



The Informer

RETIRED EMPLOYEES ASSOCIATION OF ORANGE COUNTY, INC.

Spring Luncheon Set for Wednesday, May 23rd



Come visit with friends, REAO members and guests, and our scholarship recipients and their families at the May 23rd luncheon at Mile Square Park Golf Course Clubhouse in Fountain Valley.

You'll hear the latest on Retiree Health Benefits and other pertinent Retiree information. Prizes and surprises await, including the \$200 Progressive Drawing! You could be the next winner but you must be in attendance to win. Don't miss out.

The First Presbyterian Church in Hemet provides a meeting room and kitchen facilities at no charge for our Hemet Chapter luncheon meetings. We would like to show our appreciation for their generosity by requesting your assistance. Please bring used clothing and small household items to the May 23rd luncheon to donate to their next rummage sale and/or travel size toiletries for their homeless assistance program.

Make your reservation by sending in the form on page 7 with your check to arrive at REAO no later than May 16th. Check in starts at 11:00 AM and lunch is served at noon. Please carpool if possible. See you on Wednesday, May 23rd!

Presidents' Message

From the Desks of Linda Robinson and Doug Storm

On behalf of the entire REAO and AREOC Board of Directors we wish you all a safe and happy Memorial Day weekend followed by a relaxing, rejuvenating summer—filled with family, friends, good health and safe travels. Happy Adventures, Retirees!!

The majority of REAO activities during this time will focus on litigation efforts, 2013 retiree medical costs, review and analysis of proposed legislation/initiatives, networking with other '37 Act counties including CRCEA the statewide county retiree association and participation in retirement security committee meetings. Routine business will be conducted including observation and reporting on Board of Supervisor agendas and actions, holding monthly REAO Board of Director meetings, responding to members of REAO and the media and attendance at OCERS retirement meetings and pre-retirement seminars.

LITIGATION UPDATE Following the California Supreme Court's unanimous ruling last year favoring the basic tenant of REAO's lawsuit—that under California law implied terms of contracts do exist and can give rise to vested rights for retirees—the high court sent the ruling to the Ninth Circuit Court of Appeal and our case was remanded back to the District Court in Santa Ana for further

disposition. A hearing date was scheduled for March 19th; however, the county requested, and was granted, a continuation to Monday, April 30th. Opening and response briefs by both REAO and county attorneys have been submitted to the court and are posted on line at www.reaoc.org for your review. We are asking that you consider attending this court hearing. **Your attendance is important.** Information will be posted on the REAO website and via e-mail regarding the specific location, time and courtroom for the hearing.

SIGNIFICANT ITEM OF INTEREST

A very important and prestigious award has been presented to our attorneys, Michael Brown, Sole Practitioner, and Ernest Galvan of Rosen, Bien and Galvan for their outstanding work in presenting REAO case arguments to the California Supreme Court. Michael and Ernie have been honored by the *California Lawyer*, a Daily Journal Publication as recipients of the 2012 CLAY (California Lawyer Attorney of the

CONTINUED ON PAGE 2



Operation Santa Claus Inaugural Golf Tournament

(Editor's Note: REAOC members support Operation Santa Claus at our annual business meeting/luncheon each December with their donations of gifts, gift cards and cash. We encourage our members to continue their generous support by participating at some level in the golf tournament. Please see the article below.)

Due to a decline in monetary donations and the desire to continue our high level of giving, Operation Santa Claus elves are planning their Inaugural Golf Tournament at the Arroyo Trabuco Golf Club in Mission Viejo on June 18, 2012 (the day after Father's Day).

OSC provides gifts to children who have been abandoned, abused, neglected and placed in foster care and to families without the means to provide gifts during the holidays. OSC also provides birthday gifts to foster children year round. Last year, OSC distributed more than 42,600 donated gifts which is an increase of 1,600+ from the past year.

There are many ways you can help:

- Do you have friends or family members that could sponsor the tournament?
- Get a foursome together and play! \$125 per player includes breakfast, BBQ lunch and more!
- Create and donate a gift basket(s) for the silent auction.
- Volunteer to assist the day of the event (must be 18 years or older).

For your registration form or questions/suggestions, please contact: Dee Azevedo at deanna.azevedo@ssa.ocgov.com, (714) 679-3738 or Mona Gustafson at mona.gustafson@ssa.ocgov.com, (714) 679-2438. Thanks.

