



UNITY

THRU STRENGTH AND PURPOSE



Bi-Monthly Voice of the Retired Detroit Police and Fire Fighters

Volume 89, January 2008

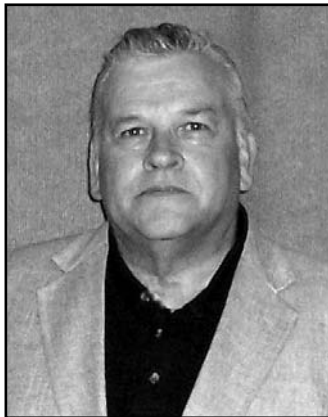
EDITORIAL

Once again we have received belated information to share with our membership, "The Retiree".

Effective January 1, 2008, The Standard Insurance Company will replace The Hartford as the DPOA sponsored life insurance carrier. The change was made due to the lower premium rate and 3 year contract presented by the The Standard. The rates have increased slightly and are as follows:

Codes:

40610 - \$21.08 • **40620** - \$24.81 • **40630** - \$ 3.70 • **40640** - \$10.53 • **40650** - \$13.37



PRESIDENT

Don Taylor

I hope everyone had a Merry Christmas, enjoyed your time with family and friends over the holiday period, and everyone enjoys a very prosperous new year.

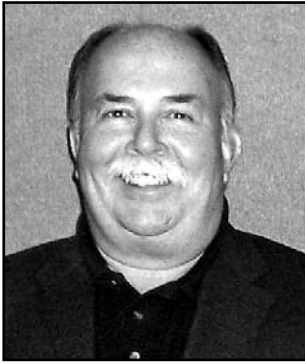
We are posting a current update of court cases and associated documents in this issue of Unity so you will be aware of all the pending court cases. The Judge has set a date of March 3rd, to begin the trial, and all briefs must be filed by the end of February. We expect Attorney Chris Legghio will file a motion for summary judgment, and maybe we will finally be able to move this case to the next level.

As for our mail case on the reduction of our hospitalization benefits and increase in cost to all of our members, you will see when you read the court documents, the City has no interest in resolving this issue.

It is regrettable that the City has taken this action to attack the benefits of our members, after they spend their lives serving and protecting the citizens of the City of Detroit. We believe that a large number of our members are now being forced to live out their lives without proper medical care, and a substandard quality of life. Since the court case was filed in July 2006, hundreds of our members have passed away. We believe that many of them may have seen their lives come to a premature ending as a result of lack of proper medical treatment. Our members were forced to make choices between paying the rent and purchasing the medication prescribed by their doctors, or just delayed seeking out medical treatment until it was too late. As co-pays, deductibles and premiums continue to increase it becomes more and more difficult for our members to survive on their meager pensions. Your Association will continue to do everything possible to reverse the action the City of Detroit has taken to deprive our members of their rightful benefits. We fully realize that a large number of our members may not be able to see this case to its conclusion.

We understand that this is a difficult subject to discuss with your family and friends, and we suggest that if you are aware of or know of anyone that has been forced to delay treatment or have stopped purchasing

(continued on page 6)



VICE PRESIDENT

Gregory Trozak

I hope everyone enjoyed the holidays and their time with family and friends.

Just a few updates on items of importance concerning our Association. The Windfall Elimination Provision (WEP) and Government Pension Offset (GPO) continue its path through the U.S. House of Representative and U.S. Senate. As many of you know the Senate Finance Subcommittee on Social Security, chaired by Senator John Kerry, held a hearing on November 6th, 2007. Our Associations interests were represented by the National Association of Police Organizations (NAPO), of which we are members, at this hearing. Keep in mind that several powerful teacher


unions are following this legislation which can only help our cause. All parties presented their case to the Subcommittee. After the hearing NAPO had acquired permission to send in written submissions to the Subcommittee for the record. It was requested from NAPO that members send in letters and statements, telling lawmakers just how the GPO and WEP have affected our retirement. Our Association prepared a letter and forwarded it to NAPO which hand delivered to the Subcommittee by the November 20th, 2007 deadline. On the U.S. House of Representatives side, the House Way & Means Subcommittee on Social Security will have a hearing after the first of the year. As of this writing there are presently 34 U.S. Senators and 336 U.S. House of Representatives signed on as co-sponsors. It is still very important to continue to notify your Senator or Representative in Congress as to just how crucial this legislation is needed for the Public Safety Sector. Our Association continues to keep a close eye on all the proceedings.

In other news, the December general membership meeting went well with over 300 members attending and enjoying a great meal and a chance to win some great prizes. We will continue to attempt to have something other than the normal pizza meals. So if you are available or in town on the first Thursday of the month stop by and enjoy the food and get together with some old friend.

The office renovation is nearly completed and looking great. Again, if you are in the area stop in and have a cup of coffee or soft drink and take a look.

The volunteers have been real busy with the 2008 dues renewal and there is a steady stream of checks

(continued on page 6)



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RECORDING FINANCIAL SECRETARY

Charles Master

Each year we give thanks at Christmas and Thanksgiving for all the blessings that have been bestowed upon us. Lest we forget the many benefits obtained by our Association and be thankful for the efforts of so many who have worked diligently and conscientiously on behalf of the membership.

Once again we list some of the benefits the Retired Detroit Police and Fire Fighters Association has obtained for all retirees.

1975 – Prescription rider for retirees and spouses.

1976 – Half payment for hospitalization for spouses retired before July 1, 1974.

1978 – Optical program.

1985 – Full paid hospitalization for spouse if retired before July 1, 1977.

1986 – All retirees hospitalization 100% paid, improved hospitalization.

1988 – Major/Medical coverage for all retirees.

1989 – Improved Han optical program.

1990 – Dental coverage (retiree and spouse).

1992 – Yank/Gentile Lawsuit.

1998 – Paid hospitalization for Option 1 widows whose husbands retired prior to July 1, 1987.

2001 – (3) 13th checks totaling \$13,820.00 for each eligible retiree.

2003 – Option of selecting separate Hospitalization, Dental and Vision plans.

Theodore I. Cohen

Certified Public Accountant

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FIREMEN'S FUND ELECTION RESULTS

Congratulations to Rick Lancaster, Jim Montgomery and Arnie Nowicki on your re-election to the Firemen's Fund Board of Trustees!



