

GOOD NEWS!

The City has dismissed its appeal of Judge Barton's ruling dealing with the main pension roll-back litigation. This case, initiated in 2005 by Mike Aguirre, is finally over.

Some brief history: You may recall that while the "Intervenors" (MEA, AUE, Local 145, and Local 127) received a favorable ruling from Judge Barton in late 2007 on the main pension issues, it took until early 2009 to finalize this ruling. At that point, then-City Attorney Mike Aguirre filed an appeal, but this appeal was ruled as premature. This was due to the fact that there were other phases (between SDCERS and the City) of the consolidated case that had not yet been resolved. Those disputes between SDCERS and the City were eventually settled in late 2010.

At that point (January 11, 2011), the City filed a notice of appeal of the main pension litigation. The City and the Intervenors then agreed to delay the appeal pending the resolution of an Orange County lawsuit (vs Orange County Deputy Sheriffs) with a similar legal argument. That argument in the Orange County case was central to the City's appeal and dealt with the application of the debt limit laws with regard to a pension plan's unfunded actuarial accrued liability (UAAL). Orange County lost this case at the trial court and when all of its appeals also failed, the City of San Diego dismissed its appeal of the main pension decision of Judge Barton.

It took almost six years, but justice was done this time. This victory does not, however, guarantee that other threats will not face retirees in the future. We need to remain vigilant and involved.