

CalPERS Legal Office  
Monthly New Case Report  
December 19, 2018

### NEW CASE REPORT

<b>Name of Case (full name):</b>	<b>Scott Johnston, an individual; Chad Devlin, an individual; Vakiya Few, an individual; and James Johantgen, an individual v. The California Public Employees' Retirement System; and Does 1 through 50, Inclusive</b>
Date Received By Legal Office:	October 31, 2018
Attorney Contact:	Austa Wakily
Program Contact:	LEGO
Petitioners:	Scott Johnston, Chad Devlin, Vakiya Few, and James Johantgen
Respondent:	California Public Employees' Retirement System
Other Parties:	State of California Department of Justice

Issues/Status:	This is a Petition for Writ of Mandate. Petitioners are seeking to enforce oral and written promises allegedly made by their employer, the Department of Justice (DOJ), regarding their pension formula. Petitioners argue they are entitled to a retirement formula of 3% at age 50. CalPERS' position is that the correct formula is 2.5% at age 55, pursuant to statute. The Petition asks the court to apply the doctrine of equitable estoppel to the claims. This case has been consolidated with a related lawsuit filed by Petitioners against DOJ for the same relief. A status conference has been set for January 14, 2019.
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Potential Monetary Impact:	Unknown at this time
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