

This court should not tolerate their newly asserted disavowal of any obligation to do so either, and their utter omission to explore finding a healthcare plan for their annuitants, or pursue the City to levy to cover the Funds' subsidy obligation. This Court should hold them to both obligations, enter judgment ordering them to provide a coverage plan for their annuitants, subsidize their annuitants per the statutes, and bring the unpaid subsidies current, from January 1, 2017 to the present, depositing them in a fund under Court control, and to add to it each month until this matter is resolved.

I. This Court's decisions are law of this case. The four Funds are obligated to provide healthcare coverage for their annuitants and to subsidize the costs at the amounts set in their respective statutes.

Per the applicable Pension Code statutes¹, and this court's repeated rulings, the Funds have the primary obligation to provide coverage for their members and to subsidize the costs in the amounts in the 1983 and 1985 Pension Code provisions. (*See*, Plaintiffs' opening Motion at p. 3-9, citing December 3, 2015, March 3, 2106, July 21, 2016 and August 31, 2016 Orders).

The basic tenant of the law of the case doctrine is that "when a court decides upon a rule of law, that decision should continue to govern the same issues in subsequent stages in the same case." *Musacchio v. United States*, 136 S. Ct. 709, 716 (2016). "The law-of-the-case doctrine bars relitigation of issues of both law and fact." *Blumenthal v. Brewer*, 2016 IL 118781, ¶ 43.

This Court's March 3, 2016 "Clarification" Order declared:

The City is correct that it does not have any obligation under the 1983 or 1985 amendments to subsidize or provide healthcare for the Funds' annuitants. That obligation is placed on the Funds. However, the City does have an obligation to contribute, through the collection of the special tax levy, the monies used by the Funds to

¹ While the City may not have a *statutory* obligation to provide the coverage, the Funds, in both their *City v. Korshak* counterclaims (Fourth Amended Complaint Exhibits 3), trial testimony, and as described in the Police Fund's filing here, had contracted with the City, which agreed to be the insurer. And that contract is one of the claims sought to be enforced-by annuitants, derivatively through their Funds, and against the City in the Fourth Amended Complaint.

subsidize/provide healthcare for the Funds' annuitants. Therefore, both the Funds and the City have certain obligations under the 1983 and 1985 amendments and both the City and the Funds are proper parties to Count I. (March 4, 2016 Order, at 5)

This was reaffirmed in this Court's July 21, 2016 Order upholding Count I of the Third Amended Complaint:

3. The 1983 and 1985 Amendments: No Time Limitations

The 1983 amendments obligated the Fire and Police Funds to contract for group healthcare coverage for their annuitants and to subsidize the monthly premiums for their annuitants.

The 1985 amendments obligated the Municipal and Laborers Funds to approve a group health insurance plan and subsidize monthly premiums for their annuitants by making payments to the organization underwriting the group plan.

The 1983 and 1985 amendments did not set forth *any* termination date for the Funds' obligations. (July 21, 2016 Order, at 8.)

The Appeal and the Appellate Court ruling. On August 31, 2016, this Court granted our request for Rule 304(a) findings with respect to the Orders dealing with the City, but none of the Funds, nor the City, appealed the findings that the Funds have primary statutory obligations to provide and subsidize; thus rendering themselves bound by the rulings.

On appeal, the Appellate Court affirmed all the appealed rulings in all respects, except it expanded the entitled class to all retirees who became participants (i.e., original hire date) by the “execution date” or the “effective date” (July 31, 2003) of the 2003 Settlement.

Indeed, as the City's (June 15, 2018) brief at 4 points out, the Appellate Court actually explicitly endorsed this reading of the two obligations:

Any ambiguity as to who is required to fund subsidies under the 1983 and 1985 statutes is resolved by examining that Opinion. There, Justice Simon wrote that: "The Funds' obligations to their annuitants under the Pension Code are financed by the taxpayers of the City through a tax levy. 40 ILCS

5/5-168 (West 2013)." *Underwood v. City of Chicago*, 2016 IL App (1st) 153613, I 3. Paragraph 4 of that Opinion then provides:

In 1983, the General Assembly amended the Pension Code to require the Fire and Police Funds to contract with one or more insurance carriers to provide group health care coverage for their retirees. Ill. Rev. Stat. 1983, Ch. 108-1/2, par. 8-164.1 (eff. Jan.12 1983). The 1983 amendments **also** required the Funds to pay the premiums for such health insurance for each annuitant "up to a maximum of \$55 per month if the annuitant is not qualified to receive Medicare benefits, or up to a maximum of \$21 per month if the annuitant is qualified to receive Medicare benefits." Ill. Rev. Stat. 1983, Ch. 108-1/2, par. 8-167.5 (eff. Jan.12 1983)."

Id. at ¶ 4 (emphasis added).

These findings are not only “law of the case”, but actually res judicata binding upon the City and the Funds.

Accordingly, the Funds are obligated to provide coverage and subsidize annuitants’ healthcare costs, and the City is obligated to levy taxes to fund the Funds’ obligations. There is no wiggle room in this, and it is binding on both of them. And, as the Police Fund points out in its filing, it was understood and agreed that the City would be the health insurer. This actually leaves the Funds obligated to either go find coverage, or pursue enforcement of their contract with the City to be that insurer.

II. The Funds’ position in their current filings directly conflict with their own previous positions in pleadings and testimony in this litigation’s predecessor trial, in which the Funds *acknowledged* their obligation to provide coverage and subsidize it.

