sacramento, CA 94229

June 17, 2022

Dear Ms. Swedensky,

I am writing on behalf of my son, Michael Lemberger who is currently receiving psychiatric treatment at Contra Costa Regional Medical Center for bi-polar depression. On June 6, approximately 2:30 in the morning Michael was experiencing a manic episode. He was taken by ambulance to Kaiser Hospital, then transferred to Contra Costa Medical Center in Martinez. As of this date June 16th, he is still there. I have enclosed a letter documenting this.

In 2014 Michael was diagnosed with bi-polar depression at Kaiser Hospital after a manic episode. In April 2016 while driving his car he lost control and collided into the back of truck. Although he had other injuries, his legs took the brunt of the impact. He was taken to John Muir Trauma Center and spent a week in the intensive care unit.

Michael is dealing with two disabilities. One is his bi-polar disorder, the second is the damage to his knees. Both of these preclude his ability to conduct his duties as a custodian.

Michael has been declared fit to work by Dr. Henrichsen an expert in orthopedics.

Dr. Hendrichsen does not seem to understand the amount of physical activity it takes to perform

Custodial duties.

Michael has worked as a Custodian for 15 years. He is an expert. He has worked at every school in the Antioch district. He has worked day shifts, night shifts, and deep cleaning crews.

During the physical examination Dr. Hendrichsen noted that, "respondent did not appear to exaggerate his symptoms." Michael is not exaggerating when he says he cannot perform the physical duties required of a Custodian. I am requesting that you reconsider the decision to end his disability benefits.

Respectfully,

A handwritten signature in black ink that reads "Diana Lemberger". The signature is written in a cursive style with a large initial 'D' and a long, sweeping underline.

Diana Lemberger



June 13, 2022

RE: Michael D. Lemberger

DOB: [REDACTED]

To Whom It May Concern:

This is to inform you that Michael D. Lemberger was admitted to the inpatient psychiatric unit at Contra Costa Regional Medical Center for treatment on June 6, 2022. At this time, he remains a patient at this facility, and his discharge date is currently undetermined. I am his treating psychiatrist on the unit.

Sincerely,

Jasbir Singh, MD

Staff Psychiatrist

Contra Costa Regional Medical Center, Unit 4C



Diana Lemberger



OAKLAND, CA 945

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