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October 9, 2014
BY EMAIL AND U.S. MAIL

Wesley Kennedy
Senior Staff Counsel
CalPERS Legal Office
PO Box 942707
Sacramento, CA 94229-2707

Re: In Re the Pension Calculation of Richard Lewis
CalPERS Case No. 20140256, OAH Case No.: 2014040945

Dear Mr. Kennedy:

I am following up on your plans for the conduct of the upcoming administrative hearing on the above matter set for October 13 and 14, 2014, at the CalPERS Regional Office, 650 E. Hospitality Lane, Suite 330, San Bernardino, CA 92408.

I previously served you with subpoenas for both **Anthony Suine** and for a **CalPERS PMK** to appear at the hearing to bring documents and provide testimony concerning CalPERS' policies for determining the "final compensation" of safety employees (a) who have a one year final compensation period, (b) who are placed on disability leave from active duty, (c) who remain on disability leave for at least the final year of their employment without performing any active duty employment responsibilities, and (d) who then retire without returning to active duty.

As I told you, I am amenable to having the PMK appear in Mr. Suine's place, so long as you produce someone with authority to testify and who will produce any relevant documents concerning these matters.

I have not heard anything from you about your plans since last week when you told me that you were still looking into the availability of either witness. Please let me know right away will be appearing. I would like the appropriate person to appear on the second day of hearing, **October 14th, at 10:00 am.**

Naturally, should you wish to discuss the issues raised in this letter or any others, please do not hesitate to contact me.

Very truly yours,


John Michael Jensen

JMJ:gm

