

**California Retired County Employees Association
CRCEA**

URGENT NOTICE

**CalPERS Long-Term Care Insurance Class Action
July 26 Hearing on Approval of Proposed Settlement**

**Opportunity for class members to appear in person or
virtually at the hearing to address the court on objections to
the proposed settlement.**

Deadline to pre-register online is 5:00 p.m. on July 25th.

The Chair of CRCEA's Ad Hoc CalPERS Long-Term Care Committee received the attached email, dated July 16, 2023. The email contains instructions for appearing at the hearing online and addressing the court with objections to the settlement. CRCEA cannot vouch for the accuracy of statements contained in the email.

We are forwarding this notice to all retiree association members of CRCEA with a request it be distributed to the retiree association's members by posting it on the association's website and emailing it to all members for which the association has an email address.

Questions may be referred to David Muir, Committee Chair at dmuir6@gmail.com



David Muir <dmuir6@gmail.com>

Re CalPERS LTC Final Hearing.

9 messages

Walter Leen <walterleen111@gmail.com>

Sun, Jul 16, 2023 at 10:55 PM

To: "dmuir6@gmail.com" <dmuir6@gmail.com>

I was referred to the CRCEA website by a friend (X) of a CRCEA member to become aware of what attorney Mike CONGERS involvement is on behalf of CRCEA .

X is a proactive class members of the CalPERS LTC class action and has filed a meaningful OBJECTION to improve the settlement but is lite on both Court procedure and LTC subject matter knowledge. As a retired 81 year fraud auditor I have a command of both. and have been assisting a few Objectors by educating them on both topics . I have never been an Attorney but have performed assignments of various natures with attorney.

I am retired as the hands-on Chief Construction Audit Executive for New York State and have been retired in Atlanta for 16 years. That means I have no direct relationship to the CalPERS LTC case but I do have a keen interest in the case because it was the biggest most important LTC class action in 2021 when the first settlement was estimated at a generous but unethical \$2.7 billion. That is now down to \$635 million . More importantly the Judge has already rules that CalPERS KLTC can increase premiums on policies with inflation protection but only as part of a general all policy premium increase.

The case is in the final 2 minute warning zone with the final hearing on JULY 26th at 11am Calif time (see below court chart) .

The attorneys representing the 79,500 CalPERS Policyholder's are content with the downsized settlement that allows them to recover their sunken cost for 10 year of average quality legal effort (and not much more) and just wants to wrap up the case . They do not want any Objectors crashing their party.

There are 50 policyholders that have submitted about 42 separate Objections (which is large small number)/

I have read them all :some good, some not but a few that have the "right stuff " to improve the token settlement.

But Calif courts have a unique hidden procedure that requires anyone who is serious (defined as willing to go to APPEAL) to file a separate submission to be allowed to APPEAL. At the hearing ,the judge rules first on their original OBJECTION.'

In other words the deck is stacked against the Objectors ever getting to file an APPEAL.

Overview of the final hearing agenda

1- 49 of the 50 objectors (45 without any legal knowledges that are brave (or perhaps foolish) to go alone without any legal guidance and 4 retired attorneys representing themselves) were unaware of that hidden secret and never filed the 2nd submission.

2-So only one Objector is in a strong position while the others are at a major disadvantage and can be easily eliminated.

Fortunately the lone Objector that filed the 2nd submission (called a REQUEST TO INTERVENE) has the best Objection.

Purpose of this email .

Your organization has a wide span of access to 180,000 retired California union members including perhaps 10,000 that are class members in this lawsuit, perhaps even some then filed an Objection.

You recently coordinated a petition , which is likely LTC class members ,so may have 100's of email addresses.

i am encouraging you and your organization to issue a special limited newsletter or other communication

providing information about the JULY 26 hearing. **Specifically --**

a- It is available to attend in person or remotely by computer , perhaps other devices .

b-many of the instruction were written for COVID including the \$23 fee,

that is now waived , access is free but not unlimited.

c- class members of the CalPERS LTC lawsuit can speak even if they did not submit a written intervention.

d- ~~pre~~- registration (up to 5pm on July 25th) is required & is available via use of the Calif Courts system called LACOURT CONNECT System which is located on the general court website for the Los Angeles Superior Court, which is not that user -friendly so will take 15 to 20 minutes.

e- Requires opening an account to obtain a unique control ID number. to use in the LACOURT CONNECT System

f- on the registration form required person to identify what capacity they are attending the hearing -- attorneys litigating the case , class members, etc. Many of the instruction were written for COVID including restriction on attendance, it is not clear if the public can attend.

g- The registration form ask if you intend to speak, only class members can speak.

If a person is CalPERS LTC policyholder and has a meaningful point , they should enter 5 to 10 minutes.

h- The strongest objection submitted recommend controls to outlaw excessive premium increase like the two 85% increases implemented in the near past by two separate but related controls on CalPERS LTC unlimited unilateral ability to implement any level of increase they desire;

1- a cap of 5% a year on premium increase . This could save as much as \$600 million of future excessive premium but provide CalPERS with an increase that is much the same as car and house annual increases

2- In the absence of the involvement of the state Dept of Insurance. to establish a procedure that all premium increases over 5% required an independent audit by an actuarial consulting firm with the results posted on the CalPERS LTC website.

An audit cost about \$40,000.

David

I plan to write a more helpful set of instruction on accessing the Hearing and issues it via email to the few Objectors I am educating perhaps mid-week.

Best to communicate with me via email I but My phone is 413-262-6697 but only after 1pm east coast time.

MY photo is attached.

Walter Leen, 81, retired certified auditor

BC517444 - HOLLY WEDDING ET AL VS CA PUBLIC EMPLOYEES RETIREMENT SYSTEM

Party: Marguerite H. Brown

Event Time	Event Description	Registration Fee	Total Fees
<input type="checkbox"/> 7/26/2023 11:00 AM	MOT500 - Hearing on Motion for Final Approval of Settlement	\$0.00	
<input type="checkbox"/> 7/26/2023 11:00 AM	CON070 - Trial Setting Conference	\$0.00	
<input type="checkbox"/> 7/26/2023 11:00 AM	MOT385 - Hearing on Motion for Leave to Intervene	\$0.00	
<input type="checkbox"/> 7/26/2023 11:00 AM	CON025 - Further Status Conference	\$0.00	



Walter Leen at construction fraud audit site.jpg
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