

NEW CASE REPORT

Name of Case (full name):	Clare Byrd v. California State Personnel Board; California Public Employees' Retirement System; and DOES 1-50, inclusive.
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Date Received By Legal Office:	3/13/17
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Attorney Contact(s):	Christopher Phillips
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Program Contact:	EAMD-R
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Plaintiff(s):	Clare Byrd
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Defendant(s):	CalPERS; SPB
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Other Parties:	San Diego State University
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Issues/Status:	<p>A Petition for Writ of Mandate was served on CalPERS and SPB after SPB declared the settlement agreement between Petitioner and SDSU to be void because its terms cannot be carried out under the PERL. The Writ seeks to: 1) Vacate SPB's decision declaring the settlement void and hold that the SPB decision approving the settlement is valid and enforceable; 2) Order SPB to reinstate Petitioner to the position promised in the settlement agreement; 3) Order SPB to ensure that back pay and benefits are paid according to the settlement; 4) Order CalPERS to reinstate Petitioner from service retirement under the terms of the settlement; and 5) Order CalPERS to ensure all back pay and benefits are paid to Petitioner pursuant to the settlement.</p> <p>The Petition was mailed with a Notice and Acknowledgement of Receipt on March 10, 2017. No prehearing conference or briefing schedule has been set.</p>
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Potential Monetary Impact:	Unknown at this time. Petitioner seeks attorneys' fees and costs associated with suit.
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