The applicable statutes explicitly obligate the Funds to provide and subsidize, yet their briefs now conflict with their own testimony in the *City v. Korshak* trial (Exhibit 27 to the Fourth Amended Complaint (“4th AC”), in which the Funds argued and explicitly recognized the Funds’ (their own) obligations under their statutes to provide and subsidize healthcare coverage for their annuitants. For examples:

1. Opening Argument of Kevin Forde (PABF attorney, and Lead Counsel for all Funds), 4th AC, Exhibit 27 at ROP 3:

This is the Fund's only obligation to make these payments toward the premiums as well as to arrange for the insurance.

and

2. Testimony by PABF Executive Director James Waters, *Id.* at ROP 36-37

Q. **Mr.** Waters, is there a statute relating to health care for the fund annuitants?

A. Yes, there is.

Q. Do you know when it took effect?

A. For the police fund it took effect on January 12, 1983.

Q. Could you tell us your understanding of the terms of that statute?

A. **As I understand it, the statute calls for the Policemen's Annuity and Benefit Fund to arrange for hospitalization of coverage for its annuitants and to contribute a specified amount towards the cost of that insurance.**

3. On Cross Examination by City Attorney Beckett, *Id.* at ROP 52:

Q. You also testified that your understanding, I will take that exhibit back, for a moment, but **your understanding of Section 5-167.5 of the Policemen's Annuity Fund Act required several things of the Pension Fund?**

A. **That is correct.**

Q. One of those things was that you could take \$55 a month per annuitant to pay for this premium?

A. Well, we were directed to take up to \$55 for a retired annuitant, retired employee.

Q. And if they were on Medicare, it was only \$217

A. That is correct.

Q. **And it is also directed the Fund to enter into a contract of insurance?**

A. **we were to arrange insurance for the annuitant.**

Q. And it is your testimony that the funds in fact did that in 1985 when it passed that resolution that you testified about, right?

A. Correct.

4. And *Id.* at ROP 68-69:

Q.

...

Referring you back to that statute you have discussed in the 1983 statute governing annuitant's health benefit and how the Pension Fund relates to that, **you said it was your understanding that the Fund was to obtain some kind of insurance coverage for the annuitants?**

A. To arrange coverage.

Q. And you do know that the statute required you to arrange coverage with insurance carrier, don't you?

A. That is correct.

5. And *Id.* at ROP 69-70:

Q. Mr. Waters, you do believe that the Pension Fund has satisfied the requirements of the statute in obtaining and arranging for coverage through the City, correct?

A. Yes.

MS. BECKETT: No further questions

6. For the Firemen's Fund, Norman Holland, *Id.* at ROP 108:

Q. I believe the record is clear, but it might be from statements made by me rather than testimony. Isn't it true, Mr. Holland, why don't you tell us with respect to the state statute that Mr. Waters has described, is there a similar provision to the firefighters?

A. We have the identical provision in our state statute that was signed on the same date.

7. Thomas Stack, Executive Director for Municipal Employee Annuity and Benefit Fund, *Id.* at ROP 118:

Q. You have heard the testimony before of Mr. Waters and Mr. Holland and Mr. Capasso. The testimony that you were to give regarding Municipal workers except for the contractual obligations contained in the Firemen's Fund be similar to those individuals and except for where the statute provisions are different?

A. Yes.

The Funds' collective disavowal to provide a Plan and subsidize is now shocking.

III. The Funds are bound by their prior positions acknowledging their obligation to provide and subsidize coverage.

The result of the Funds testimony is that the Funds are bound by their prior position and that they are obligated to both provide coverage for all of their annuitants, and to subsidize it at the Statutory levels. This result comports with the plain reading of their applicable statutes.

Moreover, their own prior positions taken in the *Korshak* litigation and trial, by any of the following doctrines, requires that result as well.

Adverse admission² and judicial estoppel³ both apply. The doctrine of admission against interest allows for admission of contradictory statements of a party, as evidence against that party. *Mortell v. Insurance Co. of North America*, 120 Ill. App. 3d 1016 (1983) (“Generally, any statement made by a party or in his behalf which is inconsistent to his position in litigation may be introduced into evidence against him.”). The rule applies to statements made by a party, or an agent acting on behalf of that party. *Id.*

The doctrine of judicial estoppel is used to prevent a party from taking a factually inconsistent position in a subsequent law suit, after it has benefited from taking the opposite position in a prior action. *Seymour v. Collins*, 2015 IL 118432, ¶ 36.

the uniformly recognized purpose of the doctrine is to protect the integrity of the judicial process by prohibiting parties from "deliberately changing positions" according to the exigencies of the moment. (Internal quotation marks omitted.) *New Hampshire*, 532 U.S. at 749-50. Judicial estoppel applies in a judicial proceeding when litigants take a position, benefit from that position, and then seek to take a contrary position in a later

² *North Shore Community Bank & Trust Co. v Sheffield Wellington LLC*, 2014 IL App (1st) 123784 at ¶ 102-105, 126, 158: “any admission not the product of mistake or inadvertence become binding judicial admissions. Judicial admissions are defined as ‘deliberate, clear, unequivocal statements by a party about a concrete fact within that party’s knowledge.’”

³ *Comment: The Judiciary Says, You Can't Have It Both Ways: Judicial Estoppel - A Doctrine Precluding Inconsistent Positions*, 30 Loy. L.A. L. Rev. 323 (Nov. 1996), “A party cannot occupy inconsistent positions; and where one has an election between several inconsistent courses of action, he will be confined to that which he first adopts.”. See also: *Smeilis v. Lipkis*, 2012 IL App (1st) 103385 and *Seymour v. Collins*, 2015 IL 118432, at ¶¶36-37.

proceeding. *Barack Ferrazzano Kirschbaum Perlman & Nagelberg v. Loffredi*, 342 Ill. App. 3d 453, 460 (2003).

[¶37] This court has identified five prerequisites as "generally required" before a court may invoke the doctrine of judicial estoppel. The party to be estopped must have (1) taken two positions, (2) that are factually inconsistent, (3) in separate judicial or quasi-judicial administrative proceedings, (4) intending for the trier of fact to accept the truth of the facts alleged, and (5) have succeeded in the first proceeding and received some benefit from it. *Runge*, 234 Ill.2d at 132; *Jones*, 223 Ill.2d at 598; *Caballero*, 206 Ill.2d at 80.

Law of the case applies as well. See, Justice Simon in *Am Serv. Ins. Co. v. China Ocean Shipping Co. (Americas) Inc.*, 2014 IL App (1st) 121895:

[*¶20] The *law of the case doctrine* protects the settled expectations of the parties, ensures uniformity of decisions, maintains consistency during the course of a single case, effectuates the proper administration of justice, brings litigation to an end, and maintains the prestige of the courts. *Emerson Electric Co. v. Aetna Casualty & Surety Co.*, 352 Ill. App. 3d 399, 417, 815 N.E.2d 924, 287 Ill. Dec. 280 (2004). To allow plaintiff to now challenge its duty to defend on the basis of a legal theory it could have previously pursued would violate the settled expectations of the parties, threaten the uniformity of the courts' decisions, and disrupt consistency during the course of this case as to the issue of plaintiff's duty to defend. In addition, reopening this issue would prolong litigation and diminish the prestige of the courts by undermining the finality of this court's decisions. As plaintiff has not contended that this court's prior ruling has been overruled by a subsequent holding of a higher court or that our decision is palpably erroneous, we need not consider whether either of the two recognized exceptions to the *law of the case doctrine* are applicable in this case. We conclude that the circuit court did not abuse its discretion by denying plaintiff's discovery request because plaintiff was seeking discovery as to issues it was barred from relitigating by the *law of the case doctrine*.

