

ATTACHMENT C
RESPONDENT(S) ARGUMENT(S)

Paul G. Mast, Judge, Retired

October 24, 2016

Board of Administration
California Public Employees Retirement System

Cheree Swedensky, Assistant to the Board
CalPERS Executive Office
P.O. Box 942701
Sacramento, CA 94229-2701



Rax: (916) 795-3972

2010 - 0925

Ladies and Gentlemen:

The Board remanded this matter to the ALJ for reconsideration as to whether JRS has a right to recoup any previous overpayments made to Respondent. The ALJ's Proposed Decision stated that JRS had no right to recoup any payments or any amounts.

On rehearing and reconsideration, the ALJ came to the same conclusion, stating that JRS shall be estopped from adjusting Respondent's future retirement benefits to recoup any of the payments made pursuant to the Settlement Agreement.

The ALJ made its decision considering the payments made without discussing the fact that the Board, through JRS and its attorneys, had entered into a contract with Respondent calling for payments to be made in accordance with the terms of the contract. The ALJ apparently did not rule on the contractual obligations of the Board and JRS, as it was not necessary in view of the decision that the ALJ made.

The ALJ did refer in the Proposed Decision On Remand to the fact that a valid contract was entered into between Petitioner and Respondent, quoting from the Contract: ". . . agree to enter this settlement agreement as a legally binding contract . . ."

The ALJ also pointed out that a valid contract could only be rescinded if it were rescinded pursuant to Civil Code §§1689-1691. This has never been done. As such the contract is still valid and binding on the parties. In accordance with the rules and procedures of CalPERS, to rescind the contract an Accusation must first be filed and the administrative procedure must be followed. The ALJ stated:

In its Post-Hearing Brief, JRS asserts that 'JRS is entitled to rescind the Settlement Agreement,' and cites Civil Code section 1689. This assertion was not in the Statement of Issues, and it is

questionable whether orders regarding such contractual remedies under the Civil Code, including the rescission of a settlement agreement, can be made in this proceeding. Consequently, a determination of whether the settlement agreement can be rescinded under Civil Code section 1689 will not be made in this Proposed Decision.

In another part of its Proposed Decision, the ALJ stated:

If CalPERS (or in this case, the JRS administered by CalPERS) initiates the process to take away a person's right or benefit (e.g. involuntarily discontinuing disability retirement), an Accusation should be filed and CalPERS has the burden of proving the propriety of eliminating that right or benefit.

No such Accusation was ever filed.

The leading case in regard to rescission of contracts is: *Gedstad v. Ellichman*, 124 Cal.App.2d 831 (1954), which states in part "that Section 1691, Civil Code, requires the party who wishes to rescind an agreement to use reasonable diligence to rescind promptly when aware of his right and free from undue influence or disability."

No action pursuant to Civil Code §1691, whether by the filing of an Accusation or otherwise was ever initiated by JRS to rescind the Settlement Agreement which is the basis of this case. The Settlement Agreement is a binding contract between Respondent and Petitioner. It is in full force and effect and even though Petitioner now does not desire to follow it, Petitioner is contractually bound to follow it and must abide by the terms of the contract.

Respondent feels it is necessary to consider the motivation of the Board to remand the matter back to the ALJ. In the submission prior to the consideration of the Proposed Decision Petitioner's counsel made untrue inflammatory statements.

First, counsel stated that Respondent threatened and coerced the attorney for JRS and JRS to force them to enter into the contract (Settlement Agreement). This was considered by the ALJ, who found:

Contrary to JRS's assertion, the settlement agreement was not 'given by mistake or obtained through duress, menace, fraud or undue influence'. . . JRS' attempts to now characterize Respondent as threatening JRS to settle the prior OAH case is overreaching . . . The agreement was not formed through duress, menace or undue influence by Respondent, but was negotiated by Respondent zealously advocating his position and by JRS (with its decision-making resources including legal counsel at its disposal) determining that it could and would enter into the settlement

agreement. . . .

Respondent did not fail to provide lawful consideration. Respondent agreed to keep the terms of the settlement agreement confidential and agreed to forego the OAH hearing scheduled in 1996.

Second, counsel stated that Respondent threatened and coerced the Board by letters on September 1, 2010 to have JRS make the payments Respondent claimed were due. This is false and did not happen. Respondent did write a letter to each and every member of the Board on September 1, 2010, requesting that the Board take action to compel JRS to fulfill its duty under the contract, which they had breached repeatedly over a period of seven years. This letter was not a threat; it was a plea for assistance. No response was received from any member of the Board.

