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Correspondence Memorandum

Date: January 23, 2017
To: Group Insurance Board
From: David H. Nispel, General Counsel
Dan Hayes, Attorney
Subject: Status of Pending Legal Cases

This memo is for informational purposes only. No Board action is required.

This memorandum presents the status of pending or recently concluded court cases involving insurance issues, the Department of Employee Trust Funds (ETF) and/or the Group Insurance Board (GIB). In order to maintain Wisconsin Retirement System (WRS) member confidentiality, the names of the parties and case numbers are not identified in this memorandum.

The purpose of this memorandum is to inform you of litigation in which the GIB and/or ETF are parties or are otherwise involved, not to provide any legal advice concerning the cases listed here. Each of the cases is being handled by either an assistant attorney general from the Department of Justice (DOJ) or a private attorney retained by Wisconsin Physicians Service (WPS). If you have any questions about a particular case, we will be able to provide you with the name of the attorney handling the case.

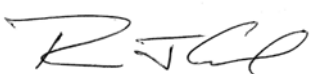
As of January 23, 2017, there are eight cases, which can be divided into the following categories:

Court Cases Handled by DOJ (4)

ETF (GIB not a party) 4
GIB and ETF..... 0

Subrogation Cases Handled by Private Attorney (4)

(per Article XII, Section H, Administrative Service Agreement with WPS)

Reviewed and approved by Robert J. Conlin, Secretary
 Electronically Signed 1/26/17

Board	Mtg Date	Item #
GIB	2.8.17	10C

COURT CASES HANDLED BY DOJ

Case No. 1:

Issue – ETF provided income continuation insurance benefits and long-term disability benefits following personal injuries sustained by the plaintiff as a result of alleged negligence by a chiropractor and seeks repayment for those payments made.

Summary – ETF was named an involuntary plaintiff in a Winnebago County Circuit Court case in which the plaintiff seeks damages for personal injuries sustained in the incident and a determination of ETF's subrogation interest.

Status – A two-week jury trial is scheduled for July, 10–21, 2017.

Attorney – DOJ attorney.

Case No. 2:

Issue – ETF provided income continuation insurance benefits following plaintiff's involvement in an automobile accident and seeks repayment for those payments made.

Summary – ETF was named a subrogated plaintiff in a Racine County Circuit Court case in which the plaintiff seeks damages for personal injuries sustained in the accident and a determination of ETF's subrogation interest.

Status – A two-day jury trial is scheduled for March 14–15, 2017.

Attorney – DOJ attorney.

Case No. 3:

Issue – ETF provided income continuation insurance benefits following plaintiff's involvement in a motorcycle accident and seeks repayment for those payments made.

Summary – ETF was named an involuntary plaintiff in an Eau Claire County Circuit Court case in which the plaintiff seeks damages for personal injuries sustained in the accident and a determination of ETF's subrogation interest.

Status – Litigation is in early stages. No trial date has been set.

Attorney – DOJ attorney.

Case No. 4:

Issue – ETF provided income continuation insurance benefits following plaintiff's involvement in an automobile accident and seeks repayment for those payments made.

Summary – ETF was named an involuntary plaintiff in a Dane County Circuit Court case in which the plaintiff seeks damages for personal injuries sustained in the accident and a determination of ETF's subrogation interest.

Status – A three-day jury trial is scheduled for July 10–12, 2017.

Attorney – DOJ attorney.

WPS SUBROGATION CASES

WPS has retained private counsel to handle these cases, and no ETF or DOJ attorney is involved. There are four cases pending in which GIB or ETF has a subrogation interest in a court action filed by a WRS member because ETF provided benefits to that member following a personal injury.

Staff will be available at the board meeting to answer questions.