The *Mend the Hold* doctrine also prohibits a party from changing their position in litigation. As Justice Gordon described the doctrine, in *Trossman v. Philipsborn*, 373 Ill.App.3d 1020, 1042 (1st Dist. 2007):

"Where a party gives a reason for his conduct and decision touching anything involved in a controversy, he cannot, after litigation has begun, change his ground and put his conduct upon another and different

consideration. He is not permitted thus to amend his hold. He is estopped from doing it by a settled principle of law." *County of Schuyler v. Missouri Bridge & Iron Co.*, 256 Ill. 348, 353, 100 N.E. 239 (1912). Accord *Gibson v. Brown*, 214 Ill. 330, 341, 73 N.E. 578 (1905); *Townsend v. Postal Benefit Ass'n of Illinois*, 262 Ill. App. 483, 489 (1931).

In modern times, the *mend the hold doctrine* has been described "as a corollary of the duty of good faith that the law of Illinois as of other states imposes on the parties to contracts" and precludes "[a] party who hokes up a phony defense to the performance of his contractual duties" from "[trying] on another defense for size." *Harbor Insurance Co. v. Continental Bank Corp.*, 922 F.2d 357, 363 (7th Cir.1990).

And *see also*, *Borowski v. Smulkowski*, 2016 IL App (1st) 132128-U (2016), in which Justice Mason laid out the doctrine's continued bar on changing course:

[*P22] Illinois has recognized the *mend-the-hold doctrine* for over a century:

"Where a party gives a reason for his conduct and decision touching anything involved in a controversy, he cannot, after litigation has begun, change his ground, and put his conduct upon another and different consideration. He is not permitted thus to amend his hold. He is estopped from doing it by a settled principle of law." *Schuyler County v. Missouri Bridge & Iron Co.*, 256 Ill. 348, 353, 100 N.E. 239 (1912). Accord *Trossman v. Philipsborn*, 373 Ill. App. 3d 1020, 1042, 869 N.E.2d 1147, 312 Ill. Dec. 156 (2007) (quoting *Schuyler*); *see also Rural Electric Convenience Cooperative Co. v. Illinois Commerce Comm'n*, 118 Ill. App. 3d 647, 654, 454 N.E.2d 1200, 73 Ill. Dec. 951 (1983) (where plaintiff's administrative complaint asserted a right to relief upon certain grounds, and plaintiff sought to introduce a new ground for relief after all evidence in the case had been heard, such change in position was barred by the *mend-the-hold doctrine*). This principle is typically applied in contract cases to prevent a party from trying to evade performance of his contractual duties for one reason, and then, in the middle of litigation, switching to another reason. It is an equitable *doctrine* "developed to redress unfair and arbitrary conduct of the repudiating party." *Trossman*, 373 Ill. App. 3d at 1044.

Under these rules, the Funds are bound by both their prior explicit recognition of their obligation to both provide and subsidize, and their omission to appeal this court's declaration of that primary obligation.

IV. The Funds' misstate the issues decided by the Appellate Court, casting this issue as if the Appellate Court had decided the Funds' obligations ignores that the only issues before the Court were the City's direct obligations to annuitants.

The Funds totally ignore that appeal was not a Rule 301 appeal of the dismissal of the *case*. Rather, it was Plaintiffs' Rule 304(a) appeal of the Court's holding on the City's direct liability to annuitants.

Plaintiffs did not appeal this court's declaration that the Funds have primary responsibility to provide and subsidize coverage for their annuitants. Nor did the Funds. Rather, the only issues before the Appellate Court were the 304(a) findings with respect to our claims against the City.

Having chosen not to appeal the Court's declarations of the Funds' primary obligations to provide and subsidize coverage, those decisions are law of the case, and should be enforced.

V. The Funds' several other arguments fail as well.

The Funds' assertion that the *Korshak* and Windows claims against them are moot because there is a settlement is wrong. The City has committed itself to pay 55% of their healthcare costs; but only after trying to renege on that commitment. And the Funds' obligation to subsidize is entirely separate from and in addition to the City's agreement to provide coverage to annuitants.

But fundamentally, there is no settlement of the claim. The fact that the Appellate Court viewed that matter as "essentially" moot or settled (in the Court's belief that there was not an appeal of the City's agreement to provide lifetime coverage for pre-8/23/1989 retirees at Medicare rates regardless of status, charging only 45% of costs), is different from it being *actually* moot or settled.

Regardless, the City's commitment to provide such coverage does not free the Funds of their statutory obligations to subsidize the *Korshak* and Windows retirees premiums.

The Funds' arguments that it is the City who is obligated to pay ignores both the statutes (which obligate the funds to pay the subsidies) as well as the fact that for all the years through

2016 the City paid no additional healthcare contribution to the Funds. Each year, the City levied an amount and contributed it to the funds, who accepted those amounts, without objection, and credited the statutory amounts against the premiums charged to their annuitants. Not once did the Funds ever communicate to the City that there was an additional amount owing. Based on the attached Freedom of Information Act responses (Ex. 1), there has been no demand from the Funds to the City for any additional levy amount. Consequently, for the Funds to now say that it is the City's, not the Funds' obligation simply fails since it contradicts both the statutes and Funds' inaction for decades.

The Funds' various responses approach and border sanctionable. The Police Fund's response ignores the statute and argues that the Appellate Court held that the City owes the subsidy.

Similarly, the Municipal and Firemen's Funds, although their statutes are slightly different, argue a number of items.

First, they argue that the City's lack of an obligation for retirees and abstract right to healthcare coverage applies to them. Nothing in the Appellate Court decision says that.

Second, citing the Seventh Circuit's decision rather than the Illinois Appellate Courts, whether or not the Federal court would have held a guarantee to a quote particular level of medical care does not relieve the Fund of searching for a plan to cover its annuitants, which is after all what the statute squarely requires.