Respondent received a letter from JRS dated May 24, 2016 (Exhibit A) informing him that beginning with the benefit payment due on 6/30/16 his benefit payments would be reduced by \$637.55. In addition, prior overpayments would be recouped at the rate of \$318.90 per month for two months. The letter stated, “. . .the CalPERS Board of Administration agreed with the enclosed proposed decisions’ recommendation that your retirement allowance should be calculated in accordance with the Judges’ Retirement Law.” Whether the Board did so agree or not we do not know. The Board did not adopt the Proposed Decision and did not make an order thereon. Even if it had, any decision would not be final until it was final after the passage of 30 days, or affirmed by a decision of the Superior Court, if the matter was timely filed therein. Respondent determined that this action was taken upon the order of Jeffrey Rieger, of Reed & Smith, the attorney for CalPERS. This order was not only over-reaching, it was unlawful and contrary to the rules and procedures of CalPERS.

Respondent immediately wrote to the Board in this regard, but the only response he received was a curt notification from an attorney that he was not allowed to contact the Board.

The recoupment amount continued for two months (June and July) and then stopped. The lowering of retirement benefits continues.

The Board should order that these illegally deducted amounts be paid to Respondent immediately.

Pursuant to the Contract, there is due and owing to Respondent (including the amounts illegally deducted, above) as of November 1, 2016 the amount of \$334,325. The monthly retirement benefit should be \$9,593.69. An accounting is attached as Exhibit B.

Thank you,



Paul G. Mast

EXHIBIT A



P.O. Box 942705 Sacramento, CA 94229-2705
916-795-3688
TTY: (877) 249-7442 | Fax: 916-795-1500
www.calpers.ca.gov

Judges' Retirement System

May 24, 2016

Paul G. Mast

CID:

Dear Judge Mast:

At its meeting on April 20, 2016, the CalPERS Board of Administration agreed with the enclosed proposed decision's recommendation that your retirement allowance should be calculated in accordance with the Judges' Retirement Law. The Board also remanded your administrative appeal back to the Office of Administrative Hearings, for the taking of additional evidence and argument regarding the issue of whether the JRS should recover any overpayments that it made to you prior to April 20, 2016.

Beginning with your June 30, 2016, warrant; your monthly allowance will be 49.4572% of superior court judge's salary, as required by the Judges' Retirement Law. The current monthly salary of a superior court judges' is \$15,753.41, so your monthly retirement allowance will be \$7,791.20 (before your Medicare Reimbursement).

Additionally, the JRS will recover the \$318.90 overpayments made to you in April and May 2016. The JRS will deduct \$318.90 from your June 30, 2016, and July 31, 2016, warrants to recover these overpayments.

All future increases to your retirement allowance will be based on statutory increases to the judicial salaries of superior court judges, as required by the Judges' Retirement Law.

Any questions regarding this letter or the remanded proceedings in the Office of Administrative Hearings should be directed to Jeff Rieger, at Reed Smith, LLP, who may be reached at 415.659.4883.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Watson".

JENNIFER WATSON
Assistant Chief
Judges' Retirement System

Kex BA

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EXHIBIT B

A B C D E F H M O P Q R
RETIREMENT BENEFIT CALCULATIONS-JANUARY 1, 1997 TO PRESENT

PAUL G. MAST

Daily Interest Calculation	
Assumes interest is calculated based on daily interest using a 365 day year X the number of days in period	
Total Amount Due Nov 1, 2016	334,325
Total Principal due	167,913
Total Accrued Interest Du	166,412