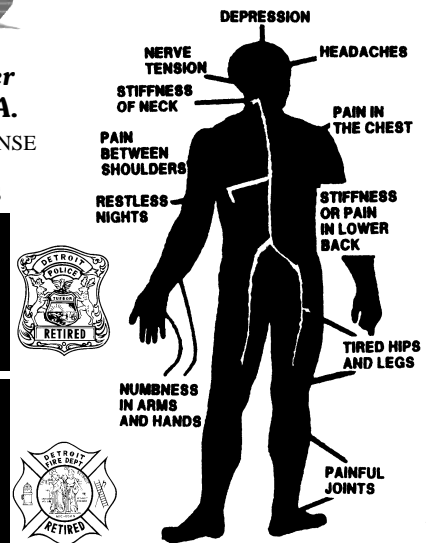
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Silver – \$30.00 EA. *

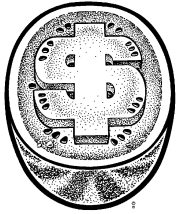


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PENSION CHAIRMAN

Gregory Trozak

I mentioned a few months ago about the new law that was passed called the Healthcare Enhancement for Local Public Safety (H.E.L.P.S.) Retirees Act. The law went into effect on January 1, 2007. The H.E.L.P.S. Retirees Act allows retired public safety officers to use up to \$3,000.00 annually from their pension funds to pay for qualified health insurance premiums without taxing these distributions. The I.R.S. recently released on its website the new tax forms, instructions and publications for the 2007 tax year. The section that would apply for this benefit is on page 22 of the 1040 instructions which reads as follows:

If you are an eligible retired public safety officer (law enforcement officer, firefighter, chaplain or member of a rescue squad or ambulance crew) you can elect to exclude from income distributions made from your eligible retirement plan that are used to pay the premiums for accident or health insurance or long term-care insurance. The premiums can be for coverage for you, your spouse or dependents. The distribution must be made directly from the plan to the insurance provider. You can exclude from income the smaller of the amount of the insurance premiums or 3,000.00. You can only make this election for amounts that would otherwise be included in your income. If you make this election, reduce the otherwise taxable amount of your pension or annuity by the amount excluded. The amount shown in box 2a of Form 1099-R does not reflect the exclusion. Report your total distribution on line 16a and the taxable amount on line 16b. Enter "PSO" next to line 16b.

Keep in mind that this is the wording directly from the 1040 instructions. This topic is also discussed on pages 5-6 of IRS Publications 575.

I checked with the staff at the Pension System and they informed me that they will comply with these instructions. The staff checked with other cities and pension systems and decided that they would not

include this amount on the 1099-R. So make sure that you keep that last pay stub for the year 2007. The amount that you paid for your hospitalization premiums will be shown on that stub. That is the amount that you will be allowed to use. Remember this is the only amount that you will be allowed to use, no co-pays, or payments for prescriptions, office calls or any other type of payments. A check with your individual tax preparer should answer any questions you may have.

The December pension checks were the first to test the new program they made to take care of the deposit of monies to members who have direct deposit of their pension checks. Prior to this, when the 1st of the month fell on a weekend or holiday, the monies were deposited on the first business day after the weekend or holiday. With the 1st of December falling on a Saturday the plan worked and our pension was deposited on Friday, November 30th. This is just another reason to switch to direct deposit. You can still get a copy of the form at the Pension System's web site or call the office and have the form sent out. You can return the completed form to the office with my name on it and I will assure that it will get to the right people. If you have any questions or problems about the H.E.L.P.S. law or any other questions feel free to let me know at trozdpd@comcast.net or call the office.

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UPCOMING SPECIAL EVENTS

A.P.B. Retirees Luncheon

Third Monday of every month

For Information call: Joe Borri at (586) 791-5552

5th Precinct Oldtimers Luncheon

Second Monday of every month at 11:00 A.M.

Big Boy's at Garfield and Hall Rd. (M-59)

7th Precinct Oldtimers Luncheon

Second Tuesday of every month – 11 A.M. to 1 P.M.

Big Boy's on E. Grand Blvd. and E. Jefferson Ave.

11th Precinct Retirees Luncheon

Second Wednesday of the month at 1:00 P.M.

Buddy's Pizza - 13 Mile Rd. and Van Dyke

14th Precinct Quarterly Breakfast

Contact Ron Smolka at

734-442-8258 for future schedules

Fire Fighters Breakfasts

First Monday of the month at 9:00 A.M.

Voyageur Restaurant – (810) 329-4101

525 Riverside Dr. – St. Clair, MI

First Tuesday of the month at 9:30 A.M.

Step Inn Restaurant

325 N. Main St., Downtown Cheboygan

First Thursday of the month at 10:00 A.M.

Lil' Chef Restaurant (I-96 & Grand River) Brighton, MI

Welcome New Members!

October

Brikho, Sana

Skinner, Stephen

November

English, Michael

Macklin, Delrickey

McCalister, Roy

Ross, James H.

Schwartz, Craig W.

Williams, Kenneth R.

ASSOCIATION CALENDAR OF EVENTS*

2008 General Membership Meeting

George P. Monaghan K of C # -2690

19801 Farmington Rd. - Livonia, Michigan

Phone: 1-248-476-8383 – Time: 7:00 P.M.

THE FIRST THURSDAY OF EVERY MONTH

EXCEPT JULY AND AUGUST

West Side Silver Ladies*

2nd Tuesday of the month at 1:00 P.M.

Archie's – 30471 Plymouth Road – Livonia

Between Middlebelt and Merriman Road

East Side Silver Ladies*

1st Tuesday of the month

Meeting at Filippa's – Time: 2:00 P.M.

Mound North of M-59, Utica, MI

Police & Fire Club of Florida*

Meetings held 1st Sunday of the month 12:30 P.M.

“October to May” at Brandon Community Center

502 E. Sadie St. - Brandon, Florida

Snowbirds Of Michigan*

2nd Sunday of the month

at “BJ's” Restaurant in Gaylord, MI

Social Hour 11:00 AM – Meeting at 1:00 PM

Nevada Jackpots*

Refer to column for next meeting's location.

Arizona Roadrunners*

Next Meeting: January 13, 2008 at 12:00 noon

Wild Horse Casino Restaurant

Members will be notified of time and place by mail.