Third, the Firemen's and Municipal Funds use Plaintiffs' Supreme Court petition to try and recraft the Appellate Court's decision as applying to the Funds' obligations. This is not being honest with this Court. Although the City should levy a tax to support the Funds' subsidies, the subsidies are explicitly the obligation of the Funds under the statute. If the Funds

believe that the City is obligated to additionally levy for this purpose, it is their fiduciary duty to demand and pursue the City for this. They have not. In response to our FOIA requests to the Funds, their responses show that there have been no communications or pursuit of the City for these monies, ever. (See attached Exhibit 1, showing no communication with the City even asking the City to levy for this purpose.)

Finally, and perhaps most obnoxious, the Laborers' filing objects to our motion as a violation of the Fund's due process, inappropriately seeking an injunction changing the status quo – the Laborers' motion simply ignores what is being asked, ignores that this is a pure question of law, and over which there is no factual dispute—thus, ripe for summary judgment.

At 3, the Laborers argument – that the issue remanded is limited to the statutory contributions, and that the subsidy is the only protected benefit that must be paid by the City—ignores the language of the statute, and that this Court's prior holdings and their own *Korshak* testimony, that the funds have an obligation to provide coverage and subsidize it, and that the City is required to levy a tax for the subsidy, is the Funds' obligation to pursue.

At 5, they go into a gibberish disavowing the Fund's legal authority and financial ability to “alter the realities of the marketplace to somehow provide healthcare plan with comprehensive coverage at greatly reduced premiums”. Clearly, that is not what they are required to do. What they *are* required to do... is to seek out a plan for their annuitants. It does not require them to be the guarantor. They just have to find an appropriate Plan for their annuitants. And indeed, the idea that a group plan cannot be found that will improve upon either the Blue Cross plan offered by the City or the individual plans in the marketplace is simply not true. Group plans are typically less expensive than individual plans. And the group of 22,000 annuitants, of whom

about 12,000 are not Medicare covered, are simply going to be cheaper than individual plans available in the market by their very nature.

But fundamentally, the Funds' arguments ignore that *none of them have done anything to explore what coverage might be available for their annuitants*. Indeed, the County Fund plan, while subsidized, has rates that even unsubsidized would be less than the Blue Cross plan, simply by contacting United Healthcare, who administers the County Fund's plan. Like any other group sponsor, the Funds need to go out and find the Plan for their annuitants. That is what the statutes require.

Indeed, if there is no required Plan, the requirement of the subsidy makes little sense. The Laborers argument at 6, that they can only pay to an approved underwriter is essentially arguing that they should be freed of the subsidy argument if they don't bother to obtain a Plan to subsidize.

In any event, the failure to approve the Plan and subsidize it constitutes damages the Laborers Trustees owe their annuitants.

At 7 the Laborers assertion that there is no ascertainable right to require the LABF to "provide" a plan, ignores the statutory language and this Court's prior rulings. The rest of the Laborers arguments all deal with this as if we were asking for an interim preliminary injunction rather than a judgment order following this Court's rulings that the funds have a primary obligation to provide subsidized plan the funds failure to appeal from that from those rulings.

Finally, and most ridiculous, is the Laborers' complaint that they are protecting their Fund, acknowledging that they have a fiduciary duty to look after the best interests of all of its members. Their expressed concern for their participants rings hollow in light of the facts that the Fund itself, once funded beyond 100%, is now vastly underfunded, and became so under their

own watch. These Trustees have done utterly nothing to fulfill their fiduciary duties to any of their annuitants, save taking the City's side in this battle and never bothering themselves to either pursue the City for the healthcare levy, or to successfully lobby for contributions that will put them on a sound financial footing.

Conclusion

There is no escape for the Funds on these two obligations, other than the position they accurately argued thirty years ago — that they are obligated to provide a Plan and subsidize retiree healthcare for their annuitants, and that they fulfilled that obligation to provide by contracting with the City, which agreed to be the provider, and which it should be required to perform, especially for those persons who do not qualify for Medicare coverage.

With regard to the subsidies, the Funds have chosen not to pursue the City for any additional tax levies beyond that which they have received. The Funds must be ordered to bring their subsidies current, deposit the money in a fund under this Court's control, and to add to it each month until this matter is resolved.

Dated: July 27, 2018

Respectfully submitted,

By: /s/ Clinton A. Krislov
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Certificate of Service

I, Kenneth T. Goldstein, an attorney, on oath state that on July 27, 2018, I caused the foregoing **Plaintiff's Reply** to be filed with the Clerk and served upon Defendants and Proposed Intervenor's Counsel, listed on the attached Service List via email.

s/Kenneth T. Goldstein

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Ex. 1

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June 27, 2018

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Via U.S. Mail

Mr. Clinton A. Krislov :
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Re: Illinois Freedom of Information Request

Dear Mr. Krislov:

On behalf of this firm's client, the Municipal Employees' Annuity and Benefit Fund of Chicago ("MEABF" or the "Fund"), I am writing to provide a response to your June 13, 2018, request for certain public records pursuant to the Illinois Freedom of Information Act (the "Act" or "FOIA"). On June 20, 2018, we notified you that the Fund would need to exercise its option under the Act for additional time in which to search for the requested records, and that a response would be provided by this date.

In response to your request for "*all records showing your Fund's communications with the City of Chicago (and among your Fund's trustees) regarding, and any receipt of, the tax levy from the city for healthcare financing of the statutory subsidy (Pension Code Sections 5-168, 6-165, 8-173 and 11-169) for all years 1983 to the present,*" MEABF states that no responsive records were located regarding communications as described in your request, and the Fund believes no such records exist. In addition, please note that other similar records in the Fund's possession regarding communications with the City of Chicago regarding the amounts of the subsidy previously were provided to you in response to your FOIA request of September 20, 2016. (See MEABF responses of September 27, 2016, October 6, 2016 and October 28, 2016, copies of which are attached hereto.) Records in the Fund's possession regarding the receipt of the tax levy from the City previously were provided to you in response to your FOIA request of September 14, 2017. (See MEABF response of September 28, 2017, attached hereto). The search for any responsive records that might exist continues and the Fund will notify you promptly if any such responsive records are located.

In addition, please note that your request for a "participant demand that the Fund and its Trustees pursue the City for the amount of the subsidy for each year for which the Fund has not

BURKE BURNS & PINELLI, LTD.