COLA ADJUSTED SALARY PERIOD CALCULATION

Start Da 12/31/96 49.4572% 0.0000%

Year	Month	COLA Increase	Annual Salary	Monthly Salary Protected	Total Benefit Due	Benefit Paid	Amount Owed in Period	Accum Amount Owed	Number of Days Interest Due	Daily Interest due from prior pmt date @
1997	1/1/97		143,004.38	11,917.03	5,893.83	5,893.83	5,720.08	173.75	31	-
1997	2/1/97			11,917.03	5,893.83	5,893.83	5,720.08	173.75	31	1.48
1997	3/1/97			11,917.03	5,893.83	5,893.83	5,720.08	173.75	28	2.68
1997	4/1/97			11,917.03	5,893.83	5,893.83	5,720.08	173.75	31	4.46
1997	5/1/97			11,917.03	5,893.83	5,893.83	5,720.08	173.75	30	5.77
1997	6/1/97			11,917.03	5,893.83	5,893.83	5,720.08	173.75	31	7.48
1997	7/1/97			11,917.03	5,893.83	5,893.83	6,936.93	(1,043.10)	30	8.72
1997	8/1/97			11,917.03	5,893.83	5,893.83	5,893.83	0.00	31	0.18
1997	9/1/97	1.026	146,436.49	12,203.04	6,035.28	6,035.28	5,893.83	141.45	31	0.26
1997	10/1/97			12,203.04	6,035.28	6,035.28	5,893.83	141.45	30	1.42
1997	11/1/97			12,203.04	6,035.28	6,035.28	5,893.83	141.45	31	2.67
1997	12/1/97			12,203.04	6,035.28	6,035.28	5,893.83	141.45	30	3.76
1998	1/1/98			12,203.04	6,035.28	6,035.28	5,893.83	141.45	31	5.12
1998	2/1/98			12,203.04	6,035.28	6,035.28	5,893.83	141.45	31	6.36
1998	3/1/98			12,203.04	6,035.28	6,035.28	5,893.83	141.45	28	6.87
1998	4/1/98			12,203.04	6,035.28	6,035.28	6,436.07	(400.79)	31	8.87
1998	5/1/98			12,203.04	6,035.28	6,035.28	6,029.39	5.89	30	5.33
1998	6/1/98			12,203.04	6,035.28	6,035.28	6,029.39	5.89	31	5.64
1998	7/1/98			12,203.04	6,035.28	6,035.28	6,029.39	5.89	30	5.55
1998	8/1/98			12,203.04	6,035.28	6,035.28	6,029.39	5.89	31	5.83
1998	9/1/98	1.019	150,243.83	12,520.32	6,192.20	6,192.20	6,029.39	162.81	31	5.93
1998	10/1/98			12,520.32	6,192.20	6,192.20	6,029.39	162.81	30	7.13
1998	11/1/98			12,520.32	6,192.20	6,192.20	6,029.39	162.81	31	8.80
1998	12/1/98			12,520.32	6,192.20	6,192.20	6,029.39	162.81	30	9.92
1999	1/1/99			12,520.32	6,192.20	6,192.20	6,029.39	162.81	31	11.72
1999	2/1/99			12,520.32	6,192.20	6,192.20	6,029.39	162.81	31	13.19
1999	3/1/99			12,520.32	6,192.20	6,192.20	6,029.39	162.81	28	13.25
1999	4/1/99			12,520.32	6,192.20	6,192.20	6,029.39	162.81	31	16.18
1999	5/1/99			12,520.32	6,192.20	6,192.20	6,029.39	162.81	30	17.11
1999	6/1/99			12,520.32	6,192.20	6,192.20	6,029.39	162.81	31	19.21
1999	7/1/99			12,520.32	6,192.20	6,192.20	6,029.39	162.81	30	20.07
1999	8/1/99			12,520.32	6,192.20	6,192.20	6,801.25	(609.05)	31	22.29
1999	9/1/99	1.03	153,098.47	12,758.21	6,309.85	6,309.85	6,125.96	183.89	31	17.27
1999	10/1/99			12,758.21	6,309.85	6,309.85	6,125.96	183.89	30	18.41
1999	11/1/99			12,758.21	6,309.85	6,309.85	6,125.96	183.89	31	20.74
1999	12/1/99			12,758.21	6,309.85	6,309.85	6,125.96	183.89	30	21.74
2000	1/1/00			12,758.21	6,309.85	6,309.85	6,125.96	183.89	31	24.21
2000	2/1/00			12,758.21	6,309.85	6,309.85	6,125.96	183.89	31	25.97
2000	3/1/00			12,758.21	6,309.85	6,309.85	6,532.10	(222.25)	29	25.95
2000	4/1/00			12,758.21	6,309.85	6,309.85	6,261.34	48.51	31	26.07
2000	5/1/00			12,758.21	6,309.85	6,309.85	6,261.34	48.51	30	25.84
2000	6/1/00			12,758.21	6,309.85	6,309.85	6,261.34	48.51	31	27.34
2000	7/1/00			12,758.21	6,309.85	6,309.85	6,261.34	48.51	30	27.07
2000	8/1/00			12,758.21	6,309.85	6,309.85	6,261.34	48.51	31	28.62
2000	9/1/00	1.043	157,691.42	13,140.95	6,499.15	6,499.15	6,261.34	237.81	31	29.27
2000	10/1/00			13,140.95	6,499.15	6,499.15	6,261.34	237.81	30	30.52
2000	11/1/00			13,140.95	6,499.15	6,499.15	6,261.34	237.81	31	33.82
2000	12/1/00			13,140.95	6,499.15	6,499.15	6,261.34	237.81	30	34.93
2001	1/1/01			13,140.95	6,499.15	6,499.15	6,261.34	237.81	31	38.42
2001	2/1/01			13,140.95	6,499.15	6,499.15	6,261.34	237.81	31	40.75
2001	3/1/01			13,140.95	6,499.15	6,499.15	6,892.48	(393.33)	28	38.92
2001	4/1/01			13,140.95	6,499.15	6,499.15	6,471.72	27.43	31	40.10
2001	5/1/01			13,140.95	6,499.15	6,499.15	6,471.72	27.43	30	39.34