Presidents' Message

CONTINUED FROM PAGE 1

Year) Awards in the Government category. CLAY awards recognize attorneys across the state whose achievements have made a profound impact on the law. Honorees have changed the law, substantially influenced public policy or the profession, or achieved a remarkable victory for a client or for the public. This is a significant honor in the legal profession. The award speaks highly of Michael and Ernie's legal expertise as well as the importance of the REAOC case throughout the state.

We want to thank each of you for

your support and membership in REAOC. Through your membership you give a voice to all retirees—a voice which could be silenced if not for your perseverance and determination. If you know of other retirees who are not members, please encourage them to join. In closing, please take excellent care of yourselves, your family and loves ones and one another. Take care and be well.

- Linda Robinson
- Doug Storm

REAOC

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Linda Robinson	CRCEA Delegate
Lou Scarpino	Legislation

The Informer is published 5 times a year. Readers are encouraged to write *The Informer* expressing their views and comments on the subjects of interest to the members.

The mission of REAOC is to promote and maintain the fellowship and camaraderie of OCERS retirees and their spouses by sponsoring social and recreational activities and by maintaining contacts via a newsletter, the REAOC website www.reaoc.org, e-mail, and other means of communication. A secondary purpose of REAOC is the tracking and dissemination of information relating to pension and legislative actions, financial matters, physical and mental health care, volunteer and employment opportunities and other concerns that may be of interest to our members.

OCERS retirees and their spouses are eligible for regular association membership. Their membership dues are \$3.00 per month, payable through payroll deduction. Active employees, who will receive their retirement through OCERS, are eligible for Associate Membership. Dues for associate members are \$1.00 per month payable for the year each January.

Luncheons are held at Mile Square Golf Course in Fountain Valley on the fourth Wednesday of January, March, May and September, and on the first Wednesday of December.

A local chapter of REAOC is active in Hemet.

In the News

Edited by Helen Lotos

Nationally As growing numbers of baby boomers face retirement with inadequate savings, some state officials are considering a novel proposal to rebuild America's ailing retirement system—having state pension funds run retirement plans for companies (*New York Times* 3-26-12). Because more companies are ditching their own pension plans or not offering retirement benefits at all, the idea would be to give companies an easy way to offer a firm pension with out having to run the plan themselves. Teresa Ghilarducci, the labor economist who developed the proposal, held a public forum at the New School for Social Research with New York City's comptroller, John Liu, in late March to explore whether companies might want to start offering pensions through a pooled system run by the Bureau of Asset Management, a unit of the comptroller's office.

Mr. Liu said he was interested because New York City was in "the early stages of a burgeoning retirement crisis" where more than a third of all retirement-age households had nothing to rely on except Social Security. Lawmakers in California and Connecticut have introduced bills to either study or create such a program and the Pennsylvania state treasurer has expressed interest. At the heart of the proposal is something called a cash-balance pension, a hybrid that combines features of a 401(k) plan with those of a traditional pension. Workers can watch their benefits grow each year as an account balance, but the assets that secure the benefits are held in a

pooled trust. But the idea could be controversial because the role of managing the money would fall to state pension systems, now under fire in many places for their handling of city and state workers' pensions.

However, Ms. Ghilarducci said that if a public system like CalPERS adopted her idea, the money it managed for companies would be kept separate from the money for cities and other local governments. And the benefits for workers at companies would be more affordable than the pensions public workers get because of the cash-balance design. She developed her proposal in part from studying countries like Sweden and Latvia, where the World Bank assisted with national pension reforms. There, she found modified cash-balance pensions were used to help keep governments from promising more retirement income than their national economies could deliver.

Hank Kim, executive director of the National Conference on Public Employee Retirement Systems, a trade group in Washington, D.C. that backs letting government fund managers control retirement plans set up for non-profit organizations and small businesses, reports that other states (i.e., Massachusetts, Florida and Ohio) are actively considering such moves (*Bloomberg.com* 3-26-12). Under a "secure choice pension" proposal from Kim's organization, workers would be required to save 6% of their incomes in retirement plans, to be managed by public pensions. Participants couldn't withdraw their assets under normal circumstances before reaching age 65. The

plan assumes an average annual return on invested assets of 7%.

