

May 1, 2018, 80502
Dear LLNL Retiree:

We Have Appealed the Order Decertifying the Class

The Order Decertifying the Class: On November 21, 2017, Judge Hernandez granted UC's motion to "decertify" the class. This means that, unless this order is overturned, the ten 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) will no longer be authorized to represent the class of approximately 9,000 retirees and beneficiaries who lost their University-sponsored benefits when LLNS began managing the Laboratory in 2007.

The Next Steps: The Order decertifying the class may be appealed to the Court of Appeal without waiting for a final judgment in the case. On January 17, 2018, the Petitioners file an appeal. Shortly thereafter, on January 31, 2018, the Petitioners asked the Court to expedite the appeal. The Court of Appeal granted the motion in part and set a short briefing schedule. The Petitioners' brief was filed on March 29, 2018.

An "E" mail, copy of the brief (60 pages) is available by request to (martycr@sbcglobal.net).

Request (80502 Appellants Opening Brief 3/29/18)

The Regents' brief was due on April 30, 2018, but was not filed. The Regents are trying to take advantage of a rule allowing a 15-day grace period if a brief is not filed on time. After the Regents file their brief, Petitioners will have 20 days within which to file a reply brief.

A New Judge:

Judge Hernandez retired from the bench at the end of 2017. Alameda Superior Court has assigned a new Judge to hear the case (Judge Winifred Y. Smith).

The Appeal: The Appeal will determine our next course of action. We are hopeful that the Court of Appeal will reverse the Order decertifying the class and direct the Alameda Superior Court to proceed with the class action. (The case is on hold in the Superior Court until the Court of Appeal makes a decision.)

We Are Continuing to Fight for You: In spite of the unfortunate ruling decertifying the class, we intend to follow every possible legal path to regain the lifetime benefits. The University promised these benefits. We are determined to do

the right thing for retirees who spent their lives working at the Laboratory assuming they would get the benefits promised by the Regents,

Please Give What You Can. We must continue the fight! Please give only what you can afford. Every contribution makes a difference. The Lab was built on the belief that we could make a difference. To limit our health care benefits because of a change in management is something we cannot accept. With your continued support, we will continue to press our case in the courts.

Marty (925 216 0968)

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