Start Da 12/31/96

49.4572%

0.0000%

Total Accrued Interest Du 166,412

Year	Month	COLA Increase	Annual Salary	Monthly Salary Protected	Total Benefit Due	Benefit Paid	Amount Owed in Period	Accum Amount Owed	Number of Days Interest Due	Daily Interest due from prior pmt date @
2001	6/1/01			13,140.95	6,499.15	6,499.15	6,471.72	27.43	31	41.24
2001	7/1/01			13,140.95	6,499.15	6,499.15	6,471.72	27.43	30	40.45
2001	8/1/01			13,140.95	6,499.15	6,499.15	6,471.72	27.43	31	42.39
2001	9/1/01	1.025	164,472.15	13,706.01	6,778.61	6,778.61	6,471.72	306.89	31	42.97
2001	10/1/01			13,706.01	6,778.61	6,778.61	6,471.72	306.89	30	44.46
2001	11/1/01			13,706.01	6,778.61	6,778.61	6,471.72	306.89	31	48.93
2001	12/1/01			13,706.01	6,778.61	6,778.61	6,471.72	306.89	30	50.25
2002	1/1/02			13,706.01	6,778.61	6,778.61	6,471.72	306.89	31	54.96
2002	2/1/02			13,706.01	6,778.61	6,778.61	6,471.72	306.89	31	58.01
2002	3/1/02			13,706.01	6,778.61	6,778.61	6,471.72	306.89	28	55.16
2002	4/1/02			13,706.01	6,778.61	6,778.61	6,471.72	306.89	31	64.21
2002	5/1/02			13,706.01	6,778.61	6,778.61	6,471.72	306.89	30	65.12
2002	6/1/02			13,706.01	6,778.61	6,778.61	6,471.72	306.89	31	70.46
2002	7/1/02			13,706.01	6,778.61	6,778.61	6,471.72	306.89	30	71.25
2002	8/1/02			13,706.01	6,778.61	6,778.61	6,471.72	306.89	31	76.85
2002	9/1/02	1.03	168,583.96	14,048.66	6,948.08	6,948.08	6,471.72	476.36	31	80.08
2002	10/1/02			14,048.66	6,948.08	6,948.08	6,471.72	476.36	30	82.05
2002	11/1/02			14,048.66	6,948.08	6,948.08	6,471.72	476.36	31	89.54
2002	12/1/02			14,048.66	6,948.08	6,948.08	8,646.24	(1,698.16)	30	91.25
2003	1/1/03			14,048.66	6,948.08	6,948.08	6,652.93	295.15	31	80.58
2003	2/1/03			14,048.66	6,948.08	6,948.08	6,652.93	295.15	31	83.88
2003	3/1/03			14,048.66	6,948.08	6,948.08	6,652.93	295.15	28	78.62
2003	4/1/03			14,048.66	6,948.08	6,948.08	6,652.93	295.15	31	90.31
2003	5/1/03			14,048.66	6,948.08	6,948.08	6,652.93	295.15	30	90.47
2003	6/1/03			14,048.66	6,948.08	6,948.08	6,652.93	295.15	31	96.79
2003	7/1/03			14,048.66	6,948.08	6,948.08	6,652.93	295.15	30	96.84
2003	8/1/03			14,048.66	6,948.08	6,948.08	6,652.93	295.15	31	103.42
2003	9/1/03	1.016	173,641.47	14,470.12	7,156.52	7,156.52	6,652.93	503.59	31	106.76
2003	10/1/03			14,470.12	7,156.52	7,156.52	6,652.93	503.59	30	108.31
2003	11/1/03			14,470.12	7,156.52	7,156.52	6,652.93	503.59	31	117.14
2003	12/1/03			14,470.12	7,156.52	7,156.52	10,080.40	(2,923.88)	30	118.40
2004	1/1/04			14,470.12	7,156.52	7,156.52	6,652.93	503.59	31	98.43
2004	2/1/04			14,470.12	7,156.52	7,156.52	6,652.93	503.59	31	103.73
2004	3/1/04			14,470.12	7,156.52	7,156.52	6,652.93	503.59	29	101.81
2004	4/1/04			14,470.12	7,156.52	7,156.52	6,652.93	503.59	31	114.04
2004	5/1/04			14,470.12	7,156.52	7,156.52	6,652.93	503.59	30	115.35
2004	6/1/04			14,470.12	7,156.52	7,156.52	6,652.93	503.59	31	124.47
2004	7/1/04			14,470.12	7,156.52	7,156.52	6,652.93	503.59	30	125.55
2004	8/1/04			14,470.12	7,156.52	7,156.52	6,652.93	503.59	31	135.11
2004	9/1/04	1.036	176,419.74	14,701.64	7,271.02	7,271.02	6,652.93	618.09	31	140.47
2004	10/1/04			14,701.64	7,271.02	7,271.02	6,652.93	618.09	30	142.14
2004	11/1/04			14,701.64	7,271.02	7,271.02	6,652.93	618.09	31	153.37
2004	12/1/04			14,701.64	7,271.02	7,271.02	6,652.93	618.09	30	154.67
2005	1/1/05			14,701.64	7,271.02	7,271.02	6,652.93	618.09	31	166.43
2005	2/1/05			14,701.64	7,271.02	7,271.02	6,652.93	618.09	31	173.02
2005	3/1/05			14,701.64	7,271.02	7,271.02	6,652.93	618.09	28	162.25
2005	4/1/05			14,701.64	7,271.02	7,271.02	7,360.81	(89.79)	31	186.46
2005	5/1/05			14,701.64	7,271.02	7,271.02	6,829.90	441.12	30	181.02
2005	6/1/05			14,701.64	7,271.02	7,271.02	6,829.90	441.12	31	192.43
2005	7/1/05			14,701.64	7,271.02	7,271.02	6,829.90	441.12	30	191.33
2005	8/1/05			14,701.64	7,271.02	7,271.02	6,829.90	441.12	31	203.14
2005	9/1/05	1.037	182,770.85	15,230.90	7,532.78	7,532.78	6,829.90	702.88	31	208.53
2005	10/1/05			15,230.90	7,532.78	7,532.78	6,829.90	702.88	30	209.25
2005	11/1/05			15,230.90	7,532.78	7,532.78	6,829.90	702.88	31	224.03
2005	12/1/05			15,230.90	7,532.78	7,532.78	6,829.90	702.88	30	224.30
2006	1/1/06			15,230.90	7,532.78	7,532.78	6,829.90	702.88	31	239.71
2006	2/1/06			15,230.90	7,532.78	7,532.78	6,829.90	702.88	31	247.62
2006	3/1/06			15,230.90	7,532.78	7,532.78	6,829.90	702.88	28	230.82
2006	4/1/06			15,230.90	7,532.78	7,532.78	6,829.90	702.88	31	263.76
2006	5/1/06			15,230.90	7,532.78	7,532.78	6,829.90	702.88	30	262.93
2006	6/1/06			15,230.90	7,532.78	7,532.78	6,928.93	603.85	31	279.97
2006	7/1/06			15,230.90	7,532.78	7,532.78	6,928.93	603.85	30	278.05
2006	8/1/06			15,230.90	7,532.78	7,532.78	6,928.93	603.85	31	294.90
2006	9/1/06	1.033	189,533.37	15,794.45	7,811.49	7,811.49	6,928.93	882.56	31	302.42

