

**ATTACHMENT C**

**RESPONDENT'S ARGUMENT**

# RLS RAINS LUCIA STERN ST. PHALLE & SILVER, PC

Jacob A. Kalinski  
Partner  
JKalinski@RLSlawyers.com

May 26, 2022

**VIA FACSIMILE [916-795-3972] & FIRST CLASS MAIL**

Cheree Swedensky, Assistant to the Board  
CalPERS Executive Office  
P.O. Box 942701  
Sacramento, CA 94229-2701

**Re: Respondent's Argument  
In the Matter of the Appeal of Forfeiture of Benefits of Johnnie W. Swaim,  
Respondent  
Case No. 2021-0322**

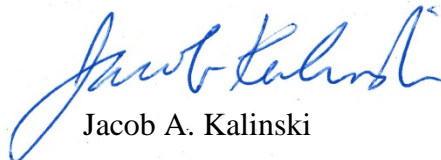
Dear Ms. Swedensky:

On behalf of Respondent Johnnie W. Swaim, I hereby respectfully request that the Board of Administration for the California Public Employees Retirement System adopt the Proposed Decision of Administrative Law Judge Eric Sawyer in this matter in full for all of the reasons set forth therein.

Sincerely,

Very truly yours,

**RAINS LUCIA STERN  
ST. PHALLE & SILVER, PC**



Jacob A. Kalinski

JAK:mrh

Cheree Swedensky, Assistant to the Board

**Re: Respondent's Argument**

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**PROOF OF SERVICE**

I am employed in the City of Los Angeles, State of California. I am over 18 years of age and not a party to this action. My business address is Rains Lucia Stern St. Phalle & Silver, PC, 11671 Ventura Blvd., Suite 600, Encino CA 91436.

On the date below I served a true copy of the following document(s):

**RESPONDENT'S ARGUMENT**

on the interested parties to said action by the following means:

- (BY MAIL)** By placing a true copy of the above, enclosed in a sealed envelope with appropriate postage, for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- (BY OVERNIGHT DELIVERY)** By placing a true copy of the above, enclosed in a sealed envelope with delivery charges to be billed to Rains Lucia Stern St. Phalle & Silver, P.C., for delivery by an overnight delivery service to the address(es) shown below.
- (BY FACSIMILE TRANSMISSION)** By transmitting a true copy of the above by facsimile transmission from facsimile number (310) 393-1486 to the attorney(s) or party(ies) shown below.
- (BY MESSENGER)** By placing a true copy of the above in a sealed envelope and by giving said envelope to an employee of First Legal for guaranteed, same-day delivery to the address(es) shown below.
- (BY HAND DELIVERY)** By personal delivery of a true copy of the above to the attorneys or parties shown below
- (BY E-MAIL or ELECTRONIC TRANSMISSION)** I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable period of time, after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the law of the State of California that the foregoing is true and correct.

DATED: May 26, 2022

/s/ Michele Hengesbach

\_\_\_\_\_  
Michele Hengesbach

Cheree Swedensky, Assistant to the Board

**Re: Respondent's Argument**

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## **SERVICE LIST**

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