

CalPERS Legal Office
Monthly New Case Report
September 20, 2023

NEW CASE REPORT

Name of Case:	Cari McCormick v. California Public Employees' Retirement System; County of Lake; State of California.
Date Received By Legal Office:	Case filed August 14, 2023. CalPERS has not yet been served.
Attorney Contact:	Elizabeth Yelland
Program Contact(s):	DSBD
Plaintiff:	Cari McCormick, on behalf of a putative class
Named Defendants:	California Public Employees' Retirement System; County of Lake; State of California.
Other Parties:	Numerous CalPERS Employers

Issues/Status:	<p>This putative class action against CalPERS, the State, and over 1000 CalPERS employers alleges that the PERL's formula for paying disability retirement benefits discriminates against workers who were hired at age 41 and above and then retired on disability as compared to workers hired at age 40 and below. The suit asserts causes of action for age discrimination, breach of contract, and equal protection. The proposed plaintiff class is all members who were first hired by CalPERS-covered agencies when they were 41 or older and who were granted disability retirement. The proposed defendant class is CalPERS, the State, and all CalPERS-covered agencies who employed members in the plaintiff class. The lawsuit seeks enhanced retirement benefits, compensatory damages, interest, fees and costs, and declaratory relief.</p>
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Potential Monetary Impact:	Unknown at this time
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