Clint Krislov
Krislov & Associates, Ltd.
June 27, 2018

received it” is not in the form of a request for records pursuant to FOIA. As you know, under FOIA a public body is not compelled to provide answers to questions posed by the inquirer nor does FOIA require a public body to create a record it does not maintain. *Kenyon v. Garrels*, 184 Ill. App. 3d 28, 31 (4th Dist. 1989); *Chicago Tribune v. Dept. of Financial and Prof. Regulation*, 2014 IL App (4th) 10427 (2014). To the extent you seek to submit a Participant Demand separate from your FOIA request, the subject matter of your “participant demand” involves pending issues currently under consideration by the Circuit Court of Cook County in the *Underwood v. The City of Chicago et al.* litigation (No. 13-CH-17450) and, as such, it would be inappropriate for the Fund to comment on your “participant demand” while those issues are pending before the Court.

We believe this letter constitutes a timely and complete response under the Act to your Request. Should you disagree and wish to appeal the Fund’s response, you may appeal to: Public Access Counselor, Office of the Attorney General, 500 South 2nd Street, Springfield, IL 62701, Fax: 217-782-1396, e-mail: publicaccess@atg.state.il.us. You may also seek judicial review under Section 11 of the Act.

If you have any further questions, please direct any such questions in writing to the undersigned.

Very truly yours,
BURKE BURNS & PINELLI, LTD.



Martin T. Burns

cc: James Mohler, MEABF Executive Director

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SARAH A. BOECKMAN

September 27, 2016

Via E-Mail

Mr. Clinton A. Krislov
Krislov & Associates, Ltd.
clint@krislovlaw.com

Re: Illinois Freedom of Information Act Request

Dear Mr. Krislov:

I write on behalf of this firm's client, the Municipal Employees' Annuity and Benefit Fund of Chicago (the "Fund"), to provide a response to your September 20, 2016 request for public records under the Illinois Freedom of Information Act (the "Act").

In response to your request, we advise you, on behalf of the Fund, as follows:

Request 1: Amounts the Fund has received from the City of Chicago during the period 1990 through 2013 to pay its healthcare subsidy obligation (reference: pension code 40 ILCS 5/8-173 to finance the Fund's "payment to city" under 5/8-164.1(b));

Answer: No responsive records were located. Please be advised that City of Chicago contributions are provided to the Fund without any specific allocation for healthcare subsidy or other obligations. Records showing total contributions made by the City of Chicago can be found in the Comprehensive Annual Financial Reports, which are available for public viewing on the Fund's website at www.meabf.org.

Request 2: Amounts the Fund paid to the City pursuant to pension code 5/8-164.1(b) during the period 1990 to present;

Answer: The Fund has provided in a separate attachment to this e-mail a record showing total Fund payments to the City for healthcare subsidies on a monthly basis from January 2007 to present. The Fund is still conducting a search for records prior to 2007, and will exercise its right under Section 3(e) of the Act for an extension of five (5) business days in which to provide any additional responsive records.

BURKE BURNS & PINELLI, LTD.

Mr. Clinton A. Krislov
Krislov & Associates, Ltd.
September 27, 2016

Request 3: All communications with the City of Chicago regarding the Fund's subsidy amount;

Answer: The Fund objects to this request on the basis that it is vague and overbroad in that it fails to identify any specific individuals or categories of individuals at the Fund for which a search of communications could be performed, or a time frame for such communications, and, therefore, would be unduly burdensome to conduct an adequate search. Pursuant to Section 3(g) of the Act, the Fund would like to extend to you an opportunity to modify your request to make it of more manageable proportions. Please contact me if you wish to do so.

Request 4: All communications with anyone regarding the Fund's fulfilling its obligations (per Judge Cohen's rulings in *Underwood v. City of Chicago*) to provide a healthcare plan for its retirees.

Answer: The Fund objects to this request on the basis that it is vague and overbroad in that it fails to identify any specific individuals or categories of individuals at the Fund, for which a search of communications could be performed, or a time frame for such communications, or an explanation of the "obligations" or "rulings" referenced. The Fund asserts, therefore, it would be unduly burdensome to conduct an adequate search. Pursuant to Section 3(g) of the Act, the Fund would like to extend to you an opportunity to modify your request to make it of more manageable proportions. Please contact me if you wish to do so.

We believe this letter constitutes a timely and complete response under the Act to your Request. Should you disagree and wish to appeal the Fund's response, you may appeal to: Public Access Counselor, Office of the Attorney General, 500 South 2nd Street, Springfield, IL 62706, Fax: 217-782-1396, e-mail: publicaccess@atg.state.il.us. You may also seek judicial review under Section 11 of the Act.

If you have any further questions, please direct any such questions in writing to the undersigned.

Very truly yours,

BURKE BURNS & PINELLI, LTD.



Martin T. Burns

cc: Stacey Ruffolo, MEABF

BURKE BURNS & PINELLI, LTD.

ATTORNEYS AT LAW

SUITE 4300

THREE FIRST NATIONAL PLAZA

CHICAGO, ILLINOIS 60602-4229

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STEPHEN F. WELCOME
ELLEN B. EPSTEIN
DONALD F. HARMON

MARK S. JAMIL
CHRISTOPHER J. HALES
LARISA L. ELIZONDO
MATTHEW M. SHOWEL
MARTIN T. BURNS
SARAH A. BOECKMAN

October 6, 2016

Via E-Mail

Mr. Clinton A. Krislov
Krislov & Associates, Ltd.
clint@krislovlaw.com

Re: **Illinois Freedom of Information Act Request**

Dear Mr. Krislov:

I write on behalf of this firm's client, the Municipal Employees' Annuity and Benefit Fund of Chicago (the "Fund"), to provide a follow-up to the Fund's September 27, 2016 response to your September 20, 2016 request for public records under the Illinois Freedom of Information Act (the "Act").

In response to your request for records showing the "[a]mounts paid to the City pursuant to pension code 5/8-164.1(b) during the period from 1990 to present," the Fund has provided in a separate attachment to this e-mail a record showing the information requested for 1993-97, and 2000-2006. Please be advised that the Fund could not locate data for 1990-1992, 1998-1999, and the month of April, 2000, but the search for such records continues and we will notify you promptly if and when any such records are located. As you know, the Fund already provided you a record showing such information for 2007-present as part of its response of September 27, 2016.

The Fund has begun the search for the remaining records sought in your September 20, 2016 request, as clarified in our phone conversation on October 5, 2016. We will notify you promptly as soon as the search is completed. In the meantime, if you have any further questions, please do not hesitate to call.

