

**NEW CASE REPORT**

<b>Name of Case (full name):</b>	<b>Thomas, Elida L. (Anthony J. Thomas Dec.) v. CalPERS</b>
Date Received By Legal Office:	8/1/13
Attorney Contact(s):	Wesley E. Kennedy
Program Contact:	BNSD
Plaintiff(s):	Elida L. Thomas
Defendant(s):	California Public Employees' Retirement System
Other Parties:	Anthony J. Thomas
Issues/Status:	This is a community property/death benefits case. An order was issued for CalPERS to continue to pay benefits to Elida L. Thomas, former wife of Anthony Thomas, even though both Mr. Thomas and his second wife had died. This order violated the PERL. A settlement was reached and the order withdrawn.
Potential Monetary Impact:	Positive monetary impact on the PERF.

<b>Name of Case (full name):</b>	<b>Elma Sanchez and Holly Wedding, individually and on behalf of all others similarly situated, v. California Public Employees Retirement System and Does 1 through 100, inclusive</b>
Date Received By Legal Office:	8/8/13
Attorney Contact(s):	Marguerite D. Seabourn
Program Contact:	OLTC
Plaintiff(s):	Elma Sanchez and Holly Wedding, individually and on behalf of all others similarly situated
Defendant(s):	California Public Employees Retirement System and Does 1 through 100, inclusive
Other Parties:	
Issues/Status:	This putative Class Action lawsuit by Long Term Care (LTC) Plan members sets forth causes of action for Breach of Contract; Breach of the Implied Covenant of Good Faith And Fair Dealing; Rescission; Declaratory Relief and Injunctive Relief. Plaintiffs claim that CalPERS breached its contract with LTC purchasers by allegedly promising that LTC premiums would never increase during the lifetime of the purchaser, but then increasing the premiums, and by failing to continue the Inflation Protection Benefit without an increase in premiums. CalPERS responsive pleading is due October 9, 2013.
Potential Monetary Impact:	Unknown at this time.

<b>Name of Case (full name):</b>	<b>Abdel-Moaty Fayek v. The Board of Trustees of the California State University aka Chico State, aka CSU-Chico, a public entity; Mike Ward, an individual; Sandra M. Flake, an individual; Paul J. Zingg, an individual; the CSU, Chico Research Foundation aka The Foundation aka Research Foundation aka University Foundation aka Associated Students, a California Corporation; California Public Employees' Retirement System aka CalPERS, a public entity; and DOES 1 through 50, inclusive</b>
<b>Date Received By Legal Office:</b>	August 21, 2013
<b>Attorney Contact(s):</b>	Marguerite D. Seabourn
<b>Program Contact:</b>	RAS
<b>Plaintiff(s):</b>	Abdel-Moaty Fayek
<b>Defendant(s):</b>	The Board of Trustees of the California State University aka Chico State, aka CSU-Chico, a public entity; Mike Ward, an individual; Sandra M. Flake, an individual; Paul J. Zingg, an individual; the CSU, Chico Research Foundation aka The Foundation aka Research Foundation aka University Foundation aka Associated Students, a California Corporation; California Public Employees' Retirement System aka CalPERS, a public entity; and DOES 1 through 50, inclusive
<b>Other Parties:</b>	
<b>Issues/Status:</b>	Abdel-Moaty Fayek alleges he was shortchanged approximately ten years of service credit from his CalPERS account.

	<p>The complaint lists 20 different causes of action, nine of which are alleged against CalPERS, as follows: Breach of Contract due to retroactive reduction of service credit; violation of contracts clause of California Constitution, Article 1, Section 9; violation of California Constitution, Article XVI for conspiring and deferring to the misconduct of other Defendants by retroactively reducing service credit; violation of Government Code Sections 20000 – 22970.89, including but not limited to Section 22970.88 (Supplemental Contributions Program section on cessation of Plan’s obligations) and CalPERS Regulations 550-559.554 (Regulations on Administration of the Fund); promissory estoppel; equitable estoppel; declaratory relief; injunctive relief; anticipatory repudiation and specific performance. CalPERS responsive pleading is due September 20, 2013.</p>
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Potential Monetary Impact:	Unknown at this time.
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