

**OFFICE OF GENERAL COUNSEL
POLICE AND FIRE PENSION FUND BOARD OF TRUSTEES
LITIGATION SUMMARY UPDATE
FOR DECEMBER 21, 2018 MEETING**

	CASE NAME	CASE NUMBER	ATTORNEY/ CONTACT INFO	STATUS
1.	Christopher Brock v. City of Jacksonville and Jacksonville Police and Fire Pension Fund	3:18-cv-01112-BJD-PDB	Wendy Byndloss Assistant General Counsel (904) 630-3902 WByndloss@coj.net Ashley Benson Rutherford Assistant General Counsel (904) 630-1830 ARutherford@coj.net	Brock filed a lawsuit in federal court on September 17, 2018, claiming Defendants violated his reemployment rights under USERRA. On November 6, 2018, we filed Defendants' answer and affirmative defenses. Defendants have meritorious defenses to Brock's claims.
2.	John Keane v. Jacksonville Police and Fire Pension Fund Board of Trustees and the City of Jacksonville	Middle District of Florida 3:16-cv-001595-HES-PDB	Rita Mairs, Chief General Litigation (904) 630-1716 (904) 614-4187 (cell) MairsR@coj.net Loree French Senior Assistant General Counsel (904) 630-1817 LFrench@coj.net	Court entered order on August 15, 2018, dismissing all federal claims and declining to exercise jurisdiction over state claims. Keane filed a notice of appeal to the Eleventh Circuit on September 14, 2018, appealing the dismissal of the second amended complaint. See Appeal No. 18-13957-B for additional information
3.	John Keane v. Jacksonville Police and Fire Pension Fund Board of Trustees and the City of Jacksonville	11 th Circuit Court of Appeals 18-13957-B	Rita Mairs, Chief General Litigation (904) 630-1716 (904) 614-4187 (cell) MairsR@coj.net Loree French Senior Assistant General Counsel (904) 630-1817 LFrench@coj.net Craig D. Feiser Assistant General Counsel (904) 1840 CFeiser@coj.net	The appellate court's ordered mediation was unsuccessful. Keane has filed his initial brief, and Defendants will file their answer brief in January.
4.	John Keane v. Jacksonville Police and Fire Pension Fund Board of Trustees and the City of Jacksonville	Duval County Circuit Court 16-2018-CA-005925	Rita Mairs, Chief General Litigation (904) 630-1716 (904) 614-4187 (cell) MairsR@coj.net Loree French Senior Assistant General Counsel (904) 630-1817 LFrench@coj.net	A hearing was held on November 14, 2018, on Defendants' motion to stay the state case pending resolution of the federal case. The court denied the motion based on Keane's representation to the court that he would be bound in federal court by any ruling of the state court on the state claims. A hearing is scheduled for January 17, 2019, on Keane's motion to disqualify counsel.

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5.	Curtis Lee v. City of Jacksonville and Jacksonville Police & Fire Pension Board of Trustees	Duval County Circuit Court 16-2016-CA-006799	Jake Payne Assistant General Counsel (904) 630-1837 JPayne@coj.net	Motion to dismiss amended complaint was heard September 17, 2018. The court did not rule at the hearing and requested competing proposed orders from both parties. The proposed orders have been submitted, and we are waiting on the court to enter an order.
6.	Walter Moore – Income Withholding Order	Duval County Circuit Court 16-2003-DR-9094FM	Christopher Garrett Assistant General Counsel (904) 630-7092 GarrettC@coj.net	PFPF filed a motion to dissolve the Income Withholding Order on September 20, 2018. The motion was heard and granted by the Court on December 4, 2018. We are working on approval by Mr. Moore’s counsel to have a formal written order entered.
7.	Peace Officers’ Annuity and Benefit Fund of Georgia v. DaVita, Inc.	District of Colorado 1:17-cv-00304	Tiffany Safi Assistant General Counsel (904) 630-1728 tsafi@coj.net	Defendants’ motion to dismiss the amended complaint is currently before the Court on full briefing.
8.	In re Plains All Am. Pipeline, L.P. Securities Litigation	Southern District of Texas 4:15-cv-02404	Christopher Garrett Assistant General Counsel (904) 630-7092 GarrettC@coj.net	Trial court dismissed the lawsuit with prejudice on March 30, 2018. Plaintiffs appealed. The appeal has been fully briefed and is scheduled for oral argument during the week of February 4, 2019.
9.	United States of America v. Jacksonville Brotherhood of Fire Fighters, et al. v. Consolidated City of Jacksonville, Jacksonville Associations of Firefighters, Local 122, IAFF	Middle District of Florida 3:12-cv-00451-TJC-MCR	Rita Mairs, Chief General Litigation (904) 630-1716 (904) 614-4187 (cell) MairsR@coj.net	Court entered an order provisionally approving consent decree and setting first fairness hearing for December 19, 2018.
10.	PFPF Securities Litigation Policy: The Office of General Counsel will be providing the new PFPF Securities Litigation Policy to the Executive Director for distribution to the Board.			