Very truly yours,

BURKE BURNS & PINELLI, LTD.



Martin T. Burns

cc: Stacey Ruffolo, MEABF

BURKE BURNS & PINELLI, LTD.

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CHRISTOPHER J. HALES
LARISA L. ELIZONDO
MATTHEW M. SHOWEL
MARTIN T. BURNS
SARAH A. BOECKMAN

October 28, 2016

Via E-Mail

Mr. Clinton A. Krislov
Krislov & Associates, Ltd.
clint@krislovlaw.com

Re: **Illinois Freedom of Information Act Request**

Dear Mr. Krislov:

I write on behalf of this firm's client, the Municipal Employees' Annuity and Benefit Fund of Chicago ("MEABF" or the "Fund"), to provide a second follow-up response to the Fund's initial September 27, 2016 response to your September 20, 2016 request ("Request") for public records under the Illinois Freedom of Information Act (the "Act"). On October 5, 2016, MEABF provided you documents responsive to parts 1 and 2 of your Request and informed you that it would begin a search for documents responsive to parts 3 and 4 of your Request.

By way of reminder, you agreed that the Fund's search for records responsive to parts 3 and 4 could be limited to all communications from January 1, 2013 until date of request, and that e-mail searches could be further limited to the Fund's trustees and its executive director, along with the keywords "subsidy" and "healthcare" or "healthcare plan."

In response to your clarified request, the Fund has conducted a thorough search for the records requested and reports the following:

Request 3: All communications with the City of Chicago regarding the Fund's subsidy amount;

Answer: The Fund has provided in a separate attachment to this e-mail a record consisting of two e-mails responsive to your request, one from June 4, 2013 and the other from June 25, 2013. Please be advised that certain portions of the June 4, 2013, e-mail chain have been redacted pursuant to Section 7(1)(a) of the Act on the basis of attorney-client privilege.

BURKE BURNS & PINELLI, LTD.

Mr. Clinton A. Krislov
Krislov & Associates, Ltd.
October 28, 2016

Request 4: All communications with anyone regarding the Fund's fulfilling its obligations (per Judge Cohen's rulings in *Underwood v. City of Chicago*) to provide a healthcare plan for its retirees.

Answer: The Fund reports that no responsive documents were located. Please note that copies of Board meeting minutes are available for viewing on the Fund's website at www.meabf.org.

We believe this letter constitutes a timely and complete response under the Act to your Request. Should you disagree and wish to appeal the Fund's response, you may appeal to: Public Access Counselor, Office of the Attorney General, 500 South 2nd Street, Springfield, IL 62706, Fax: 217-782-1396, e-mail: publicaccess@atg.state.il.us. You may also seek judicial review under Section 11 of the Act.

If you have any further questions, please direct any such questions in writing to the undersigned.

Very truly yours,

BURKE BURNS & PINELLI, LTD.



Martin T. Burns

cc: Stacey Ruffolo, MEABF

BURKE BURNS & PINELLI, LTD.

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CHRISTOPHER J. HALES
LARISA L. ELIZONDO
MATTHEW M. SHOWEL
MARTIN T. BURNS
SARAH A. BOECKMAN

September 28, 2017

Via E-Mail

Mr. Clinton A. Krislov
Krislov & Associates, Ltd.
clint@krislovlaw.com

Re: Illinois Freedom of Information Request

Dear Mr. Krislov:

On behalf of this firm's client, the Municipal Employees' Annuity and Benefit Fund of Chicago (the "Fund"), I am writing to provide a response to your September 14, 2017, request for certain public records pursuant to the Illinois Freedom of Information Act (the "Act"). On September 21, 2017, we notified you that the Fund would need to exercise its option under the Act for additional time in which to search for the requested records, and that a response would be provided by this date.

In response to your request for "[a]ll records of money received from the City of Chicago for its financing obligations to the Fund under Pension Code 8-173 for the period of 1997 to the present, showing dates and amount of each payment," the Fund has provided for you in a Dropbox file hundreds of pages of responsive records consisting of letters sent by the City showing each payment made by date for each year from 2003-2017. The search for responsive records prior to 2003 continues, and we will notify you promptly if and when any such records are located. An e-mail containing a link to the Dropbox file will be sent to you immediately following transmission of this letter.

Thank you for your patience in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

BURKE BURNS & PINELLI, LTD.



Martin T. Burns

cc: Stacey Ruffolo, MEABF

BURKE BURNS & PINELLI, LTD.

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EDWARD J. BURKE
MARY PATRICIA BURNS
VINCENT D. PINELLI
STEPHEN F. WELCOME
ELLEN B. EPSTEIN
DONALD F. HARMON

June 27, 2018

MARK S. JAMIL
CHRISTOPHER J. HALES
LARISA L. ELIZONDO
MARTIN T. BURNS
SARAH A. BOECKMAN
SUSAN D. STEFFY

Via U.S. Mail

Mr. Clinton A. Krislov
Krislov & Associates, Ltd.
20 North Wacker Dr., Suite 1300
Chicago, IL 60606

Re: Illinois Freedom of Information Request

Dear Mr. Krislov:

On behalf of this firm's client, the Firemen's Annuity and Benefit Fund of Chicago ("FABF" or the "Fund"), I am writing to provide a response to your June 13, 2018, request for certain public records pursuant to the Illinois Freedom of Information Act (the "Act" or "FOIA"). On June 20, 2018, we notified you that the Fund would need to exercise its option under the Act for additional time in which to search for the requested records, and that a response would be provided by this date.

In response to your request for "*all records showing your Fund's communications with the City of Chicago (and among your Fund's trustees) regarding, and any receipt of, the tax levy from the city for healthcare financing of the statutory subsidy (Pension Code Sections 5-168, 6-165, 8-173 and 11-169) for all years 1983 to the present,*" FABF states that no responsive records were located regarding communications as described in your request, and the Fund believes that no such records exist. In addition, please note that other similar records in the Fund's possession regarding the receipt of the tax levy from the City previously were provided to you in response to your FOIA request of September 20, 2017. (See FABF responses of September 27, 2017, and September 29, 2017, respectively, both of which are attached hereto). The search for any responsive records that might exist continues and the Fund will notify you promptly if any such responsive records are located.