Providence, Rhode Island probably will seek bankruptcy court protection to deal with a budget deficit, said Robert Flanders, the state-appointed receiver for nearby Central Falls (*Bloomberg.com* 3-28-12). He put Central Falls into bankruptcy in August and has since torn up contracts with city workers and cut pension benefits. Mr. Flanders said that Chapter 9 bankruptcy may become more common in the near future. Once municipal officials become aware of how useful a tool court protection can be, it will be hard to resist, he said. However, legal analysts consider bankruptcy as something to be avoided at all costs. Governments already have the tools they need to deal with debt and budget issues, said Richard Sigal, who teaches public finance at the University of Connecticut Law School, during a panel discussion at a bond buyer conference in Philadelphia. Mr. Sigal, who helped resolve New York City's fiscal crisis in 1975, said that "even Orange County, CA, the biggest municipal bankruptcy before Jefferson County, Alabama, entered Chapter 9 last year, could have gotten its finances in order by borrowing."

Stockton, CA is on the brink of bankruptcy (*Bloomberg.com* 3-27-12) and had its pension-obligation and lease-revenue bond ratings cut by Moody's Investor Service on about \$341 million in debt. Stockton was forced down that path "because of soaring retiree costs, accounting blunders and the weight of the recession," said city manager Bob Deis.

2012 UCI Health Care Forecast Conference

by Gaylan Harris

The University of California Irvine hosted its annual forecast conference on health care on February 23-24, 2012. The one and a half day conference gave a snapshot of the status of health care in the United States. The conference included several excellent presenters and was well attended by physicians, insurance industry and employer representatives.

Medical cost inflation continues above the overall rate of inflation. Premiums increased by 8% for 2011 with medical cost inflation of 3.9%. Premiums increased at a rate greater than medical inflation because of the Affordable Care Act, and changes in enrollment in health plans. The average deductible continues to increase and is up to \$670 per adult enrolled in health insurance.

The Affordable Care Act (ACA) has resulted directly in 1.8% increase in premiums, with 50% of those costs for adult children up to age 26 and the remainder coming from changes that include removing caps on annual and lifetime benefits and removing health plans ability to terminate coverage because of health condition.

The number of people insured continues to decline despite the added adult children through the ACA. In 2000, 70% of the US population was covered by medical insurance (public and private plans) compared to 68% today.

High deductible plans are now being referred to as Consumer driven plans. Consumers, because they pay directly for medical care rather than through insurance, are shopping for lower cost medical bargains like get-

ting drugs filled at Costco. They are also forgoing services, including going to the doctor less frequently. These Consumer driven plans are on an upswing nationally, now accounting for (17%) of insurance coverage throughout the United States but have not really taken off in California accounting for just (6%) of enrollees in insurance. Premium costs are expected to moderate as consumer driven plans grow. Family medical insurance costs on average about \$15,000 per year, with high deductible plans at about \$13,000.

General consensus was that the Affordable Care Act was here to stay. A small number believed the individual mandate would not stand Supreme Court review. However, the issue of congress setting minimum standards appears to be a settled issue.

The economy is picking up. Home builders show signs of life and businesses have compelling reasons to look ahead. Profits are at an all time high. It's time for business to put their capitol to work and to get on the offensive. Business investment in capitol goods is up, manufacturing is coming back and new energy is coming on line. In addition powerful monetary help should create at least an initial stimulus. It looks like things will be OK.

Medical Exchange planning is moving at various speeds depending on area of the country. Even though California is moving in that direction, much work needs to be done. Major issues exist with implementing the exchanges, including eligibility and enrollment as well as Medi-Cal

Expansion.

Some progress is being made on other issues of ACA that has caused concern in the medical community. A key concept of the law is to migrate to a payment system that rewards positive outcomes rather than paying for the number of services performed. Some progress has been made on developing tools for risk adjustments in evaluating care as well as making progress on federal data hubs. Significant progress has been made in computerizing medical data particularly at the community clinic level.

The \$5 billion for the Early Retiree Reinsurance Program (ERRP) is nearly exhausted. This ERRP helped offset plan sponsor/ employer costs for early retiree large cost claims. These dollars were intended to reduce the costs to insure retirees who were not eligible for Medicare. In the case of the County of Orange, millions have been received from the ERRP program, yet the County has not yet passed those savings to retirees.

