



# BOARD OF RETIREMENT

## Staff Report

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**File #:** 19-821

**Agenda Date:** 3/13/2020

**Agenda #:** 3.

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**FROM:** Barbara Hannah, Chief Counsel

**SUBJECT:** Initiation of Litigation: Amicus brief

**RECOMMENDATION:**

Conference with Legal Counsel - Anticipation of Litigation

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.7: One (1) case.

**BACKGROUND:**

In early February 2020, Ashley Dunning from the Nossaman firm, in her capacity representing the San Joaquin County Employees' Retirement Association (SJCERA), requested that SBCERA consider filing an Amicus brief in a case in which SJCERA is suing Traveler's Insurance. Since that time, Chief Counsel has had discussions with some other '37 Act systems regarding sharing in the cost of engaging counsel, and has reached out to the counsel recommended by Ms. Dunning. Chief Counsel will provide an update to the Board regarding those discussions and recommends that the Board authorize Chief Counsel to engage outside counsel to file an Amicus brief in the underlying case.

**BUDGET IMPACT:**

None.

**STRATEGIC PLANNING GOAL/OBJECTIVE:**

Operational Excellence & Efficiency

**STAFF CONTACT:**

Barbara Hannah

**ATTACHMENTS:**

Exhibit A: Confidential Memo