In addition, please note that your request for a "participant demand that the Fund and its Trustees pursue the City for the amount of the subsidy for each year for which the Fund has not received it" is not in the form of a request for records pursuant to FOIA. As you know, under FOIA a public body is not compelled to provide answers to questions posed by the inquirer nor does FOIA require a public body to create a record it does not maintain. *Kenyon v. Garrels*, 184

BURKE, BURNS & PINELLI, LTD.

Clint Krislov
Krislov & Associates, Ltd.
June 27, 2018

Ill. App. 3d 28, 31 (4th Dist. 1989); *Chicago Tribune v. Dept. of Financial and Prof. Regulation*, 2014 IL App (4th) 10427 (2014). To the extent you seek to submit a Participant Demand separate from your FOIA request, the subject matter of your “participant demand” involves pending issues currently under consideration by the Circuit Court of Cook County in the *Underwood v. The City of Chicago et al.* litigation (No. 13-CH-17450) and, as such, it would be inappropriate for the Fund to comment on your “participant demand” while those issues are pending before the Court.

We believe this letter constitutes a timely and complete response under the Act to your Request. Should you disagree and wish to appeal the Fund’s response, you may appeal to: Public Access Counselor, Office of the Attorney General, 500 South 2nd Street, Springfield, IL 62701, Fax: 217-782-1396, e-mail: publicaccess@atg.state.il.us. You may also seek judicial review under Section 11 of the Act.

If you have any further questions, please direct any such questions in writing to the undersigned.

Very truly yours,
BURKE BURNS & PINELLI, LTD.



Martin T. Burns

cc: Steve Swanson, Fund Executive Director

BURKE BURNS & PINELLI, LTD.

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MARTIN T. BURNS
SARAH A. BOECKMAN

September 27, 2017

Via E-Mail

Mr. Clinton A. Krislov
Krislov & Associates, Ltd.
clint@krislovlaw.com

Re: Illinois Freedom of Information Request

Dear Mr. Krislov:

On behalf of this firm's client, the Firemen's Annuity and Benefit Fund of Chicago (the "Fund"), I am writing to provide a response to your September 13, 2017, request for certain public records pursuant to the Illinois Freedom of Information Act (the "Act"). On September 20, 2017, we notified you that the Fund would need to exercise its option under the Act for additional time in which to search for the requested records, and that a response would be provided by this date.

In response to your request for "[a]ll records of money received from the City of Chicago for its financing obligations to the Fund under Pension Code 6-165 for the period of 1997 to the present, showing dates and amount of each payment," the Fund has provided for you in separate attachments to this e-mail copies of the annual letters sent by the City showing payments made by date for each year from 2007-2017. The search for additional records showing specific dates and amounts, as well as responsive records prior to 2007, continues, and we will notify you promptly if and when any such records are located.

Thank you for your patience in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

BURKE BURNS & PINELLI, LTD.



Martin T. Burns

cc: Steve Swanson, Executive Director

BURKE BURNS & PINELLI, LTD.

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MATTHEW M. SHOWBL
MARTIN T. BURNS
SARAH A. BOECKMAN

September 29, 2017

Via E-Mail

Mr. Clinton A. Krislov
Krislov & Associates, Ltd.
clint@krislovlaw.com

Re: Illinois Freedom of Information Request

Dear Mr. Krislov:

On behalf of this firm's client, the Firemen's Annuity and Benefit Fund of Chicago (the "Fund"), I am writing to provide a follow-up response to your September 13, 2017, request for certain public records pursuant to the Illinois Freedom of Information Act (the "Act"). On September 27, 2017, we provided you certain responsive records and informed you that the Fund was still searching for additional records. Herewith are such additional records.

In response to your request for "[a]ll records of money received from the City of Chicago for its financing obligations to the Fund under Pension Code 6-165 for the period of 1997 to the present, showing dates and amount of each payment," the Fund has provided for you in a Dropbox file hundreds of additional pages of responsive records consisting of letters sent by the City showing each payment made by date for each year from 2007-2017. The search for responsive records prior to 2007 continues, and we will notify you promptly if and when any such records are located. An e-mail containing a link to the Dropbox file will be sent to you immediately following transmission of this letter.

We believe this letter constitutes a timely and complete response under the Act to your Request. Should you disagree and wish to appeal the Fund's response, you may appeal to: Public Access Counselor, Office of the Attorney General, 500 South 2nd Street, Springfield, IL 62701, Fax: 217-782-1396, e-mail: publicaccess@atg.state.il.us. You may also seek judicial review under Section 11 of the Act.

BURKE BURNS & PINELLI, LTD.

Clinton A. Krislov
Krislov & Associates, Ltd.
September 29, 2017

Thank you for your patience in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

BURKE BURNS & PINELLI, LTD.



Martin T. Burns

cc: Steve Swanson, FABF
Executive Director

Members of the Board
Representing the Public
Chrole L. Brown
Haydee Caldero
Carol L. Hamburger, Vice-President
Kurt A. Summers, Jr.

Representing the Active Police
and Disability Beneficiaries
Thomas A. Beyna
Edward M. Wodnicki
Brian E. Wright, Recording Secretary

Representing the Annuitants
Kenneth A. Hauser, President

The Retirement Board
of the
Policemen's Annuity and Benefit Fund
City of Chicago

221 North LaSalle Street-Room 1626
Chicago, Illinois 60601
(312) 744-3891
Outside Chicago: 1-800-656-6606
www.chipabf.org



Regina Tuczak, CPA
Executive Director

Aoifinn Devitt
Chief Investment Officer

August A. Madonia, CPA
Assistant Comptroller

Peter Orris, M.D.
Physician

David R. Kugler & Associates, Ltd.
Board Counsel

Address Communications
to the Retirement Board

July 19, 2018

Mr. Clinton A. Krislov
Krislov & Associates, Ltd.
20 North Wacker Drive
Chicago, Illinois 60606
clint@krislovlaw.com

Response sent via FedEx

Re: June 6, 2018, Freedom of Information Act ("FOIA") request

Dear Mr. Krislov:

The Policemen's Annuity and Benefit Fund of Chicago ("Fund") has received your correspondence dated June 6, 2018, in which you request the following:

"all records showing your Fund's communications with the City of Chicago (and among your Funds trustees) regarding, and any receipt of, the tax levy from the city for healthcare financing of the statutory subsidy (Pension Code Sections 5-168, 6-165, 8-173 and 11-169) for all years 1983 to the present.

