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**JOURNAL OF PROCEEDINGS - BOARD OF TRUSTEES -
POLICEMEN & FIREMEN RETIREMENT SYSTEM - CITY OF DETROIT**

**PROCEEDINGS HELD THURSDAY, MARCH 17, 2005 - 9:00 A.M.
IN THE CONFERENCE ROOM OF THE RETIREMENT SYSTEMS
910 COLEMAN A. YOUNG MUNICIPAL CENTER
DETROIT, MICHIGAN 48226**

PRESENT

Marty Bandemer	Trustee
Gregory Best	Trustee
Roger Cheek	Ex/Officio Trustee
Gary Christian	Ex/Officio Trustee
Seth Doyle	Ex/Officio Trustee
Frank English	Trustee
Laura Isom	Trustee & Vice Chairperson
Sharon McPhail	Ex/Officio Trustee & City Council Member
Timothy Ngare	Ex/Officio Trustee
George Orzech	Trustee & Chairperson
Paul Stewart	Elected Trustee
Walter Stampor	Executive Secretary
Cynthia Thomas	Assistant Executive Secretary
Janet S. Lenear	Recording Secretary
Ronald Zajac	Legal Counsel
Richard Huddleston	Investment Analyst
Reginald O'Neal	Medical Director

EXCUSED

None

ABSENT

None

CHAIRPERSON

George Orzech

VICE CHAIRPERSON

Laura Isom

■ TRUSTEE ISOM TEMPORARILY EXCUSED HERSELF.

ROLL CALL WAS TAKEN AT 9:01 A.M. BY THE BOARD'S RECORDING SECRETARY AND CHAIRMAN ORZECH CALLED THE MEETING TO ORDER.

CLOSED SESSION

By Mr. English – Supported by Mr. Stewart

Whereas, The Board's Medical Director is presently before this Body to discuss the medical and psychiatric reports which are designated on the pages which follow relative to disability retirement applications and re-examinations, Therefore Be It

Resolved, That the Board enter into Closed Session:

A Roll Call Vote was taken as follows:

Yeas – Trustees Bandemer, Best, Cheek, Christian, Doyle, English, Ngare, Stewart and Chairman Orzech – 9

Nays – None

The Board entered into Closed Session at 9:10 A.M.

■ TRUSTEE ISOM RE-JOINED THE MEETING DURING CLOSED SESSION.

DUTY DISABILITY RETIREMENT APPLICATIONS

NAME, TITLE, DEPARTMENT	LARRY NEVERS - OFFICER - POLICE
DISABILITY, PLAN, FILING DATE	DUTY - NEW - DECEMBER 3, 1992
DOCTOR'S RECOMMENDATION	DISABLED, NON-DUTY CONNECTED
BOARD ACTION	DENY

NAME, TITLE, DEPARTMENT	DAVID SALAZAR - OFFICER - POLICE
DISABILITY, PLAN, FILING DATE	DUTY - NEW - JUNE 10, 2004
DOCTOR'S RECOMMENDATION	DISABLED, NON-DUTY CONNECTED
BOARD ACTION	DENY

NAME, TITLE, DEPARTMENT	JULIE TULOCK - OFFICER - POLICE
DISABILITY, PLAN, FILING DATE	DUTY - NEW - NOVEMBER 1, 2003
DOCTOR'S RECOMMENDATION	DISABLED, DUTY-CONNECTED
BOARD ACTION	APPROVE

RE-EXAMINATIONS

NAME DEPARTMENT DISABILITY TYPE RE-EXAM NUMBER	CONTINUE ON DISABILITY RETIREMENT PAYROLLS	NO FURTHER EXAMS REQUIRED	MUST RECEIVE NEXT EXAM IN DETROIT
	X		X
DEBRA CARTER - F - DUTY - 2			
	X		
GREGORY FREEMAN - F - DUTY - 2			
	X		
PAUL FURNARI - F - DUTY - 2			
	X		
DARRYL GRAVES - F - DUTY - 2			
	X		
CARL HOLLIER - F - DUTY - 2			
	X		
ALEDA MCNEILL P - DUTY - 1			
	X		NEXT EXAM IN 6 MONTHS
VERNEL SIMPSON - F - DUTY - 4			

EX/OFFICIO TRUSTEE SHARON MCPHAIL ENTERED THE MEETING.