*Refer to columns for specifics or program changes

**Articles for the
March, 2008 Issue
should be “submitted” by
February 18, 2008**

PRESIDENT *(continued from page 1)*

their medication, as a result of the increase cost and co-pays. They need to document each case and maintain these documents until we are successful in our hospitalization lawsuit against the City, and have proven that their actions were unlawful. We will then assist our members of family members in legal action against the City. We believe these illegal changes to our contractual rights may have in some cases resulted in the wrongful death of our members. We intend to send a message to the City that this Association will not stand by while they attack our members. We will use every legal means possible to protect our members and force the City to compensate our members for the illegal acts of the City of Detroit.

Three communications have been received which substantiate our position and can be found starting on page 8 with Mr. Legghio's October 18, 2007 response re W.C.C.C. case No. 06 619737CK followed by a settlement proposal by Kenneth S. Wilson of Fraser, Trebilcock, Davis & Dunlap P.C. dated November 2, 2007. On November 20, 2007 Mr. Legghio responded accordingly with distribution to the principals.

This isn't a very pleasant way to start out the New Year, but we must all realize that we now live in a different time. The City of Detroit sees retirees as easy prey, and when they need to balance the budget, they may well attack and reduce our benefits even more. So it becomes even more important than ever that we stand together as one, and send a message to the City that we will fight back.

VICE PRESIDENT *(continued from page 2)*

coming in. If you have not sent in your 2008 dues all it takes is \$25.00, so get them in.

The majority of the Board of Directors has volunteered to be the first to sign up for the payroll deduction of dues that will be available for the 2009 membership dues. As of this writing we are all waiting for the January checks to see if the test worked. If all goes well we will open this up to all members in the next few months. There will be more on this in the coming months.

Now that the office is close to completion we are making every effort to update the web site and we are going to be attempting to have regular e-mailings at least bi-weekly if not weekly on various updates or general information. The web site now has videos of the

On a somewhat related matter, we have had discussions with our attorneys, and we believe that our contract language requires the City of Detroit to cover the cost of Medicare part "B" premiums, and we are now looking into filing a lawsuit to force the City to pay these premiums. We will keep you updated.

On a lighter side, we have scheduled our annual convention in Las Vegas, for the dates of September 22nd until the 26th. Once again we will be at the South Point Casino, and the cost will be the same as last year, \$550.00 per person based on double. We once again have two flights so get your request in early so you will have a choice of flights. We are planning on some changes, regarding dinner and the location of the dinner. We do this in order to continue to improve the convention and your experience. So plan to join in on this event and all the other events that your Association schedules.

Be sure to send in your e-mail addresses, so you can be kept up to date on all the activities of the Association. Also continue to check the web-site for information and updates.

I want to point out that you will shortly be receiving information on payroll deduction. We ask for your participation, as this is an important part of our efforts to improve service and reduce cost to the Association. The Association is going through a number of changes and improvements, in an effort to prepare for the challenges ahead. We look forward to your input and suggestions.

general meetings as well as photos from all our events, so check it out. Now that we have a trial date on our hospitalization lawsuit it would be beneficial to check it out at www.rdpffa.com You can also log onto the site and send in your e-mail address if you have not done so. We are nearing 3000 e-mails of members.

Too close things out if you have any problems or questions feel free to call the office and we will make sure you get the proper answer. Be sure to read my pension article concerning the hospitalization deduction all retired Public Safety Officers have for Federal Income Tax filings.

Until the next time take care.

Hospitalization

John Devoy

A new year is upon us. However, there is really nothing new. The same court cases that involve our Health Benefits remain unresolved. The Judge handling the cases refuses to make a decision. The City of Detroit keeps stalling and delaying any progress in making these decisions.

There will be another open enrollment this spring for our health benefits. Again, I remind you to please read carefully all the printed material that will be sent to you and also the graphs that will show the cost of various coverage's. Make sure that you retain all this material so that you can refer to it when the need arises.

Always remember, if you have any questions that concern this Association, please call the office, someone will have an answer for you.

See you at the General Membership meetings, always the 1st Thursday of the month except July and August.



IN MEMORIAM

Once again we call the roll and acknowledge those friends and associates who have left us since our last publication. It is hard to let go of good friends but it is easy to remember the good times we shared and realize that now they rest in peace.

Name	Dept.	Rank	Date of Death
Barbour, Thomas J.	Police	Sgt.	10/12/07
Butler, Morley	Fire	Insp.	4/17/07
Edgerton, Berton	Fire	Lieut.	10/30/07
Farr, James R.	Fire	F.E.O.	11/20/07
Fritz, William J.	Police	P.O.	11/10/07
Gregory, Thomas F.	Police	P.O.	11/12/07
Hahn, Harold N.	Fire	Insp.	11/7/07
Kish, George	Fire	Lieut.	11/15/07
Lessnau, Robert J.	Police	Sgt.	10/20/07
Malesky, Clarence A.	Police	Sgt.	10/6/07
Manning, Frank G.	Police	P.O.	11/4/07
Matson, William R.	Police	Lieut.	10/18/07
Miller, William C.	Police	P.O.	9/30/07
Molnar, Annette M.	Police	P.O.	10/19/07
Palmer, Ralph R.	Police	Lieut.	10/28/07
Pomnitz, Charles E.	Fire	Lieut.	11/5/07
Richie, Raymond Lee	Police	P.O.	10/5/07
Roberts, Archibald	Fire	Capt.	11/9/07
Rufini, Almando	Police	P.O.	11/7/07
Sidebottom, Laurence R.	Fire	F.E.O.	11/22/07
Teller, Warren W.	Police	Lieut.	11/10/07
Warchulski, Frank	Police	P.O.	10/21/07
Zuelch, Robert	Fire	Capt.	10/6/07



MICHIGAN Neurosurgical Institute

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Grand Blanc, MI 48439

Phone (810) 606-7200
Fax (810) 606-7115

Dr. Avery Jackson, III, M.D.
Grandfather and Father retired DPD.



The Michigan Neurosurgical Institute, P.C. is an institution dedicated to personal, individualized care of patients with spine and brain conditions. We treat all spine disorders, no matter how simple or complex. We always emphasize non-surgical treatment as the first option. We also put emphasis on patient education and participation in a care delivery model.

Dr. Avery M. Jackson, III, Director of the Michigan Neurosurgical Institute, completed a Neurosurgical Complex Spine Fellowship at the Medical College of Wisconsin. Dr. Jackson has extensive training in complex spinal cases, brain and spine tumors, head and spine trauma, vertebroplasty, kyphoplasty and minimally invasive surgery.

