ATTACHMENT C

RESPONDENT'S ARGUMENT

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BEFORE THE BOARD OF ADMINISTRATION

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

In the Matter of the Appeal of

Jordan M. Mendoza

BRIEF WRITTEN ARGUMENT IN SUPPORT OF ADOPTION OF THE PROPOSED DECISION

Respondent Jordan M. Mendoza respectfully requests that the Board of Administration adopt the Administrative Law Judge's Proposed Decision dated December 16, 2025. The Proposed Decision correctly applies the governing law, properly places the burden of proof on CalPERS, and is supported by substantial evidence. As the Administrative Law Judge found, CalPERS failed to establish by a preponderance of the evidence that Respondent's medical condition has materially improved since retirement such that he is able to perform the usual and customary duties of a correctional officer. In reaching this conclusion, the Administrative Law Judge carefully evaluated the medical evidence, weighed credibility, and reasonably determined that CalPERS's medical opinions were not persuasive; those findings are entitled to deference. Respondent further submits that the Proposed Decision should not be designated as precedent, as it is highly fact-specific and based on Respondent's individual medical history rather than any broadly applicable rule of law. For these reasons, Respondent respectfully requests that the Board adopt the Proposed Decision in full and decline to designate it as precedent.

Respectfully submitted,

Jordan M. Mendoza

Date: 12/24/2025