



**State Administration and Veterans' Affairs Interim Committee**  
**63rd Montana Legislature**

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TO: Sheri Scurr on behalf of the State Administration and Veterans' Affairs  
Committee

FROM: K. Virginia Aldrich, Staff Attorney

RE: Procedural Status of Pension Lawsuits

DATE: April 3, 2014

**I. Association of Montana Retired Public Employees v. State (PERS Lawsuit Concerning GABA and Employer / Employee Contributions)**

The Court has ordered a 4-day bench trial starting on February 10, 2015. The discovery period ends September 29, 2014. All pretrial motions, including motions for summary judgment, must be submitted on or before October 28, 2014. A formal settlement conference with a neutral third-party settlement master must be scheduled on or before December 29, 2014, and a pretrial conference is scheduled for February 5, 2015.

**II. Byrne v. State (TRS Lawsuit Concerning GABA and Employer / Employee Contributions)**

The Court has ordered a 3-day bench trial starting on March 9, 2015. The discovery period ends October 13, 2014. All pretrial motions, including motions for summary judgment, must be submitted on or before November 13, 2014. A formal settlement conference with a neutral third-party settlement master must be scheduled on or before January 13, 2015, and a pretrial conference is scheduled for February 26, 2015.

**III. Wrzesien v. State (PERS Lawsuit Concerning the Plan Choice Rate)**

Currently, a motion for summary judgment has been submitted by the state. The petitioner's response is due on May 9, 2014, and the reply brief from the state is due on June 6, 2014.

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