Start Da 12/31/96

49.4572%

0.0000%

Total Accrued Interest Du 166,412

Year	Month	COLA Increase	Annual Salary	Monthly Salary Protected	Total Benefit Due	Benefit Paid	Amount Owed in Period	Accum Amount Owed	Number of Days Interest Due	Daily Interest due from prior pmt date @	
2006	10/1/06			15,794.45	7,811.49	7,811.49	6,928.93	882.56	37,823.93	30	302.34
2006	11/1/06			15,794.45	7,811.49	7,811.49	6,928.93	882.56	39,008.83	31	322.57
2006	12/1/06			15,794.45	7,811.49	7,811.49	6,928.93	882.56	40,213.96	30	321.90
2007	1/1/07			15,794.45	7,811.49	7,811.49	6,928.93	882.56	41,418.42	31	342.95
2007	2/1/07			15,794.45	7,811.49	7,811.49	6,928.93	882.56	42,643.93	31	353.22
2007	3/1/07			15,794.45	7,811.49	7,811.49	6,928.93	882.56	43,879.72	28	328.34
2007	4/1/07			15,794.45	7,811.49	7,811.49	6,928.93	882.56	45,090.62	31	374.21
2007	5/1/07			15,794.45	7,811.49	7,811.49	6,928.93	882.56	46,347.40	30	372.08
2007	6/1/07			15,794.45	7,811.49	7,811.49	6,928.93	882.56	47,602.04	31	395.26
2007	7/1/07			15,794.45	7,811.49	7,811.49	6,928.93	882.56	48,879.86	30	392.81
2007	8/1/07			15,794.45	7,811.49	7,811.49	6,928.93	882.56	50,155.23	31	416.85
2007	9/1/07	1.041	195,787.97	16,315.66	8,069.27	8,069.27	6,928.93	1,140.34	51,712.42	31	427.73
2007	10/1/07			16,315.66	8,069.27	8,069.27	6,928.93	1,140.34	53,280.50	30	426.73
2007	11/1/07			16,315.66	8,069.27	8,069.27	6,928.93	1,140.34	54,847.56	31	454.38
2007	12/1/07			16,315.66	8,069.27	8,069.27	6,928.93	1,140.34	56,442.29	30	452.60
2008	1/1/08			16,315.66	8,069.27	8,069.27	6,928.93	1,140.34	58,035.23	31	481.35
2008	2/1/08			16,315.66	8,069.27	8,069.27	6,928.93	1,140.34	59,656.91	31	494.93
2008	3/1/08			16,315.66	8,069.27	8,069.27	6,928.93	1,140.34	61,292.19	29	475.81
2008	4/1/08			16,315.66	8,069.27	8,069.27	6,928.93	1,140.34	62,908.34	31	522.71
2008	5/1/08			16,315.66	8,069.27	8,069.27	6,928.93	1,140.34	64,571.39	30	519.11
2008	6/1/08			16,315.66	8,069.27	8,069.27	6,928.93	1,140.34	66,230.84	31	550.67
2008	7/1/08			16,315.66	8,069.27	8,069.27	6,928.93	1,140.34	67,921.86	30	546.53
2008	8/1/08			16,315.66	8,069.27	8,069.27	6,928.93	1,140.34	69,608.73	31	579.25
2008	9/1/08	1.001	203,815.28	16,984.61	8,400.11	8,400.11	6,928.93	1,471.18	71,659.16	31	593.63
2008	10/1/08			16,984.61	8,400.11	8,400.11	6,928.93	1,471.18	73,723.97	30	591.33
2008	11/1/08			16,984.61	8,400.11	8,400.11	6,928.93	1,471.18	75,786.48	31	628.73
2008	12/1/08			16,984.61	8,400.11	8,400.11	6,928.93	1,471.18	77,886.39	30	625.38
2009	1/1/09			16,984.61	8,400.11	8,400.11	6,928.93	1,471.18	79,982.95	31	664.23
2009	2/1/09			16,984.61	8,400.11	8,400.11	6,928.93	1,471.18	82,118.36	31	682.11
2009	3/1/09			16,984.61	8,400.11	8,400.11	6,928.93	1,471.18	84,271.65	28	632.28
2009	4/1/09			16,984.61	8,400.11	8,400.11	6,928.93	1,471.18	86,375.11	31	718.68