OPEN SESSION

By Mr. English - Supported by Mr. Christian

Resolved, That the Board return to Open Session:

A Roll Call Vote was taken as follows:

Yeas - Trustees Bandemer, Best, Cheek, Christian, Doyle, English, Isom, McPhail, Ngare, Stewart and Chairman Orzech - 11

Nays - None

OPEN SESSION

The Board returned to Open Session at 9:50 A.M., and Medical Director Reginald O'Neal was excused for the remainder of the Meeting.

LARRY NEVERS

By Mr. Christian - Supported by Mr. Cheek

WHEREAS, LARRY NEVERS FILED A DECEMBER 3, 1992 APPLICATION FOR DUTY DISABILITY RETIREMENT, AND

WHEREAS, THE BOARD'S MEDICAL DIRECTOR HAS OPINED THAT MR. NEVERS IS DISABLED FOR FULL DUTY, NON-DUTY CONNECTED, THEREFORE BE IT

RESOLVED, THAT THE BOARD ACCEPT THE FINDING OF ITS MEDICAL DIRECTOR REGARDING MR. NEVERS, AND BE IT FURTHER

RESOLVED, THAT THE BOARD FINDS THAT MR. NEVERS' DISABILITY DID NOT RESULT FROM PERFORMANCE OF DUTY, AND BE IT FURTHER

RESOLVED, THAT LARRY NEVERS' APPLICATION FOR DUTY DISABILITY RETIREMENT BE HEREBY DENIED AND HE BE APPRISED OF HIS RIGHT TO APPLY FOR NON-DUTY DISABILITY RETIREMENT AND APPEAL SAID DENIAL PURSUANT TO PROCEDURES ESTABLISHED BY COLLECTIVE BARGAINING:

Yeas - Trustees Best, Cheek, Christian, Doyle, English, Isom, Ngare, Stewart and Chairman Orzech - 9

Nays - None

Abstain - Trustee Bandemer - 1

DAVID SALAZAR

BY MR. CHRISTIAN - SUPPORTED BY MR. CHEEK

WHEREAS, DAVID SALAZAR FILED A JUNE 10, 2004 APPLICATION FOR DUTY DISABILITY RETIREMENT, AND

WHEREAS, THE BOARD'S MEDICAL DIRECTOR HAS OPINED THAT MR. SALAZAR IS DISABLED FOR FULL DUTY, NON-DUTY CONNECTED, THEREFORE BE IT

RESOLVED, THAT THE BOARD ACCEPT THE FINDING OF ITS MEDICAL DIRECTOR REGARDING MR. SALAZAR, AND BE IT FURTHER

RESOLVED, THAT THE BOARD FINDS THAT MR. SALAZAR'S DISABILITY DID NOT RESULT FROM PERFORMANCE OF DUTY, AND BE IT FURTHER

RESOLVED, THAT DAVID SALAZAR'S APPLICATION FOR DUTY DISABILITY RETIREMENT BE HEREBY DENIED AND HE BE APPRISED OF HIS RIGHT TO APPLY FOR NON-DUTY DISABILITY RETIREMENT AND APPEAL SAID DENIAL PURSUANT TO PROCEDURES ESTABLISHED BY COLLECTIVE BARGAINING:

Yeas - Trustees Cheek, Christian, Doyle, English, Isom and Ngare - 6

Nays - Trustee Bandemer and Chairman Orzech - 2

Abstain - Trustees Best and Stewart - 2

JULIE TULOCK

BY MR. BANDEMER - SUPPORTED BY MR. CHEEK

WHEREAS, JULIE TULOCK FILED A NOVEMBER 1, 2003 APPLICATION FOR DUTY DISABILITY RETIREMENT, AND

WHEREAS, THE BOARD'S MEDICAL DIRECTOR HAS OPINED THAT MS. TULOCK IS DISABLED FOR FULL DUTY, THEREFORE BE IT

RESOLVED, THAT THE BOARD ACCEPT THE FINDING OF ITS MEDICAL DIRECTOR REGARDING MS. TULOCK AND BE IT FURTHER

RESOLVED, THAT THE BOARD FINDS THAT MS. TULOCK'S DISABILITY RESULTED FROM PERFORMANCE OF DUTY, AND BE IT FURTHER

RESOLVED, THAT JULIE TULOCK'S APPLICATION FOR DUTY DISABILITY RETIREMENT BE HEREBY APPROVED:

YEAS - TRUSTEES BANDEMER, BEST, CHEEK, CHRISTIAN, DOYLE, ENGLISH, ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 10

NAYS - NONE

RE-EXAMS

BY MS. ISOM - SUPPORTED BY MR. ENGLISH

RESOLVED, THAT IN ACCORDANCE WITH THE RECOMMENDATION OF THE BOARD'S MEDICAL DIRECTOR, THE

RE-EXAMS

RETIRANTS WHOSE NAMES ARE REFERENCED ON PAGE 4 BE CONTINUED ON THE DISABILITY RETIREMENT PAYROLLS, WITH DEBRA CARTER RECEIVING HER NEXT EXAM IN DETROIT, MICHIGAN, AND VERNELL SIMPSON RECEIVING HIS NEXT EXAM IN SIX (6) MONTHS:

YEAS - TRUSTEES BANDEMER, BEST, CHEEK, CHRISTIAN, DOYLE, ENGLISH, ISOM, MCPHAIL, NGARE, STEWART AND CHAIRMAN ORZECH - 11

NAYS - NONE

GEORGE WATSON HEARING/CLOSED SESSION

By Mr. English - Supported by Mr. Stewart

Resolved, That the Board enter into Closed Session for the purpose of hearing and discussing medical information pertaining to George Watson:

A Roll Call Vote was taken as follows:

YEAS - TRUSTEES BANDEMER, BEST, CHEEK, CHRISTIAN, DOYLE, ENGLISH, ISOM, MCPHAIL, NGARE, STEWART AND CHAIRMAN ORZECH - 11

NAYS - NONE

CLOSED SESSION

The Board entered into Closed Session at 10:05 A.M.

POLICE OFFICER GEORGE WATSON ATTENDED A HEARING BEFORE THE BOARD OF TRUSTEES RELATIVE TO THE POLICE DEPARTMENT'S APPLICATION TO RETIRE HIM ON NON-DUTY DISABILITY RETIREMENT.

LEGAL COUNSEL RONALD ZAJAC CONDUCTED THE HEARING AND COURT REPORTER LORRAINE NAGY MADE A TRANSCRIPT OF THE PROCEEDINGS.

OPEN SESSION

By Mr. English - Supported by Mr. Doyle

Resolved, That the Board return to Open Session:

A Roll Call Vote was taken as follows:

YEAS - TRUSTEES BANDEMER, BEST, CHEEK, CHRISTIAN, DOYLE, ENGLISH, ISOM, MCPHAIL, NGARE, STEWART AND CHAIRMAN ORZECH - 11

NAYS - NONE

The Board returned to Open Session at 10:32 A.M. and the Board excused Mr. Watson and Ms. Nagy.

■ EX/OFFICIO TRUSTEE MCPHAIL TEMPORARILY EXCUSED HERSELF, AS DID TRUSTEES ISOM AND BANDEMER.