Individualized Health Care using new diagnostic tools made possible through the GNOME project has had some fantastic results although the application of this technology has yet to take off as many had hoped. In one case a group of children had a high incidence of autism. Through a gene study the cause was identified and a treatment put in place that radically reduced autism in that population. While many still have hopes for the new capability it may not gain traction unless costs can be brought

CONTINUED ON PAGE 6

Public Retirement Seminar

by Lou Scarpino

The 22nd Annual Southern California Public Retirement Seminar was held on February 22, 2012 in Lakewood and once again proved useful in terms of providing more depth to the current pension reform and associated economic and political issues we are tracking and actively working through CRCEA, our statewide association. It also provided the opportunity for both attendees, myself and Larry Leaman to hear from and touch bases with the various stakeholders and players. While the program focused on pension reform was the same as in recent years, there was a far greater sense that substantive action in Sacramento will be taken this year. Highlights are as follows:

Pension Reform Status: The Assembly and Senate pension committee consultants, Karon Green and Pam Schneider, believe that the legislative conference committee they staff will yield a bill for an up or down vote. The Governor's 12 point plan used as a blueprint during committee deliberations, now has been translated into bill and constitutional initiative language that contains important differences from the original proposal. The consensus from the presenters is that the language now allows for substantial continuation of Defined Benefit (DB) retirement plans, as the hard restriction on Hybrid DB, Defined Contribution (DC) and Social Security at 1/3rd each has been softened. However, the 75% cap for maximum retirement is retained.

In other areas fixing items like three year final salary, elimination of

air time, spiking, etc. are considered realities either because they have already taken place or have the votes in the legislature. Hybrid plans are also likely to happen, but there is now a lot of emphasis on cash balance plans where non-DB plan funds can be invested along with DB funds to get the DB investment advantage. The 2013 hybrid implementation plan is seen as a serious crunch issue, especially in that hybrids would be offered as an alternative to current employees as, presumably some trade for current benefits. Details are short on this last concept.

Union View: Though the fight has not been taken out of unions by any means, the demeanor of the union speakers was much more in tune with current realities than previous year's conferences. Their public survey based confidence of previous years seems to have vanished. The Taxpayer Associations that have targeted unions may be able to count this as a victory. However, evidence of this is not readily forthcoming, though some of the opposition language does appear to be moving more towards the center, and perhaps explains in part, lack of funding for the more extreme "reform" initiatives.

A general theme of all the union speakers was that budget balancing changes should happen at the bargaining table, and already have to a great extent. This contrasts with the Governor's and employers' view that much needs to be put in statute or constitutional form rather than non-permanent MOU's.

Rockne Lucia, representing mostly safety labor, believes that

safety is not overpaid, but that concessions are starting to happen. He noted that society wants safety people to take on the difficult parts of life and not compromise, so we should not be surprised to see them initially less willing to compromise up front at the negotiating table. However, he is making progress internally and compromise is happening as in the case of unions generally coming around to supporting 50-50 employer-employee pension contribution splits in the Governor's and various proposals.

Terry Brennand of Service Employees International Union (SEIU) was particularly adamant that the negotiating table is where the reform issues belongs. He states that SEIU has proved that bargaining works and feels that SEIU's members would be most disadvantaged—especially as it relates to hybrid plans, if some of the changes proposed were etched in stone by legislation. Taking away benefits from current employees is seen as a non-starter.

Freezing benefits going forward in the public sector: This is a new issue discussed this year, and is one of those threats that, if successful, would remove a buffer in the political fight that, worst case, could impact current retirees. Rockne believes that a court test case will come up that attempts to impose on public sector active employees the same ability the private sector has to freeze benefit levels. The argument would be essentially that the private sector can do it, and both sectors can increase

CONTINUED ON PAGE 6

Public Retirement

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or decrease salary, so why not benefits as well?

Employer Perspectives: One item of note is that cities see pension reform in a different light than do counties and the state because city budgets are disproportionately tied to safety services personnel costs. Program crowd out has already happened (e.g. Community Services Directors no longer exist in most jurisdictions). Cities are now down to few choices that mostly impact their safety responsibilities.