In response to your request, the Fund would advise that in a September 26, 2017, correspondence, the Fund responded to a similar FOIA request from your office. Please find that response, together with the items then submitted, all of which the Fund believes addresses the issues made in your present June 6, 2018, FOIA request. In addition thereto, the Fund has enclosed herewith additional correspondence received by the City of Chicago subsequent to the Fund's September 26, 2017, FOIA response to you.

Further, in response to the one item newly requested (i.e., "Fund's communications with the City of Chicago (and among your Funds trustees)...") the Fund would advise it does not have any communications of its trustees in regard to any receipt of the tax levy from the City of Chicago regarding healthcare financing of the subsidies.

The Fund believes that its response is a timely response under the Act. If you disagree, you have a right to have the response reviewed by the Public Access Counselor (PAC) at the Office of the

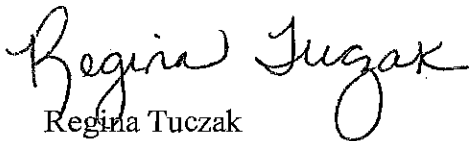
RTG
COPY
CAK

Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, IL 62706
Fax: 217-782-1396
e-mail: publicaccess@atg.state.il.us

Should you have any further questions regarding your request, please direct any such questions in writing to the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "Regina Tuczak". The signature is written in black ink and is positioned above the printed name and title.

Regina Tuczak
Executive Director

Enc.

Representing the Public
Carole L. Brown
Haydee Caldero
Carol L. Hamburger
Kurt A. Summers, Jr.

Representing the Active Police
and Disability Beneficiaries
Thomas A. Beyna
James P. Maloney, Recording Secretary
Brian E. Wright, Vice-President

Representing the Annuitants
Kenneth A. Hauser, President

of the
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City of Chicago

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Executive Director
Aoifinn Devitt
Chief Investment Officer
August A. Madonia, CPA
Assistant Comptroller
Peter Orris, M.D.
Physician
David R. Kugler & Associates, L
Board Counsel
Address Communications
to the Retirement Board

September 26, 2017

Mr. Clinton A. Krislov
Krislov & Associates, Ltd.
20 North Wacker Drive
Chicago, Illinois 60606

Response sent via regular mail

Re: September 11, 2017, Freedom of Information Act request

Dear Mr. Krislov:

The Policemen's Annuity and Benefit Fund of Chicago ("Fund") has received your correspondence dated September 11, 2017, in which you request the following:

"[A]ccess to and copies of all records of receipts of all funds from the city of Chicago, from the period 1997 to the present."

In response, your request is overly broad both as to: (1) the time period requested (a period of 20 years); and (2) the nature of the request seeking **all** records of receipt for **all** funds.

With that objection noted, enclosed with this letter the Fund would submit to your attention the year-end estimates prepared by the City of Chicago ("City"), and submitted to the Fund, identifying those monies which the City estimated should be paid to the Fund for the period 2007 to current. The monies received from the City do not delineate or identify how the funds are to be applied.

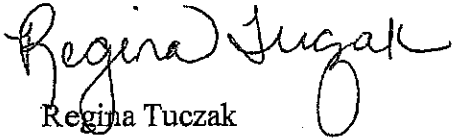
The Fund believes that its response is a timely response under the Act. If you disagree, you have a right to have the response reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, IL 62706

Fax: 217-782-1396
e-mail: publicaccess@atg.state.il.us

In an effort to continue ongoing cooperation, if your request can be made more specific or you have any further questions regarding your request please feel free to contact the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "Regina Tuczak". The signature is written in black ink and is positioned above the printed name and title.

Regina Tuczak
Executive Director

Enclosures.

Ken Goldstein

From: Clint Krislov
Sent: Friday, July 27, 2018 4:59 PM
To: Ken Goldstein
Subject: FW: FOIA Response
Attachments: FOIA Response Combined Documents 2018.07.11_password.pdf

Clint Krislov
Krislov & Associates, Ltd.
Civic Opera Building
20 North Wacker Drive, Suite 1300
Chicago, IL 60606
Telephone: 312-606-0500
Facsimile: 312-739-1098
Email: clint@krislovlaw.com
Website: www.krislovlaw.com

From: John Carroll <jcarroll@labfchicago.org>
Sent: Wednesday, July 11, 2018 4:53 PM
To: Clint Krislov <clint@krislovlaw.com>
Subject: FOIA Response

Via E-Mail

July 11, 2018

Clinton A. Krislov
Krislov & Associates, LTD.
20 N Wacker Dr, Ste 1300
Chicago IL 60606

Re: FOIA Request

Dear Mr. Krislov:

On June 12, 2018, the Laborers' and Retirement Board Employees' Annuity and Benefit Fund of Chicago (the LABF) received your request for information under the Illinois Freedom of Information Act. The LABF contacted you for an extension of time related to your request and the new response date was agreed to be July 11, 2018. Your request is granted in part and denied in part.

The attached file contains the responsive documents the LABF has in its public records which are responsive to your request. Please note, the transmittal letters with resolutions include the amounts for the healthcare subsidy.

Pursuant to 5 ILCS 140/7(1)(b), the Fund has redacted the signatures from the documents we are providing. In addition, pursuant to 5 ILCS 140/7(1)(f), the Fund has withheld certain pre-decisional information that the Fund has neither publicly cited nor identified.

You have the right to have the denial of certain portions of your request reviewed by the Public Access Counselor (PAC) at the Office of the Attorney General (5 ILCS 140/9.5(a)). You can file your Request for Review with the PAC by writing to:

Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 S. 2nd St.
Springfield, IL 62706
Fax: 217-782-1396
E-mail: PublicAccess@atg.state.il.us

You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court (5 ILCS 140/11).

If you choose to file a Request for Review with the PAC, you must do so within 60 days of the date of this denial letter (5 ILCS 140/9.5(a)). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

Please note that we have done a thorough search for all responsive records at this time, however, we will continue to search for any additional responsive documents and will promptly notify you if any such responsive documents are located.

Please call me at 312-234-2065 x133 for the password to the file.

Sincerely,

John Carroll

LABF FOIA Officer
Laborers' and Retirement Board Employees'
Annuity and Benefit Fund of Chicago
321 North Clark Street, Suite 1300
Chicago, IL 60654
(312) 236-2065 x133
jcarroll@labfchicago.org

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