2009	5/1/09			16,984.61	8,400.11	8,400.11	6,928.93	1,471.18	88,564.97	30	712.76
2009	6/1/09			16,984.61	8,400.11	8,400.11	6,928.93	1,471.18	90,748.91	31	755.30
2009	7/1/09			16,984.61	8,400.11	8,400.11	6,928.93	1,471.18	92,975.39	30	748.85
2009	8/1/09			16,984.61	8,400.11	8,400.11	6,928.93	1,471.18	95,195.42	31	792.91
2009	9/1/09	1.021	204,019.09	17,001.59	8,408.51	8,408.51	6,928.93	1,479.58	97,467.91	31	811.84
2009	10/1/09			17,001.59	8,408.51	8,408.51	6,928.93	1,479.58	99,759.33	30	804.30
2009	11/1/09			17,001.59	8,408.51	8,408.51	6,928.93	1,479.58	102,043.21	31	850.76
2009	12/1/09			17,001.59	8,408.51	8,408.51	6,928.93	1,479.58	104,373.55	30	842.05
2010	1/1/10			17,001.59	8,408.51	8,408.51	6,928.93	1,479.58	106,695.19	31	890.11
2010	2/1/10			17,001.59	8,408.51	8,408.51	6,928.93	1,479.58	109,064.88	31	909.91
2010	3/1/10			17,001.59	8,408.51	8,408.51	6,928.93	1,479.58	111,454.37	28	839.76
2010	4/1/10			17,001.59	8,408.51	8,408.51	6,928.93	1,479.58	113,773.72	31	950.50
2010	5/1/10			17,001.59	8,408.51	8,408.51	6,928.93	1,479.58	116,203.80	30	938.85
2010	6/1/10			17,001.59	8,408.51	8,408.51	6,928.93	1,479.58	118,622.23	31	991.00
2010	7/1/10			17,001.59	8,408.51	8,408.51	6,928.93	1,479.58	121,092.81	30	978.86
2010	8/1/10			17,001.59	8,408.51	8,408.51	17,334.98	(8,926.47)	113,145.20	31	1,032.70
2010	9/1/10	1.014	208,303.49	17,358.62	8,585.09	8,585.09	7,438.09	1,147.00	115,324.90	31	964.92
2010	10/1/10			17,358.62	8,585.09	8,585.09	7,438.09	1,147.00	117,436.82	30	951.65
2010	11/1/10			17,358.62	8,585.09	8,585.09	7,438.09	1,147.00	119,535.47	31	1,001.52
2010	12/1/10			17,358.62	8,585.09	8,585.09	7,438.09	1,147.00	121,683.99	30	986.40
1/2011	1/1/11			17,358.62	8,585.09	8,585.09	7,438.09	1,147.00	123,817.39	31	1,037.74
2/2011	2/1/11			17,358.62	8,585.09	8,585.09	7,438.09	1,147.00	126,002.12	31	1,055.93
3/2011	3/1/11			17,358.62	8,585.09	8,585.09	7,438.09	1,147.00	128,205.06	28	970.18
4/2011	4/1/11			17,358.62	8,585.09	8,585.09	7,438.09	1,147.00	130,322.23	31	1,093.35
5/2011	5/1/11			17,358.62	8,585.09	8,585.09	7,438.09	1,147.00	132,562.58	30	1,075.41
6/2011	6/1/11			17,358.62	8,585.09	8,585.09	7,438.09	1,147.00	134,784.99	31	1,130.51
7/2011	7/1/11			17,358.62	8,585.09	8,585.09	7,438.09	1,147.00	137,062.50	30	1,112.23
8/2011	8/1/11			17,358.62	8,585.09	8,585.09	7,438.09	1,147.00	139,321.74	31	1,168.89
9/2011	9/1/11	1.024168	211,219.74	17,601.65	8,705.28	8,705.28	7,438.09	1,267.19	141,757.82	31	1,188.16
10/2011	10/1/11			17,601.65	8,705.28	8,705.28	7,560.82	1,144.46	144,090.43	30	1,169.77
11/2011	11/1/11			17,601.65	8,705.28	8,705.28	7,560.82	1,144.46	146,404.67	31	1,228.82
12/2011	12/1/11			17,601.65	8,705.28	8,705.28	7,560.82	1,144.46	148,777.95	30	1,208.12
1/2012	1/1/12			17,601.65	8,705.28	8,705.28	7,560.82	1,144.46	151,130.53	31	1,268.80