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MICHAEL J. BOMMARITO
JOHN J. BOBROWSKI

October 18, 2007

Via email, telecopier and US Mail

Bruce A. Campbell
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Detroit, MI 48226
kwilson@fraserlawfirm.com

Re: *Alan Weiler, et al. v City of Detroit*
WCCC Case No. 06 619737 CK

Mr. Campbell and Mr. Wilson:

This letter confirms our October 12, 2007 meeting and discussion as well as our October 16, 2007 telephone conversation.

On October 12, I confirmed that all of Plaintiffs' class claims are negotiable. Mr. Campbell specifically asked whether the Plaintiff class deemed any of its claims as "non-negotiable." I stated that all Plaintiffs' class claims were "on the table."

I also confirmed, on October 12, that we would not negotiate or discuss any settlement that tries to link the City's belatedly-filed counter-claims against the COPS Trust (Case No. 06-619737 -CK) or the City's recently filed second suit against the COPS Trust (Case No. 07-724777-CZ) with Plaintiffs' class action claims. The City's counter-claim and its recently-filed second suit against the COPS Trust are unrelated to Plaintiffs' class claims. Stated another way, we presume the City believes that its alleged entitlement to the COPS Trust reserves exists independently of the Plaintiffs' class claims.

To facilitate meaningful settlement discussions, we ask for the City's concurrence in Plaintiff COPS Trust's Motion to Voluntarily Dismiss the COPS Trust as Plaintiff, Dismiss its Claims Against the City and to Sever the City's Counter-Claims against the COPS Trust (Case No. 06-619737-CK). If the City does not respond to this request, we will assume, and represent to the Court, that the City has denied this concurrence request.

At our October 12, 2007 meeting, we asked that the City present its, settlement proposal(s) in writing while reserving all of its rights under MCE 408. You refused to answer this inquiry but, in your October 16, 2007 telephone conversation, you stated that the City will not provide Plaintiff class with any written proposal(s).

In that same October 16, 2007 telephone conversation, you also stated that you will not provide Plaintiff class with any settlement proposal before the October 26 meeting with the Court. As you know, we asked for such a proposal at our October 12 meeting to ensure, as we said, "meaningful discussion" on October 26.

Below we set forth the Plaintiffs' class proposal, made under MCE 408, to settle their class claims against the City in this matter:

1. The City must reimburse the Plaintiffs' class fifty percent (50%) of the costs shifted to them as a result of the City's July 2006 unilateral action to reduce and eliminate their health care benefits. During the injunction hearing, the City's witnesses estimated the cost shift to the Plaintiff class at approximately \$18 million for 2006- 2007;
2. The City must immediately restore the Plaintiffs' class benefits to status quo ante, i.e., the benefits that existed before the City's July 2006 action; and
3. The City must agree, in writing, that these benefits restored to status quo ante are unalterable benefits not subject to any future City efforts to reduce or eliminate them.

Finally, after our October 12, 2007 meeting, we learned that you had subpoenaed Tom Schneider for a unilaterally-scheduled October 22, 2007 deposition at the offices of Fraser, Trebilcock. You neglected to mention, during our October 12, 2007 meeting, that even as we met you were serving Mr. Schneider for this October 22 deposition.

Nonetheless, Mr. Schneider will appear for deposition on Monday, October 22 at 10:00 a.m. at my office. (This is consistent with the City's routine demand that its witnesses be deposed at the City offices.) But, Mr. Schneider will not answer questions related to the City's action in Case No. 07-724777-CZ, where the DPOA and COPS Trust have filed motions to dismiss in lieu of answering the complaint.

If this is unacceptable, please let me know immediately in writing. We will then move for a protective order.

Sincerely,

Christopher P. Legghio

CPL/dkm

FRASER TREBILCOCK DAVIS & DUNLAP, P.C.
LAWYERS

November 2, 2007

VIA FACSIMILE and FIRST CLASS MAIL

Christopher P. Legghio
Martens, Ice, Klass, Legghio & Israel, P.C.
306 S. Washington, Ste. 600
Royal Oak, MI 48067-3837

*Re: Alan F. Weiler, et al. vs. City of Detroit
Case No. 06-619737 CK, settlement proposal
Honorable Isidore B. Torres*

Dear Mr. Legghio

This written settlement proposal is made pursuant to MRE 408 and is communicated to you without waiving any claims or defenses of the City of Detroit with respect to the main parties or any non-parties.

The City proposes to resolve the Wayne County Circuit Court Case No. 06-519737 CK in the following manner:

1. The COPS Trust shall deliver funds to the City of Detroit in the amount of \$7,676,266 as referred to in the Schneider deposition Ex. 4 and Gorczyca deposition Ex. 9 and which will hereinafter be referred to as the "Bankers Reserve;"
2. The COPS Trust shall deliver funds to the City consisting of any Terminal Liability Reserve that exists in addition to the Bankers Reserve as well as all funds in the Claim Stabilization Reserve resulting from or relating to premiums received for City of Detroit employees enrolled in the group insurance plan provided by U.S. Health and Life Insurance Company through COPS Trust;
3. The City of Detroit shall place in a separate account the funds described in the preceding two paragraphs which shall in some fashion be monitored by both the City and the retired Detroit Police and Firefighters Association, Inc. and which shall be applied as follows:
 - A. An appropriate Incurred But Not Reported reserve shall be established ("IBNR");
 - B. 50% of funds in excess of the IBNR shall be used to entirely eliminate the monthly co-premium for class participants in the Blue Cross/Blue Shield Community Blue PPO and Blue Cross/Blue Shield, Medicare Advantage Program for a period not to exceed the time by when these funds are exhausted;
 - C. 50% of funds in excess of the IBNR shall be used by the City of Detroit to defray healthcare costs in any manner that the City decides;
 - D. Any funds remaining in the IBNR after claims run out shall be applied in the manner specified in subparagraphs 3(B) and 3(C).
4. That all class members enrolled in the Coalition of Public Safety Employee Health Trust plan under 65 and those over 65 not eligible for medicare shall transfer to the Blue Cross/Blue Shield of Michigan Community Blue PPO plan; all over 65 and medicare eligible shall transfer to the Blue Cross/Blue Shield Medicare Advantage Program;
5. Class members in Blue Cross/Blue Shield of Michigan Community Blue or Medicare Advantage referenced in the preceding paragraph will be rated separately from actives;
6. This is resolution of any and all claims raised by all parties in Case No. 06- 619737 CK which will be dismissed with prejudice and without costs as to all parties.

