

March-April Status

This e-mail will give you an update on the “case management conference” on April 1, 2015, and explain the next steps in the lawsuit. Also, we have the list of everyone in the class (approximately 4,380 retirees and beneficiaries). We plan to send a letter to everyone in the class (see below).

The Case Management Conference and Trial Date

We had another “case management conference” with the judge in our case (Judge Hernandez) on April 1, 2015. As a result, we now have two future dates scheduled:

1. Another case management conference for June 10, 2015 (mainly to ensure both sides will be ready for trial); and
2. A trial date of September 11, 2015.

The trial will begin on September 11, 2015, and will probably last one to two days. (The attorney will have a better idea as they begin preparing for trial over the next few months.)

Judge Hernandez has scheduled that trial in phases. The first phase will deal with certain threshold issues, for example, whether the Regents intended to be legally “bound” to pay retiree medical benefits; or whether the Regents did not intend to create legally binding rights when they authorized retiree medical benefits.

Obviously, our position is that the Regents are legally bound to provide retiree medical benefits and could not transfer this obligation to LLNS. However, whether the Regents intended to be bound legally is a serious issue which our side must win in order to proceed with the case.

Preparation for Trial

Our side has made a number of “discovery” requests (mostly but not entirely for documents). The Regents are producing documents slowly, but we are hoping to have all the documents we need by the time of the next Case Management Conference on June 10, 2015.

Most of the attorney time between now and the trial date will be consumed with review of the documents already produced by the Regents (over 16,000 pages of documents), as well as documents that will be produced by the Regents and LLNS before the trial.

The attorneys will need to organize the documents for presentation to the court. In addition, the attorneys anticipate preparing extensive legal briefs explaining why (based on the documents and other information), our side should win this issue.

Preparation for trial is typically very time-consuming, and our case will be no exception.

Funding

With continuing document requests, subpoenas for documents and preparation for trial, our expenses will continue to escalate. As of February 18, 2015, we have met our obligations to the attorneys. We will be discussing resources needed with our attorneys over the next few weeks and work out an agreement with them.

In the meantime, we want to pass on a special thanks to the 500 people who have raised the funds the past several years (since 2008). Without the support of these contributors, we would not have gotten this far.

I also want to say that, while we will continue to ask for support, please only donate what you can afford. We greatly appreciate whatever amount you have been able to contribute.

Letter to Members of the Class

The “named petitioners” in the lawsuit (Robert Becker, Gregory M. Bianchini, Geores Buttner, Jay Davis, Alan Hindmarsh, Steve Hornstein, Wendell G. Moen, Donna Ventura, Calvin D. Wood and Sharon Wood) will be sending a letter to everyone in the class certified by the court who did not “opt-out” of the lawsuit. We do not have e-mail addresses for most of the people in the class so the letter will need to be sent by U.S. mail. The estimated cost of the mailing the letter will be \$3238.40, and it should be mailed by May 1 2015 (two # 10 envelopes, 2 pages of information and the return self-addressed envelope, and of course the most expensive liquid in the world –printing ink, equals over 17,200 documents, and of course US Mail postage)

The petitioners will ask the class member to donate and support the lawsuit. UCLRG has only been able to raise funds from the 500 or so retirees and beneficiaries that we have addresses for. We are hopeful that the other retirees and beneficiaries in the class will agree to contribute, but we will not know if they will do so until we ask.

Marty

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