Actuarial Perspective: Actuary John Bartel once again was on the agenda, as was David Lamoureux, Deputy Chief Actuary at CalPERS who was ill and did not personally present. In his absence, John discussed parts of David's presentation and then provided his own views on what CalPERS should do. He also noted what he believed CalPERS was most likely to do with respect to retaining or lowering their current 7.75% investment rate. Since this event, the CalPERS Board reduced the rate to 7.5%. This has the effect of increasing required employer contributions and employee contributions if contracts allow.

John Chiang – State Controller Perspective: He noted that at \$1.9 trillion GDP, California is the 9th largest economy in the world. The last time the state was in the black was 2007. With 22% of the world's GDP at one time, last year we were just 1.4%. Approximately 240,000 of the 2 million lost jobs in this recession have been recovered, which has helped the economy, but we have a long ways to go. World conditions

are improving, though we have seen our own and nine or so nations credit downgraded. China has a 50% savings rate, but no safety net. All in all we are at a better place, but need to be smarter in our approach and policies. Progress is being made on the structural deficit problem of the state budget—now around \$9 billion—and there is some optimism that the budget can be brought into structural balance by 2016.

Health Care Forecast

CONTINUED FROM PAGE 4

into line. The problem is that every innovation needs to save money and how do we scale treatments and make it affordable. Using the GNOME information currently costs about \$700 per person and may make sense for the very young as it may save money over the long haul but who will pay?

At least one physician who worked on the GNOME project expressed that a more effective use of money is likely the use of health coaches. Change the world around the person and not change the person (they will change themselves) to deal with the world around them. Heavy friends are a greater risk to health than a heavy family.

The health care industry continues to struggle with decades old issues of how to provide care at costs that are more in line with the overall inflation and how to provide medical professionals to better meet the demands for care.

Scholarship Recipients to be Announced at May 2012 Luncheon

This is the eighth year of the scholarship awards, which are named in honor of Keith L. Concannon, a past REAOC President and REAOC representative on the Orange County Employees Retirement System Board. A total of twenty outstanding students have been past recipients of the scholarship awards.

Applicants must be related to a REAOC member and have a GPA of at least 3.0 on a scale of 4.0. A complete application consists of an official transcript as well as an essay of 300 words or less. Applicants have to provide information regarding their extracurricular school activities, work and volunteer experiences, honors and awards they have received. The applications are screened for completeness by the Scholarship Committee. They are then evaluated and ranked by a panel of educators at the Orange County Department of Education as well as the Scholarship Committee.

A special thank you to all REAOC members for supporting these annual scholarship awards.

REAOC Updates via E-mail

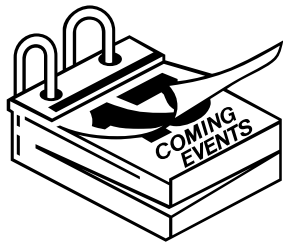
REAOC officers often send e-mails to our members in order to keep them informed of current events and activities. If you are not on REAOC's e-mail list, please forward your name and e-mail address to reaoc@reaoc.org. This will help to ensure you have the latest information in between editions of *The Informer*. Thank you.

Hemet Chapter Luncheon

REAOC's Hemet Chapter will hold its next luncheon on Tuesday, June 12, 2012 at 11:30 a.m. at the First Presbyterian Church located at 515 E. Kimball in Hemet. The cost is \$9.50 per person. Make your reservation by calling Jeri at (951) 672-4594 or Erma Phillips at (951) 654-4312.

Upcoming luncheons will be held on the second Tuesday in October and December 2012.

On the Calendar: 2012 REAOC Luncheons



Wednesday:
September 26
December 5

AREOC Litigation Fund

Print Name: _____

Address: _____

City, State, Zip: _____

Enclosed is a check in the amount of:
\$ _____

Please make your check payable to AREOC Litigation Fund and mail the check with this form to:

REAOC, P.O. Box 11787,
Santa Ana, CA 92711-1787

Thank you very much for your contribution to this fund!

Progressive Drawing \$200.00

Lisa Broas of Fountain Valley would have won \$150 at the March luncheon if she was present at the luncheon. Remember – you must be present at the time of the drawing to win!

See you on Wednesday, May 23rd at Mile Square Park.

In Memoriam

We extend our deepest sympathy to the families and loved ones of those who meant so much to so many.