As the parties have exchanged offers of settlement, the City suggests that this matter be moved to facilitation as expeditiously as possible.

Do not hesitate to contact this office if you have any questions.

Very truly yours,

FRASER TREBILCOCK DAVIS & DUNLAP, P.C.

Kenneth S. Wilson

KSW/mlm
Enclosures

Cc: Bruce Campbell (via First Class Mail)
Barbara Wise-Johnson Director of Labor Relations City of Detroit (via First Class Mail)

MARTENS, ICE, KLASS, LEGGHIO & ISRAEL, P.C.

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November 20, 2007

Via email, telecopier and US Mail

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Re: *Alan Weiler, et al. v City of Detroit*
WCCC Case No. 06 619737 CK – Hon. Isidore E. Torres

Mr. Wilson:

This responds to your November 2, 2007 letter.

At the threshold, we note that the City "settlement proposal" again tries to link the class members' claims with the City's unrelated, and belatedly-filed, counter-claim against the COPS Trust. This is unfortunate and inappropriate.

It also disregards, of course, our October 18, 2007 letter in which we , specifically explained that the Plaintiff class cannot and will not negotiate its claims in the context of the City's unrelated counter-claim against a non-class member.

For these reasons, below we address the City's "settlement proposals" separately

City's Response to Plaintiff Class' Settlement Proposal

In your November 2, 2007 letter, the City proposes to "settle" the Plaintiff class' claims by doing the following:

"transferring" all class members currently enrolled in the COPS Trust under age 65 and those over 65 not eligible for Medicare to Blue Cross/Blue Shield of Michigan Community Blue PPO (BCBSCB) plan; and "transferring" all class members currently enrolled in, COPS Trust over age 65 and Medicare eligible to Blue Cross/Blue Shield Medicare Advantage Program.

BCBS does not insure benefits for the City's policy and fire retirees. So, while referencing BCBS, this is actually a proposal to move some class members to the City's self-funded coverage.

The City also makes a contingent proposal to use part of the sued-for "reserves" to assist class members, on a one-time only basis, in their co-premium payment to the City's self-funded plan. No other class-related proposal is offered.

This City proposal lacks substance. And, the Plaintiff class rejects it. This so-called "settlement proposal" leaves the Plaintiff class with none of the relief it seeks in its complaint.

Specifically, the City's "settlement proposal" does not address:

- 1) the nearly \$18 million initial cost shift to the entire class caused by the City's July 2006 reduction, and elimination of health care benefits;
- 2) the annually increasing cost shift to the entire class, which includes increased co-pays, deductibles and creeping co-premium payments; and
- 3) the Plaintiff class' request for assurances against any further reductions and/or the elimination of their health care benefits.

These items are the essence of the Plaintiff class' contractual (collective bargaining agreements) claims and are specifically addressed, under MRE 408, in our October 18, 2007 letter to you.

Instead, the City "proposal" simply addresses a non-issue, viz., a transfer of certain class members to the City-selected, self-funded coverage. Plaintiff class did not sue on behalf of only some members and does not seek relief or preference regarding insurance coverage or carriers.

Mr. Weiler, the class representative, specifically testified during the injunction hearing that the class' claims are not insurance-carrier or coverage driven. The Plaintiff class, Mr. Weiler testified, seeks the restoration of benefits to the status quo ante levels and a reimbursement for out-of-pocket expenses incurred as a result of the City's July 2006 unilateral reduction and elimination of contractually-promised health care benefits:

Q. Mr. Weiler, you have testified on direct that you were seeking the restoration of health care benefits for all the retirees in the class?

A. That's correct.

...

(continued on next page)

Kenneth S. Wilson
Page #2
November 20, 2007

- Q. Mr. Weiler, do you care what insurance carrier any member of this class selects?
- A. That's their choice.
- Q. Do you have any interest whether they select COPS Trust over Blue Cross or any other carrier?
- A. I have absolutely no interest.
- Q. And is there any request in this lawsuit where you asked the Court to issue an order that would have an impact on what they [class members] select, what carrier they [class members] select?
- A. No.

(Weiler testimony, February 7, 2007, pp. 175-176.)

Left unsaid in the City's November 2, 2007 class "settlement proposal" is that the certain class members would be transferred to the City's self-funded coverage but **no** class member would realize **any** relief from the City's July 2006 benefit reduction and elimination. Instead, the City simply proposes to **maintain**, *in toto*, its July 2006 benefit reductions and eliminations for **all** class members. Similarly, **no** class member is given any assurance against any further reduction or the elimination of their critical health care benefits.

So, the City's class-related proposal is a non-starter. The Plaintiff class' ~; October 18, 2007 MRE 408 settlement proposal offered a bona fide compromise of the class' claims (over \$9 million). The City's "settlement proposal," on the other hand, is simply a demand that Plaintiff class dismiss with prejudice all their claims, that certain class members enroll in the City's self-funded coverage, and that the entire class accept, without change, the City's July 2006 health care reductions and elimination.

Actually, the City's class proposal is a further erosion of the contractual , rights the Plaintiff class seeks to enforce. The collective bargaining agreements, under which class members retired, assured each class member of their important individual right to select .their own health insurance coverage. The City's proposal to move certain class members into the City's coverage abrogates their contractual right to choose coverage. (We note that, at each Open Enrollment, class members are free to select any coverage offered.)

The City's contingent proposal to the class, viz., to provide some money to assist, on a one-time basis only, in premium payments back to the City also lacks substance. The Plaintiff class cannot and will not respond to the City's "if come" proposals, i.e., a proposal that exists only if the City successfully collects money from a non-class party in an utterly unrelated claim. More importantly, regardless of the source for this proposed, partial premium assistance or its "firmness," the amount offered is utterly inadequate given the severity of the City's cuts.

The City's Proposals Regarding Its Counter-Claim Against COPS Trust

We turn to the City separate proposals to "settle" its counter-claims against COPS Trust. This can be handled quickly.

The City's proposed resolution of its counter-claim is nothing less than a demand for a full judgment in its favor. The calculus is simple: the City sues the J COPS Trust for \$7.9 million in "reserves" and then offers to "settle" its claims by .! demanding the COPS Trust pay the entire \$7.9 million to the City.

