

UCLRG Update
June / July / August

This e-mail will give you an update on the “case management conference” held on June 10, 2015, and explain the next steps in the lawsuit.

Case Management Conference

The court conducted a “case management conference” on June 10, 2015. The purpose was to be sure both sides were exchanging documents and information for the trial (set for September 11, 2015).

The court approved the following pre-trial schedule:

Date	Action
6/30/15	UC to produce documents requested by petitioners
7/1/15	Parties will exchange documents to be used during the trial
7/1/15	UC to identify witness(is), if any, who will testify at trial
7/10/15	Objections to documents (other than relevance) due
7/12/15	Each side to provide “rebuttal” documents to be used during the trial
7/15/15	Petitioners’ opening brief due
8/12/15	UC brief due
8/28/15	Last day to supplement documents to be used at trial
8/31/15	Petitioners’ reply brief due
9/11/15	Trial

As noted in our March/April report, Judge Hernandez has scheduled the trial in phases. The first phase (9/11/15) will address two threshold issues. The court described the issues to be decided as follows:

1. Were the Regents legally authorized to enter into bilateral contracts governing the employment relationship; and
2. Did the Regents enact legislation that clearly evinced a legislative intent to create private rights of a contractual nature enforceable against the governmental body.

We will be submitting briefs as indicated above asking the court to answer both question with a “Yes.”

These are “legal” issues and involve some “legalese.” Basically, the issues involve whether the Regents had the legal authority to enter into implied contracts with petitioners; and whether the Regents enacted “legislation” (policies) that clearly indicated their intent to be bound, in a legal sense, to provide the retiree medical benefits which were promised in the booklets and brochures given to LLNL employees.

If the court rules in our favor on these issues, we will move on to other discrete issues, and there will be one or more additional phases to the trial.

The issues to be decided involve complex legal arguments. We anticipate that this phase of the trial will be submitted on the briefs that will be submitted before September 11, although it is possible that there will be a few witnesses.

Preparation for September 11, 2015

Most of the attorney time before the trial is being spent on reviewing and organizing documents for the trial and preparing the briefs and declarations that will be submitted according to the schedule above.

The Regents have now produced about 55,000 pages of documents and more are expected.

Funding

As noted in our earlier report, as of February 18, 2015, we have met our obligations to the attorneys. We will need to raise additional funds for this next phase. We will be discussing resources needed with our attorneys over the next week or two. We greatly appreciate your continued support.

Letter to Members of the Class

In January 2015, the named petitioners (Robert Becker, Gregory M. Bianchini, Geores Buttner, Jay Davis, Alan Hindmarsh, Steve Hornstein, Wendell G. Moen, Donna Ventura, Calvin D. Wood and Sharon Wood) sent a letter to the 4,500 members of the class. To date, we have been able to contact 1,500 members of the class. We have email addresses for 1000 members and about 500 members, can only receive U.S. Mail. We are still working hard to get e-mail addresses for as many members of the class as possible. Corresponding by U.S. Mail is expensive (\$0.49 per letter). **So please be sure that we have your current e-mail address so we can keep you updated on the progress of our case.**

We have depended on volunteers to get all this accomplished, so thanks to everyone who has helped.

How to Contribute

This all costs money. We are very thankful that our contributors are continuing to support this effort. We have increased our Donor base by an additional 200 people, to approximately 750.

Only donate what you can afford. Our smallest donation was \$2.40, but every contribution helps our effort. No single individual could possibly afford to challenge the UC. Together we are challenging the way we have been treated.

We can accept "bill pay" from any bank, and of course personal checks. At this time, we are not set up for Pay-Pal, and Credit cards, but we are considering on-line donations and will keep you updated.

Our Donors continue to surprise me by meeting these ongoing challenges. A donation of just \$30.00 per month per individual, would bring us much closer to meeting the ongoing demands.

And remember, all contributions are tax deductible. Our Tax Exempt number is 27-0290259.

UCLRG

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