



1 PAUL G. MAST (CA Bar No. 28390)  
2 [REDACTED]  
3 Telephone: [REDACTED]  
4 Email: [REDACTED]

5 Respondent

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8 **BOARD OF ADMINISTRATION**  
9 **CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

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11 In the matter of the Amount of Proper ) AGENCY CASE NO. 2010-0825  
12 Benefits Payable to )  
13 PAUL G. MAST, Judge, Ret. ) OAH NO. 2015-030996  
14 )  
15 ) **MOTION TO DISMISS**  
16 )  
17 ) Hearing Date: August 31, 2015  
18 ) Hearing Location: Los Angeles, CA  
19 ) Settlement Conf: None Scheduled

20 **RESPONDENT PAUL G. MAST MAKES THIS MOTION TO DISMISS ON THE**  
21 **GROUNDS THAT THE PROCEEDINGS ARE UNTIMELY.**

22  
23 That Petitioner purports to file this Statement of Issues pursuant to an Appeal of  
24 a denial or miscalculation of retirement benefits, dated May 31, 2011, which said Appeal  
25 was subsequent to a Determination Letter of Petitioner dated May 4, 2011, which was  
26 subsequent to a Claim presented by Respondent on September 1, 2010 (eight months  
27 and 3 days earlier). Despite many requests by Respondent nothing was ever done by



1 Petitioner, no request for a hearing or any filing with the Office of Administrative  
2 Hearings or any other action was taken after the Appeal was filed. [Respondent must  
3 state, however, that sometime in 2012, the attorney for Petitioner asked Respondent if  
4 he wanted this matter set for hearing. Respondent stated that the matter was old and  
5 needed a new claim started, however that if Respondent wanted to pursue it, he would  
6 advise the attorney for Petitioner. Nothing further was done after that telephone  
7 conversation]. That the Claim letter, the Determination Letter, and the Appeal are old  
8 and outdated, and should not proceed at this time.

9 Respectfully,

10 March 29, 2015

*Paul G Mast*

11 Paul G. Mast

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15 **DECLARATION OF PAUL G. MAST**

16 PAUL G. MAST, hereby declares under penalty of perjury that the following is  
17 true and correct:

- 18
- 19 (1) That Petitioner purports to file this Statement of Issues pursuant to an Appeal  
20 of a denial or miscalculation of retirement benefits, dated May 31, 2011,
  - 21 (2) That said Appeal was subsequent to a Determination Letter of Petitioner  
22 dated May 4, 2011.
  - 23 (3) This was subsequent to a Claim presented by Respondent on September 1,  
24 2010 (eight months and 3 days earlier).
  - 25 (4) Despite many requests by Respondent nothing was ever done by  
26 Petitioner, no request for a hearing or any filing with the Office of  
27 Administrative Hearings or any other action was taken after the Appeal was

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filed. [Respondent must state, however, that sometime in 2012, the attorney for Petitioner asked Respondent if he wanted this matter set for hearing. Respondent stated that the matter was old and needed a new claim started, however that if Respondent wanted to pursue it, he would advise the attorney for Petitioner. Nothing further was done after that telephone conversation].

(5) That the Claim letter, the Determination Letter, and the Appeal are old and outdated, and should not proceed at this time.

Paul G. Mast hereby declares under penalty of perjury that the foregoing is true and correct. Signed on March 28, 2015 at Irvine, California.

*Paul G Mast*  
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Paul G. Mast



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PROOF OF SERVICE

In the matter of the Amount of Proper Benefits Payable to Paul G. Mast.  
I am a resident of the State of California, over the age of eighteen years, not a party to this proceeding.

.My residence address is Marci Mast, [REDACTED]  
On March 29, 2015, I served the following document(s) by the method indicated below:

MOTION TO DISMISS

by e-mailing the document(s) listed above

Jeff Rieger  
Harvey L. Leiderman, Esq.  
Reed Smith LLP  
"Rieger, Jeffrey R." <JRieger@ReedSmith.com>

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on March 29, 2015, at Irvine, CA.

*Marci J Mast*  
\_\_\_\_\_  
Marci Mast