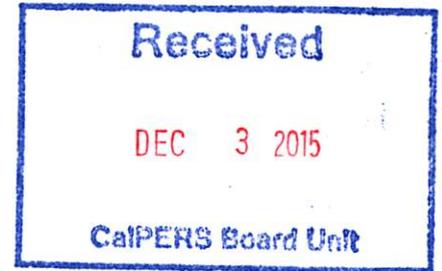


**ATTACHMENT C**  
**RESPONDENT ARGUMENT**

December 1, 2015  
Ref No. 2013-0159

"Respondent's Argument"



Dear: Board of Administration (Board) of the California Public Employees' Retirement System (CalPERS)

Let me start by stating that I respect the proposed decision of the Administrative Law Judge in this matter. My argument is simple I'm asking this (Board) either decline or adopt this decision in favor of its own decision. When Dr. Barnett decided to medically retire me from the Department of Corrections and Rehabilitation it was based on numerous cognitive sessions and multiple attempts to send me back to work as a correctional officer without success. All you have to do is read his medical reports and you will see that the decision he made to retire me was not taken lightly. Only Dr. Barnett can attest to what I went through working for the department. If I recall correctly even CalPERS Dr. Maloff testified to Dr. Barnett's medical findings. CalPERS argument is that I refused to take anti-psychotic medication, yet they still approved my industrial disability retirement. I have never refused to work Dr. Barnett medically decided that I can no longer perform the duties of a correctional officer. Since this is an involuntary reinstatement I only have one question for this (Board). Does CalPERS fully accept liability for this decision? All I ask of this (Board) is to look at all the medical reports. I look forward to hearing from this (board) thank you very much.

Regards,

A handwritten signature in black ink, appearing to read "Marcos Rivera".

Marcos Rivera