

“Attorney General Fox appeals the GABA decision”

Two days after District Court Judge Reynolds struck down the 2013 Legislature’s attempt to lower your Guaranteed Annual Benefit Adjustment (GABA), Montana Attorney General Tim Fox appealed that ruling to the Montana Supreme Court.

AMRPE filed the lawsuit in October 2013. The judge’s ruling preserves the annual 3% increase in your pension. The 2013 legislation (HB 454) would have changed the GABA to 1.5% or lower. The judge ruled that the reduction in the pension benefit is a substantial impairment of the contract clause of both the Montana and U.S. Constitutions.

Once the Supreme Court receives the transcripts from the district court, an order will be issued scheduling the due dates for the appellate briefs. Our attorneys estimate it will take approximately 6 months for briefing to be completed in the appeal. You can read the court documents at the "Litigation News" tab on our site.

The court did not grant AMRPE's request for attorney fees, which are now over \$100,000.

Our legal fees will continue to mount. To help us in the appeal process, consider what this ruling means to you and your families and please donate accordingly. For many of us, the loss could amount to well over \$100,000 over the next 20 years. Determine the impact to your own benefit on the AMRPE home page: “Your GABA Loss”. Send a check to **AMRPE, P.O. Box**

603, Helena, MT 59624-0603. You can also contribute using PayPal on our website. As of this date, of the approximately 19,000 retirees benefited by this ruling, fewer than 5% have shared in the costs for this lawsuit.

Thank you to all of you who have contributed to the defense of our pension benefits.