

STATE PENSION LAWSUIT UPDATE

May 20, 2011

For the past several months, the lawsuit has been in the “discovery” phase – meaning the exchange of information relevant to the complaint. The plaintiffs have filed interrogatories, which have been partially answered by the defendants. The plaintiffs have also requested production for documents, which has also been partially fulfilled.

The information has been turned over to our hired experts, Ricci Consultants, Inc. for evaluation.

On May 5, 2011, the State filed a motion for Summary Judgment in an attempt to dismiss the complaint. The Motion for Summary Judgment can be broken down to two (2) basic arguments:

1. The pension legislation does not establish a contractual relationship with its participants; and
2. Even if there is a contract; the 2009 and 2010 changes are reasonable and necessary to fulfill a vital public purpose.

A hearing has been scheduled for June 21, 2011 at Providence Superior Court, though these dates are frequently changed. Council 94 will keep you updated.