RETIREMENTS

BY MR. STEWART - SUPPORTED BY MR. CHRISTIAN

**RESOLVED, THAT THE APPLICATIONS FOR RETIREMENT WHICH
ARE OUTLINED BELOW BE APPROVED:**

**YEAS - TRUSTEES BEST, CHEEK, CHRISTIAN, DOYLE, ENGLISH,
NGARE, STEWART AND CHAIRMAN ORZECH - 8**

NAYS - NONE

RETIREMENTS

NAME, TITLE, DEPARTMENT	ROBERT MCDOWELL - OFFICER - POLICE
RETIREMENT, PLAN, OPTION, POP-UP	SERVICE - NEW - 3-C
SERVICE CREDIT	21 07 26
APPLICATION DATE, EFFECTIVE DATE	02 23 05 - 02 10 05

REFUNDS OF ACCUMULATED CONTRIBUTIONS

BY MR. CHRISTIAN - SUPPORTED BY MR. ENGLISH

**RESOLVED, THAT THE CONTRIBUTIONS TO THE ANNUITY
SAVINGS FUND BY MEMBERS OF THE POLICEMEN AND FIREMEN
RETIREMENT SYSTEM OF THE CITY OF DETROIT, AS SET
FORTH ON LIST #3161 (WHICH IS REFERENCED AT THE END OF
THESE PROCEEDINGS), IN THE AMOUNT OF \$779,894.81,
INCLUDING INTEREST, BE REFUNDED PENDING AUDIT BY
RETIREMENT SYSTEM ACCOUNTING STAFF:**

**YEAS - TRUSTEES BEST, CHEEK, CHRISTIAN, DOYLE, ENGLISH,
NGARE, STEWART AND CHAIRMAN ORZECH - 8**

NAYS - NONE

■ TRUSTEES ISOM AND BANDEMER RE-JOINED THE MEETING.

MINUTES OF THURSDAY, FEBRUARY 24, 2005

BY MR. CHRISTIAN - SUPPORTED BY MR. ENGLISH

RESOLVED, THAT THE MINUTES OF THE MEETING HELD THURSDAY, FEBRUARY 24, 2005 BE APPROVED AS AMENDED, RECORDED AND SUBMITTED BY THE BOARD'S RECORDING SECRETARY:

YEAS - TRUSTEES BANDEMER, BEST, CHEEK, CHRISTIAN, DOYLE, ENGLISH, ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 10

NAYS - NONE

BILL PAYMENT REQUESTS

BY MR. BANDEMER - SUPPORTED BY MR. STEWART

WHEREAS, THE BOARD IS IN RECEIPT OF THE FOLLOWING BILLINGS REQUESTING PAYMENT FOR SERVICES RENDERED, AND

WHEREAS, THE BOARD IS SATISFIED THAT SERVICES WERE PROVIDED TO THE BOARD AS REQUESTED BY THE BOARD, THEREFORE BE IT

RESOLVED, THAT SUBJECT TO STAFF AUDIT, THE BOARD APPROVE PAYMENT OF SAID BILLINGS:

FIRM OR INDIVIDUAL, DATE, AMOUNT, SERVICE(S) PROVIDED

EARTH LINK - FEBRUARY 28, 2005 - \$45.22 - POLICE AND FIRE PORTION OF \$90.44 - TRUSTEE INTERNET ACCESS

BILL PAYMENT REQUESTS

FIRM OR INDIVIDUAL, DATE, AMOUNT, SERVICE(S) PROVIDED

**FORMS TRAC – FEBRUARY 28, 2005 - \$31.18 – POLICE AND FIRE
PORTION OF \$62.36 – BUSINESS CARDS**

**FORMS TRAC – MARCH 10, 2005 - \$67.61 – POLICE AND FIRE
PORTION OF \$135.21 – STATIONERY**

**GABRIEL, ROEDER, SMITH & COMPANY – MARCH 16, 2005 -
\$700.00 – APRIL, 2005 EDRO SERVICES**

**IRON MOUNTAIN – FEBRUARY 28, 2005 - \$75.84 – POLICE AND
FIRE PORTION OF \$151.68 – CONTRACT/MISCELLANEOUS
SERVICES – CUSTOMER IDENTIFICATION NUMBER LV-23-D**

