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14 Attorneys for Plaintiff

15 **SUPERIOR COURT OF CALIFORNIA**  
16 **COUNTY OF ALAMEDA**

17 **Joseph John Jelincic, Jr,**

18 Plaintiff,

19 v.

20 **California Public Employees' Retirement**  
21 **System Board of Administration,**

22 Defendant.

Case No. RG21090970

**Declaration of Margaret Brown ISO**  
**Plaintiff's Response to CalPERS's**  
**1/21/2022 Submission**

Judge: Hon. Michael Markman  
Department: 14  
Hearing Date: 2/22/2022  
Reservation number R-2295474  
case filed 3/8/2021  
no trial date set  
telephonic/video appearance

1 I, Margaret E. Brown, declare as follows:

- 2 1. From January 2018 until January 15 2022, I was an elected member of the CalPERS Board of  
3 Administration.
- 4 2. Throughout my time on the Board, I would routinely receive litigation memoranda related to  
5 closed-session discussions of pending litigation. CalPERS staff emailed these memoranda to me.  
6 The salutation of the emails was "Dear Board Members and Designees." The memos themselves  
7 were addressed to "Members, Board of Administration."
- 8 3. I participated in the Board's August 17, 2020 closed session.
- 9 4. I did not receive any litigation memo related to that August 17, 2020 closed session. As far as I  
10 know, no other Board members did, either.
- 11 5. The Board never made any determination at the August 17, 2020 closed session that there was a  
12 significant exposure to litigation against it.
- 13 6. I reviewed the transcript of that closed session that was posted on the Naked Capitalism website.  
14 In my opinion, none of the redacted material related to pending litigation as that term is used in  
15 the Bagley-Keene Act.

16  
17 I declare under penalty of perjury under the laws of the State of California that the forgoing is true.

18  
19  
20 signed and dated

1/27/2022

21 at Apple Valley, Ca.



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23  
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Margaret E. Brown