

**ATTACHMENT C**  
**RESPONDENT(S) ARGUMENT(S)**



Leticia Lozano

04/06/2017Date

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

Dear Cheree Swedensky,

I am submitting this letter to support the Proposed Decision of the Administrative Law Judge for the reason that I never received the confirmation of intent packet to purchase ARSC up to 5 years that according to CalPERS was mailed to me by regular mail on 8/03/2011 in which I was allowed 30 days from the mailing of the packet to sign and return if I intended to Purchase the Service Credit. Followed by wrong and misleading information provided by CalPERS Staff including management staff back to the very day that I completed and submitted my request 5/23/2011 as supported by my many correspondence submitted to CalPERS and the Administrative Law Judge at my appeal hearing. Thereby preventing me from taking the proper and timely action to purchase 5 years of Service Credit in a timely manner.

I realize that is neither CalPERS nor my fault that the Postal Service did not deliver the intent packet to purchase ARSC back on August of 2011 as neither of us have control over the Postal Service. However this all could have been avoided if:

#1 Packet was mailed by registered mail as it was time sensitive after all. I gladly would have paid out of my pocket for this service.

#2 I took the initiative to call for the first time to find out the status of my request on 9/08/2011 wrong information was given to me which prevented me to contact the Postal Service Office to find out why that packet was not delivered and perhaps the matter could have been resolved right then and there. But it did not stop there, wrong information was given to me by CalPERS staff time after time. How could I have corrected the matter when I was not even aware that something was wrong?

Cheree Swedensky,

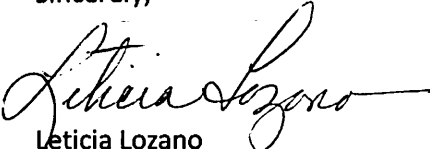
Date

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I respectfully like to point out to you fine people that I am not asking for extra benefits or anything of that sort, I am only asking for the opportunity backdate my purchase of 5 years ARSC using my pay rate and all other factors like formula and interest rate with the effective of May 24, 2011 when I originally submitted my purchase request.

You may designate your decision as precedent in whole if adopted.

Sincerely,



Leticia Lozano