December 2011 – April 2012

Barrois, Frank
Bjorum, Enid, SSA
Crisalle, Margaret
Davis, Betty, HCA
Ebbatson, Opal, SSA
Edwards, Emma, Superior Courts
Ewing, Harry, SSA
Geller, Irv, OCTA
Ho, Toan, OC Public Works
Hulsebus, Robert, Registrar of Voters
Keple, Harold, OC Public Works
Kindred, Albert, OC Public Works
Lang, William, Superior Court
Mathisen, Teresa, SSA
Moody, Leonard, OC Public Works
Murphy, Ed, SSA
Nelson, Walfred, Probation
O'Leary, Laura, Superior Courts
Piper, Harold, Auditor Controller
Poole, James, HCA
Portillo, Inez, UCI
Query, Clela, OC Public Works
Rimat, Gloria, HCA
Sheffield, Edith, OC Community Resources
Stanley, Bruce, OC Sheriff's Department
Webster, Elizabeth, OC Public Works
Weisbecker, William, OC Public Works
Wilson, Barbara, UCI

Luncheon Menu for Wednesday, May 23rd

*Home Style Meat Loaf with
Garlic Brown Sauce
Fresh Whipped Potatoes
Fresh Vegetables*

*House Salad with Italian or
Ranch Dressing*

Baked Rolls

Dessert

Coffee and Iced Tea



Directions to Luncheon at Mile Square Park, Fountain Valley

Mile Square Golf Course is located in Mile Square Park, 10401 Warner Ave., Fountain Valley. From the San Diego Freeway (405), take the Warner Ave. exit and proceed East on Warner. Turn into Mile Square Park Golf Course Clubhouse entrance at Ward St. and park (parking is free). Mile Square Park is bounded north by Edinger Ave., south by Warner Ave., east by Euclid Ave. and west by Brookhurst.

Luncheon Reservations Due Wednesday, May 16, 2012

Print Name: _____

New/Changed E-mail Address: _____

of lunches at \$17.00 each: _____

of Vegetarian lunches: _____

Enclosed is my check for \$ _____

Check-in begins at 11:00 a.m. and lunch

is served at noon. Please make your check

payable to REAOC and mail to: REAOC,

P.O. Box 11787, Santa Ana, CA 92711-1787

Also enclosed is a separate check for

\$ _____ payable to AREOC Litigation Fund.

PLEASE CAR-POOL!



Welcome, New Members

Regular REAOC Members:

Assessor: Sholeh Amirmokrj

Auditor/Controller: Terence Lo, Colin Hoffmaster

Child Support Services: Claudia Burton, Rita Jimenez

HCA: Shehrnaz Irani, Alice Apodoca, Katherine Clark, Martin Frieber, Christine Alden, Lynne Lindberg, Mary Terre Duensing, Jan Shoda, Sally Torres, Debbie Miller, Becky Robinson

John Wayne Airport: Linda Lee

OC CR: Virginia Edwards

OC Fire Authority: Roger James

OC Parks: Olivia Velazquez, Raul Romero, Michael Rees

OCPW: Canh X. Le, Darlene Wilson, Norman Hamaker, Dewey Seaver, Dennis Seasock

OCSD: Helen Runge, Jephne Vance, Ronald Vance, Ron White, Charles Wilmot, Stacey Taylor, Debra Bane, Denise Bundy, Dianne DeVargas, Mark Levy, Sima Nassiri

OC Sanitation District: Lynn Elliott, Charles Winsor

Probation: Michael Collins

SSA: My-Van Malmberg, Tan Nguyen,

Grace Mulvey, Carla Pearson, Mary Jane Fryberger, Sharon Atkins, Beverly Barrington, Helen Brennan, Blanca Garcia, Jamie Young, Lynn Boscia

Superior Court: Patti Welch, Jean Fisher Morgan, Marion Fraide, Jeffrey Riley

UCI: Marlene Fortini, Alfreda Hightower

TCA: Sheldon Pines

Not Stated: Grant Anderson, Melissa McNew, Nan-Ping Nancy Chung, Laura Feiner, Nancy Garafalo

Surviving Spouse: Juneva Poole



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P.O. Box 11787, Santa Ana, CA 92711-1787

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INSIDE THE INFORMER

REAOC Luncheon Set For Wednesday, May 23rd

In The News

UCI Healthcare Conference

Public Retirement Seminar

Dated Material – Please Deliver Immediately