Start Da 12/31/96

49.4572%

0.0000%

Total Accrued Interest Du 166,412

Year	Month	COLA Increase	Annual Salary	Monthly Salary Protected	Total Benefit Due	Benefit Paid	Amount Owed in Period	Accum Amount Owed	Number of Days Interest Due	Daily Interest due from prior pmt date @	
2/2012	2/1/12			17,601.65	8,705.28	8,705.28	7,560.82	1,144.46	153,543.79	31	1,288.86
3/2012	3/1/12			17,601.65	8,705.28	8,705.28	7,560.82	1,144.46	155,977.12	29	1,224.63
4/2012	4/1/12			17,601.65	8,705.28	8,705.28	7,560.82	1,144.46	158,346.21	31	1,330.20
5/2012	5/1/12			17,601.65	8,705.28	8,705.28	7,560.82	1,144.46	160,820.86	30	1,306.66
6/2012	6/1/12			17,601.65	8,705.28	8,705.28	7,560.82	1,144.46	163,271.98	31	1,371.50
7/2012	7/1/12			17,601.65	8,705.28	8,705.28	7,560.82	1,144.46	165,787.95	30	1,347.31
8/2012	8/1/12			17,601.65	8,705.28	8,705.28	7,560.82	1,144.46	168,279.71	31	1,413.86
9/2012	9/1/12	1.02	216,324.50	18,027.04	8,915.67	8,915.67	7,560.82	1,354.85	171,048.43	31	1,435.11
10/2012	10/1/12			18,027.04	8,915.67	8,915.67	7,940.04	975.63	173,459.17	30	1,411.48
11/2012	11/1/12			18,027.04	8,915.67	8,915.67	7,750.43	1,165.24	176,035.89	31	1,479.29
12/2012	12/1/12			18,027.04	8,915.67	8,915.67	7,750.43	1,165.24	178,680.41	30	1,452.63
1/2013	1/1/13			18,027.04	8,915.67	8,915.67	7,750.43	1,165.24	181,298.29	31	1,523.81
2/2013	2/1/13			18,027.04	8,915.67	8,915.67	7,750.43	1,165.24	183,987.34	31	1,546.14
3/2013	3/1/13			18,027.04	8,915.67	8,915.67	7,750.43	1,165.24	186,698.72	28	1,416.64
4/2013	4/1/13			18,027.04	8,915.67	8,915.67	7,750.43	1,165.24	189,280.60	31	1,592.19
5/2013	5/1/13			18,027.04	8,915.67	8,915.67	7,750.43	1,165.24	192,038.04	30	1,561.93
6/2013	6/1/13			18,027.04	8,915.67	8,915.67	7,750.43	1,165.24	194,765.20	31	1,637.73
7/2013	7/1/13			18,027.04	8,915.67	8,915.67	7,750.43	1,165.24	197,568.17	30	1,306.66
8/2013	8/1/13			18,027.04	8,915.67	8,915.67	7,750.43	1,165.24	200,040.07	31	1,614.21
9/2013	9/1/13	1.016	220,650.99	18,387.58	9,093.98	9,093.98	7,750.43	1,343.55	202,997.84	31	1,705.97
10/2013	10/1/13			18,387.58	9,093.98	9,093.98	7,750.43	1,343.55	206,047.36	30	1,675.12
11/2013	11/1/13			18,387.58	9,093.98	9,093.98	7,750.43	1,343.55	209,066.04	31	1,757.20
12/2013	12/1/13			18,387.58	9,093.98	9,093.98	7,750.43	1,343.55	212,166.79	30	1,725.19
1/2014	1/1/14			18,387.58	9,093.98	9,093.98	7,750.43	1,343.55	215,235.54	31	1,809.39
2/2014	2/1/14			18,387.58	9,093.98	9,093.98	7,750.43	1,343.55	218,388.48	31	1,835.56
3/2014	3/1/14			18,387.58	9,093.98	9,093.98	7,750.43	1,343.55	221,567.60	28	1,681.52
4/2014	4/1/14			18,387.58	9,093.98	9,093.98	7,750.43	1,343.55	224,592.67	31	1,889.56
5/2014	5/1/14			18,387.58	9,093.98	9,093.98	7,750.43	1,343.55	227,825.78	30	1,853.32
6/2014	6/1/14			18,387.58	9,093.98	9,093.98	9,378.03	(284.05)	229,395.06	31	1,942.93
