

**ATTACHMENT C**

**RESPONDENT'S ARGUMENT**

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Attorney for Respondent, Zachary D. Dean

BOARD OF ADMINISTRATION

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION

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In the Matter of the Reinstatement from	)	Case No.:	2022-0509
Industrial Disability Retirement of:	)	OAH No.:	2022100050
	)		
ZACHARY D. DEAN	)		
	)		
Respondent,	)		
	)		
v.	)	<b>RESPONDENT'S ARGUMENT</b>	
	)		
CALIFORNIA STATE PRISON,	)		
CORCORAN CALIFORNIA	)		
DEPARTMENT OF CORRECTIONS	)		
AND REHABILITATION,	)	Meeting Date: January 16, 2024	
	)		
Respondent.	)		
_____	)		

Respondent, Zachary Dean, presents the following argument in favor of the adoption of the Proposed Decision:

Respondent Zachary Dean, through his attorney, Thomas J. Tusan, urges the adoption

of the Proposed Decision issued herein by Administrative Law Judge Coren D. Wong on November 20, 2023 which ordered the granting of respondent's appeal from CalPERS' determination that he was no longer substantially incapacitated from the performance of his usual duties as a correctional officer with respondent California State Prison, Corcoran, California Department of Corrections and Rehabilitation due to an orthopedic (left shoulder) condition.

Dated: November 30, 2023



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THOMAS J. TUSAN  
Attorney for Respondent  
Zachary D. Dean

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of Fresno, State of California. I am over the age of 18 and not a party to the within action; my business address is 1233 West Shaw, Suite 100, Fresno, CA 93711.

On November 30, 2023, I served the foregoing document described as Respondent's Argument on Parties Listed Below in this action by placing a true copy thereof enclosed in a sealed envelope and by causing such envelope to be delivered as noted below:

- X        MAIL – Placed in the United States Mail at Fresno, California.
- EXPRESS MAIL – Placed in the Express Mail Box of the United States Mail at Fresno, California.
- PERSONAL SERVICE – Delivered by hand to the Addressee addressed as follows:
- FACSIMILE – Sent by FAX at the number indicated.

Zachary Dean

[REDACTED]  
Board Services Unit Coordinator  
California Public Employees' Retirement System  
P.O. Box 942701  
Sacramento, CA 94229-2701

Matthew G. Jacobs, Esq.  
Mehron Assadi, Esq.  
CalPERS  
P.O. Box 942707  
Sacramento, CA 94229-2707

Executed on November 30, 2023, at Fresno, California.

I declare under penalty of perjury that the above is true and correct.

  
PERESA J. PERALES