The COPS Trust rejects this "settlement proposal." The COPS Trust believes the City's equity claims against it are without merit.

Facilitation

Given (1) the City's effort to inappropriately link the settlement of class claims to a settlement of its unrelated counter-claim against a non-class member, and (2) its failure to genuinely engage on the Plaintiff class' settlement proposals by making its own meaningful proposals, your suggestion that the matter move to "facilitation as expeditiously as possible" is baffling.

Sincerely,

Christopher P. Legghio

CPL/dkm

xc: Bruce A. Campbell (by regular mail, email and telecopier)
Hon. Isidore E. Torres (by hand delivery)
Ronald R. Helveston (by regular mail)
J. Douglas Korney (by regular mail)
Richard Ashare (by regular mail)

REMEMBRANCE AND THANK YOU

The following supporters, their names and in the names of their loved ones, have contributed most generously to our Appreciation, Building and P.A.C. Funds. Your continued support of our Association is the encouragement we need and reflects your recognition of the Association's efforts in your behalf.

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Members Letters

R.D.P.F.F.A.:

Dear Friends:

Robert (Bob) Miles, my husband of 59 years, was a proud member of the Detroit Police Department for 25 years and enjoyed his 32 years of retirement.

So many in the Department were very helpful to me after his death in July. It is my privilege to belong to this fine organization and I express my grateful thanks to all with the enclosed membership and contribution checks.

Sincerely,
Margaret Miles

D.P.F.F.A.:

Thanks guys for everything you have done for us.

Hello to Paul and the other friends. Keep up the good work.

Jim Hudson

R.D.P.F.F.A.:

Please use this donation for whatever you deem to be necessary.

Dorothy E. Lindley

R.D.P.F.F.A.:

Hello Mr. President, Elected officers and Members.

We, members, can never thank you enough for what you do for us. All of our gains have come through this Association. I cannot understand why some retirees do not belong – cheap cheap.

I have belonged to this wonderful Association at least 25 years and every buck has been a good investment.

With Best Regards, and thanks,
Bob Jackson

R.D.P.F.F.A.:

I wish I could reach all widow's who are not members, they owe it to the memory of their men (and women) who are no longer here, to support our Association for what we need and the help we receive from such dedicated men and women. I really appreciate all you've done for me since I became a widow in 1997. Thank you and God Bless you all.

Isabelle Crouter



Surviving Spouses (Associate Members) *Fern Garner*

A new year and we will have to remember to use 2008 when writing checks or any other documents that need dating. Wonder what this New Year' will hold for us, in many areas.

If you read the Unity from cover to cover as most of us do, you might be aware that the Association has been trying to enroll any retirees who did not automatically join. The results of the "recruiting drive" have been very successful, especially since new policies were initiated regarding giving pension or health care information to non-members and making the names of recent retirees who had not yet joined available. Any association is built on the number and strength of its members. The more who participate the bigger voice they have.

Hopefully surviving spouses of retired Detroit Police and Fire Fighters were made aware that they could continue the membership in the Association, as associate members. This would entitle them to any services offered to the general membership, including joining either East Side or West Side Silver Ladies. We offer a different kind of support other than what the general membership receives in the sharing of grief, if recently widowed, or just comparing experiences of a changing life style.

We also plan some outings and are open to any suggestions from the membership. We have fun and share experiences, good and bad. But mostly we have just become friends, with a common background of sharing the experience of being the wife of someone whose hours were different from many other "civilians" and the adjustments we all made.

So in this New Year make a point to at least visit one of our meetings and see what we can offer you. We have becomes friends over the years and can always offer you that.

Happy New Year



ARIZONA ROADRUNNERS

Al Helquist

Received a telephone call from Honorable Judge Bill Molner (Arizona) informing me of the passing of his mother Annette Molner. Annette retired from the Woman's Division in July of 1972 and went on to become a school teacher. Annette worked at the "gate" of the RDPFFA Picnic yearly with the exception of the last couple of years when her health began to fail. She was a very active hard worker in the Roadrunners and even filled in for me as President when I had an emergency and had to fly back to Michigan and was unable to make the meeting. Annette was 86. May she rest in Peace.

I spoke with Bob Greenwald the other day and Bob still has the same great spirit and is just as up beat as can be.

The good news is, that neither Bob nor his wife, Darlene, have fallen and broken anything and that is a huge plus for them. He did say that he is seeing an Acupuncture person and he can now move the toes of his one foot. Fantastic.

Bob did say that he and Darlene were planning on attending the next Roadrunners meeting which shall be held at the Wild Horse Pass Casino on January 13, 2008 beginning at 12:00 noon. We shall once again be looking forward to seeing them.

From the Roadrunners we trust that each and every one of you had a very Merry Christmas and accept our wishes for a Happy New year.

Till later, take care and have fun.

In the words of Seneca: My joy in learning is partly that it enables me to teach.



RETIRED DETROIT POLICE AND FIRE CLUB OF FLORIDA

Rev. Jim Caufield

The meeting of December 2, 2007, was called to order by President Joe Hutsko, who opened with the Pledge of Allegiance to the flag. This was followed by the opening prayer by Rev. Jim Caufield.

It was reported that Lois DeMercy had succumbed to cancer November 13th and has been returned to Michigan for burial. Our prayers are with Frank and her family. May Lois rest in Peace.

Member, Fran Maione, informed the members that Betty McClellan, the past treasurer, was in a nursing home in Clarkson, Michigan and had sent the members her greetings. Member, Earl Wiltse reported that since the last meeting, he had been in the hospital and received a new pace maker. Also, Jim Bateson was home sick with the flu.

Treasurer, Edith Caufield, gave her report. Vice President, Bill Schmidt informed the members in regards to the upcoming changes to Medicare and income tax deductions which commence January 1, 2008. He then reported the birthday of our Secretary, Wally Hamer, who turned 86 years old this month. Bill Larsen spoke on the annual banquet and requested all members to purchase their tickets A.S.A.P., from him or the Treasurer, Edith Caufield. Bill can be contacted at area code 727-786-3429 for tickets. Treasurer, Edith Caufield can be contacted at 863-701-0330, Pleasant Hollow Trl., Lakeland, Florida 33811.

With only 22 members present the 50-50 drawing was \$8.00 each to the two winners and \$17.00 to the organization.