7/2014	7/1/2014			18,387.58	9,093.98	9,093.98	7,913.19	1,180.79	232,518.78	30	1,892.95
8/2014	8/1/2014			18,387.58	9,093.98	9,093.98	7,913.19	1,180.79	235,592.52	31	1,982.95
9/2014	9/1/2014	1.014	224,181.41	18,681.78	9,239.49	9,239.49	8,041.07	1,198.42	238,773.90	31	2,009.17
10/2014	10/1/14			18,681.78	9,239.49	9,239.49	8,041.07	1,198.42	241,981.48	30	1,970.34
11/2014	11/1/14			18,681.78	9,239.49	9,239.49	8,041.07	1,198.42	245,150.24	31	2,063.65
12/2014	12/1/14			18,681.78	9,239.49	9,239.49	8,041.07	1,198.42	248,412.31	30	2,022.96
1/2015	1/1/15			18,681.78	9,239.49	9,239.49	8,041.07	1,198.42	251,633.69	31	2,118.50
2/2015	2/1/15			18,681.78	9,239.49	9,239.49	8,041.07	1,198.42	254,950.60	31	2,145.97
3/2015	3/1/15			18,681.78	9,239.49	9,239.49	8,041.07	1,198.42	258,294.99	28	1,963.04
4/2015	4/1/15			18,681.78	9,239.49	9,239.49	8,041.07	1,198.42	261,456.44	31	2,202.78
5/2015	5/1/15			18,681.78	9,239.49	9,239.49	8,041.07	1,198.42	264,857.63	30	2,157.52
6/2015	6/1/15			18,681.78	9,239.49	9,239.49	8,041.07	1,198.42	268,213.57	31	2,258.74
7/2015	7/1/15			18,681.78	9,239.49	9,239.49	8,041.07	1,198.42	271,670.73	30	2,213.28
8/2015	8/1/15			18,681.78	9,239.49	9,239.49	8,041.07	1,198.42	275,082.42	31	2,316.85
9/2015	9/1/15	1.024	227,319.95	18,943.33	9,368.84	9,368.84	8,032.82	1,336.02	278,735.29	31	2,345.94
10/2015	10/1/15			18,943.33	9,368.84	9,368.84	8,110.10	1,258.74	282,339.97	30	2,300.10
11/2015	11/1/15			18,943.33	9,368.84	9,368.84	8,110.10	1,258.74	285,898.81	31	2,407.84
12/2015	12/1/15			18,943.33	9,368.84	9,368.84	8,110.10	1,258.74	289,565.39	30	2,359.21
1/2016	1/1/16			18,943.33	9,368.84	9,368.84	8,110.10	1,258.74	293,183.34	31	2,389.47
TOTALS								152,420.18	295,572.81		143,152.63
2/2016	2/1/16			18,943.33	9,368.84	9,368.84	8,110.10	1,258.74	296,831.55	31	2,500.31
3/2016	3/1/16			18,943.33	9,368.84	9,368.84	8,110.10	1,258.74	300,590.60	29	2,367.46
4/2016	4/1/16			18,943.33	9,368.84	9,368.84	8,110.10	1,258.74	304,216.80	31	2,563.48
5/2016	5/1/16			18,943.33	9,368.84	9,368.84	8,110.10	1,258.74	308,039.02	30	2,510.37
6/2016	6/1/16			18,943.33	9,368.84	9,368.84	8,110.10	1,258.74	311,808.13	31	2,627.00
7/2016	7/1/16			18,943.33	9,368.84	9,368.84	7,472.55	1,896.29	316,331.42	30	2,573.01
8/2016	8/1/16			18,943.33	9,368.84	9,368.84	7,472.55	1,896.29	320,800.72	31	2,697.72
9/2016	9/1/16			18,943.33	9,368.84	9,368.84	7,791.45	1,802.24	325,300.69	31	2,735.84
10/2016	10/1/16		232,775.63	19,397.97	9,593.69	9,593.69	7,791.45	1,802.24	329,838.77	30	2,684.35
11/2016	11/1/16			19,397.97	9,593.69	9,593.69	7,791.45	1,802.24	334,325.36	31	2,812.91
12/2016	12/1/16			19,397.97	9,593.69	9,593.69	7,791.45	1,802.24	338,940.52	30	2,758.82
1/2017	1/1/17			19,397.97	9,593.69	9,593.69	7,791.45	1,802.24	343,501.58	31	2,890.53