The meeting was adjourned by President Joe Hutsko and the ending prayer by Rev. Jim Caufield. He asked that all members would have a Merry Christmas and a Happy New Year!

We would love to see more members come. The next meeting is scheduled for January 6, 2008, at the Brandon Recreation Center, 51- Sadie St., Brandon, Florida.



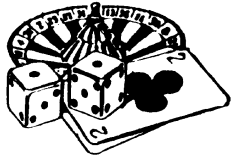
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NEVADA JACKPOTS

Tom Hulkkonen

President Breed opened the meeting at 9:45 a.m. with the Pledge of Allegiance and a silent prayer for our past members and our troops out defending our freedom. He passed around the RDPFFA minutes from their November IS” meeting. There was some discussion about the problem of the Social Security override bill and then the meeting was opened to the floor.

I mentioned that I received a phone call from Pat Palmer telling me her husband and member, Ralph Palmer had died on October 28th. There was no funeral service and he was cremated. She asked that we make a donation to the Humane Society, in lieu of flowers, in memory of Ralph. I agreed and will make a \$50 donation to the local Humane Society in Las Vegas. Our prayers go out to the Palmer family.

Tony Pakula had information about a train ride in Arizona by the Verde Canyon Railroad. It’s a four-hour excursion through Verde Canyon, west of Sedona, Arizona. It looks like a great trip and something to consider for next year.

Marge Downing suggested that for our Christmas Party we meet at the Motor City Coney Island in Henderson and have dinner there. We can then head over to their house for the party and gift exchange. We can have snacks and beverages there. It’s one way to take the pressure off the person throwing our card and dice parties. It was agreed upon so we will meet at the Motor City Coney Island at 4:00 p.m. on December 22nd. The restaurant is located on Water Street, Bldg. 19 D, in Downtown Henderson. The business number is 353-7911. Please RSVP with Ray & Marge at 283-0720. If you want to skip the dinner and just go to the house we will meet there at 5 :00 PM. It was decided that we bring a gift of \$20 in value for the exchange. So be there or be square.

After some discussion we settled on January 12,2008, for our next business meeting. It will be at 9:30 a.m. in the Hugo’s Cellar at the Four Queens Hotel and Casino in beautiful downtown Las Vegas.

I had received a phone call from Jerry Heinrich who had contact with a company that could provide

Medicare supplemental insurance. They wanted to set up a meeting with us to discuss if this would be beneficial for our members. Members at the meeting said the BC/BS we have is the best supplemental insurance you can get to augment Medicare coverage. As I am not eligible for Medicare I defer to those who have the coverage and see BC/BS as the best for our members.

One of the Finest

They may knock him, they may knife him,

Take away his rights and pay.

But he’s just the same old hero,

On the sidewalk night and day.

And the loudest to deride him,

While the city sleeps in peace,

When a little danger threatens,

They’re the first to cry “POLICE”.

He is not considered human,

Not in the eyes of some.

And they never give him credit

For the brave deeds he has done.

But from many a flame-scorched hallway,

Where the panic-stricken stood,

As he risked his life to save them,

Then the “COP” looked pretty good.

There’s a brave old heart that’s beating,

‘Neath that uniform of blue.

There’s a life that’s ever ready,

To be sacrificed for you.

And they never stop to think of those

They love, but leave behind.

They are only plain POLICEMEN,

And a plain “COP” doesn’t mind.

They worshipped him in years gone by,

In the days when “COPS” were kings.

They cheered his every effort,

And inspired greater things.

So when you see him passing by,

Just remember he’s a man,

And remember he would die for you,

As only “COPPERS” can.

The Bluecoat

Westside Silver Ladies

Geri Henningsen

A new year has arrived. Let's hope for good health for all of us!

Our Christmas luncheon was most enjoyable. The 23 members who attended were Elmira Affelt, Meta Bateson, Dorothy Bliss, Shirley Brandt, Martina Burke, Betty Cavin, Hilma Clifford, Geri Henningsen, Donna Hope, Jo Kozlowski, Linda Jansen (guest), Jean Lewis, Dolores Linn, Marie McCarthy, Jo Moranty, Marilyn Noseworthy, Dorothy O'Leary, Eleanor Popiela, Louise Progar, Dolores Smith, Pat Tomasaitis, Mary Wagner and Elaine Wallace. Thank you, Jo Moranty for handling the 50-50 and to Donna Hope for donating the special key chains.

Our 50-50 winner was Dolores Smith who pulled her own ticket. She has earned it, too, having not won in five years!! We received a nice card and phone call from Marie Johnson, the Sunshine Lady from our sister group – Eastside Silver Ladies founded the organization which led to our group.

Annual dues time is coming up in March. The fee is still only \$12.00 annually. If you are unable to attend the luncheons during the winter months, please mail them to our Treasurer, Meta Bateson, 1291 Shoemaker Drive Westland, Michigan 48185.

Happy Birthday to...Hilma Clifford and Elaine Prince – both 2/7, Mary Wagner – 2/8 and Gayne Zell – 2/12.

Until next time, let's meet at Archie's.

Geri Henningsen
734-335-6778

The Much Maligned Fruitcake

Every Christmas Season the jokes begin,
It's the butt of many jokes.

No matter who these words may hurt,
Most times, the very nicest folks.

Fruit cakes come in shapes and sizes,
Different recipes in various cakes.
Containing nuts and colored fruits,
Love and patience is what it takes.

Fruit cakes don't just grow on trees,
Or thrown together in a haphazard way.
They are planned to be just right,
No matter what some folks say.

Some are made commercially,
And wrapped for the holiday season.
No personal touch when they're made,
No loving touch' rhyme or reason.

A good fruit cake, given as a gift,
Takes time and lots of things.
And is given with the best of thoughts,
And for the happiness it brings.

Expressions I've heard, I'm sure you have too.
"Nutty as a fruit cake", is one so often used,
To describe a person who is not 'all there'.
Disorientated, just confused.

No matter what ever the expression used,
I say now and make no mistake.
There is nothing that I enjoy much more,
Than hot coffee and a piece of 'ole nutty fruit cake.

by Roy H. Moerschell

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Silver Ladies

Carol Curley



Our Christmas Party at Filippa's was just lovely again this year. Thank you to Delphine Marciniak and Sophie Zielinski for setup table decorations and door prizes, Marie Johnson for holiday tea lights, Bea Hall for petite Santa bells, Barb Talley for sharing a synopsis of her vacation in Italy with us in addition to the butterflies and Irene Brooks cookie treats. Also thanks to Honorary member Emelie Salatowski for joining us!

We need prayers and loving friendship for members who are trying hard to recover from health setbacks, including our regular Unity writer Helen Malkowksi. Thank you Helen.

My name is Carol Curley. I will try to fill in writing this column while Helen is absent.

For all information about this fun and informative police and fire fighter widows group, call President Irene Brooks at 586-549-8894.



Greetings from the North Pole. December 1st came in like a lion and dumped a foot of snow on us. Sometimes living in Northern Michigan is a challenge.

First of all – again there will be no Snowbird meetings in January, Feb. and March of 2008. Our first meeting will be April 13, 2008 at 1PM at B.J.'s restaurant as always. Then because of Mothers Day, our May meeting will be on the 18th, so please mark your calendars.

Our November meeting was very productive: Bill Henahan advised members that military time could be used towards qualifying for Social Security. Ed and Marsha Dreslinski volunteered to an AARP drivers Education class for our members and most auto insurers give you a discount when completed. Dave Ambrose spoke about some problems with Social Security and Medicare.

We gave away all kinds of prizes. Paulette Groh donated Police Christmas Ornaments from her previous Hallmark shop. They were won by: Mary Ann Ponik, Marge Helzer, Bev Clayton and Jey Zemaitis. Paulette also donated old Unity Papers and they were won by Mary Stano, John Wood, Marlene Ambrose, Lorraine Dennerly and Dennis Flanigan. Being Veterans Day, Dan and Jey donated Patriotic Star pins they made and they were won by Bill Henahan, Bev Clayton and Ellie Barnauskas. The Turkey drawing winners were: Lorraine Dennerly and Walt Dewaelsche.

50-50 winners were: Dan Zemaitis (last time was May of 1999), and Mike Kniaz, Mary Ann Ponik, Paula Marshall, and Mary Stano.

Nov. Birthdays were: John Wood-Happy 65th John. Get Well wishes go to Don Andrizzik, Roy Mantay, and Moe Gekiere. We had a great turnout for our Dec. 9th Christmas meeting, banquet and gift exchange. A great buffet was again put on by Bob of B.J.'s. Songs were sung and the air was full of warmth and friendship.

Jey and I will be in Florida after this article and with there being no meetings Jan, Feb, and March, if you have any news you can call us at (727) 397-6226 or write at 10036 63rd. Ave. N. #4, St. Pete., Fla. 33708. We'll be happy to hear from you. Until then take care and have a good year.

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EYE CARE UPDATE 2008

Metropolitan Eye Center will always provide the latest and safest treatments available for our patients. As a full-service eye center with an on-site optical studio, you can be assured we will do whatever we can to make your vision the best it can possibly be. Here are some services we provide.

VITAMINS

According to the Seddon Harvard University study, Lutein and Zeaxanthin have been correlated to a 43% lower prevalence of Age-related Macular Degeneration (AMD). Lutein protects the retina by functioning as an antioxidant and by blocking harmful ultraviolet radiation that can damage the delicate macular tissue.

Antioxidants from Vitamin C, Vitamin E, Zinc, and Selenium have been shown to stabilize and prevent further progression of AMD. Patients who have already developed the disease are encouraged to take a vitamin with high doses of Lutein and antioxidants to minimize further loss of vision. Vitamin supplements designed specifically for the eye (MaxiVision) are available in our Optical Studio. Specific dietary components, particularly the carotenoids found in dark green leafy vegetables have shown great promise in reducing the incidence of AMD. Vitamin supplements are readily absorbed from the gastrointestinal tract resulting in increased blood serum levels and macular pigment density.



LASER VISION CORRECTION

We are delighted to be using the Bausch & Lomb Zyoptix™ Personalized Laser Vision Correction System for the treatment of nearsightedness and astigmatism. This revolutionary technology is enhanced by the use of an additional space-age laser, INTRALASE[®] that creates the LASIK flap without the use of a blade. We call this 'High Definition Vision'! The advanced diagnostic system used analyzes a thousand of data points across the entire eye - to produce a personalized vision treatment plan.

Whether it's using the B&L Zyoptix System for traditional LASIK or PRK, our doctors are able to treat most patients who desire to eliminate or reduce their need for glasses.

The good news is that the LASIK procedure *may be* covered by U.S. Health and Life for current and retired Detroit Police and Fire Fighters.

NEARVISION CK

Are you at least 45 years old? Have you had good vision all of your life without glasses? Would you like to eliminate your reading glasses most of the time? If you answered yes to all of these questions, then you may be a candidate for NearVision CK. CK is an exciting advancement in vision correction because it is a simple, painless procedure that uses radiofrequency (RF) energy instead of a laser. To find out more about NearVision CK, contact our office at 800/774-7565.

CATARACTS

If you believe you may have a cataract, don't worry. Every year, some 2.5 million Americans have cataract surgery. Modern cataract surgery has developed into one of the safest, most successful and most patient 'friendly' surgical procedures available. In some cases, bifocal intraocular lens implants can reduce the need for reading glasses after surgery. It is quick and painless and almost always results in a dramatic improvement in vision for the patient. That's good news since cataracts are a normal part of the aging process!

MULTIFOCAL LENS IMPLANTS

When our patients have cataract surgery, the improvement to their vision can be life changing. With the latest advancements in multifocal lens implant technology, we are able to offer even more dramatic vision changes to improve not only your distance vision, but also your intermediate and near vision, as well. The first step is to have a complete eye examination and determine if this type of implant is right for you!

GLAUCOMA TREATMENT

It is estimated that almost 50% of people who have glaucoma don't even know they have it because they have not had a comprehensive eye exam. The pressure in the eye is usually elevated in patients with glaucoma, but there is no pain or visual loss until it is too late. Left untreated, vision gradually declines and eventual blindness will result.

Fortunately, glaucoma can be detected by your doctor during your comprehensive eye exam. Early treatment can prevent visual loss. Advances in treatment include new eye drops called prostaglandins and a revolutionary new laser treatment called SLT. Using SLT to treat glaucoma, doctors can eliminate the need for eye drops in some cases! You have a higher than normal risk for glaucoma if you are African American, have a family history of glaucoma, or had an eye trauma. For more information, go to our website, or call for an appointment.

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