**MAYFIELD GENTRY – MARCH 15, 2005 - \$306,598.08 –
OPERATIONAL EXPENSES (\$57,045.08), CAPITAL
IMPROVEMENTS (\$231,456.71) AND ADDITIONAL EXPENSES
(18,096.29) – GRAND PARK CENTRE**

**MAYFIELD GENTRY – MARCH 15, 2005 - \$76,645.34 – ASSET
MANAGEMENT (\$75,654.83) AND SERVICING (\$990.51) FEES**

**MELISSA DATA CORPORATION – MARCH 2, 2005 - \$1,151.00 –
POLICE AND FIRE PORTION OF \$2,302.00 – ONE-YEAR WEB
SERVICE RENEWAL**

**PAYDEN & RYGEL – MARCH 10, 2005 - \$6,601.00 – FEBRUARY,
2005 MANAGEMENT FEES FOR ACCOUNT 1612**

**PAYDEN & RYGEL – MARCH 10, 2005 - \$19,235.00 – FEBRUARY,
2005 MANAGEMENT FEES FOR ACCOUNT 1613**

BILL PAYMENT REQUESTS

FIRM OR INDIVIDUAL, DATE, AMOUNT, SERVICE(S) PROVIDED

PDS, INC. - UNDATED - \$10,015.32 - POLICE AND FIRE PORTION OF \$20,030.63 - COMPUTER EQUIPMENT, SOFTWARE, TRAINING, SUPPLIES, MAINTENANCE

YEAS - TRUSTEES BANDEMER, BEST, CHEEK, CHRISTIAN, DOYLE, ENGLISH, ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 10

NAYS - NONE

FIRE DEPARTMENT ELECTION RESULTS

THE CHAIRMAN DIRECTED THAT THE MARCH 14, 2005 FIRE DEPARTMENT ELECTION RESULTS ELECTING GREGORY BEST TO THE OFFICE OF TRUSTEE OF THE POLICEMEN AND FIREMEN RETIREMENT SYSTEM OF THE CITY OF DETROIT FOR THE PERIOD COMMENCING MARCH 17, 2005 AND TERMINATING JUNE 30, 2005 BE MADE A MATTER OF RECORD.

REQUEST OF DENNIS J. SLOWKE

BY MR. ENGLISH - SUPPORTED BY MR. BANDEMER

WHEREAS, DENNIS J. SLOWKE HAS PRESENTED THE BOARD WITH A REQUEST TO RECEIVE A REFUND OF THE EXCESS MILITARY SERVICE TIME HE PURCHASED, PER A ONE-PAGE COMMUNICATION DATED MARCH 10, 2005, THEREFORE BE IT

RESOLVED, THAT THE REQUEST OF MR. SLOWKE BE HEREBY APPROVED:

REQUEST OF DENNIS J. SLOWKE

**YEAS - TRUSTEES BANDEMER, BEST, CHEEK, CHRISTIAN,
DOYLE, ENGLISH, ISOM, NGARE, STEWART AND CHAIR-
MAN ORZECH - 10**

NAYS - NONE

**REQUEST OF DETROIT POLICE BENEFIT AND PROTECTIVE
ASSOCIATION**

BY MR. DOYLE - SUPPORTED BY MR. BANDEMER

**WHEREAS, THE BOARD IS IN RECEIPT OF A MARCH 16, 2005
COMMUNICATION FROM THE DETROIT POLICE BENEFIT AND
PROTECTIVE ASSOCIATION WHEREIN THE ASSOCIATION
REQUESTS A LIST (STATING NAME, SOCIAL SECURITY NUMBER
AND EFFECTIVE DATE OF RETIREMENT) OF ALL DETROIT
POLICE PERSONNEL WHO SEPARATED FROM THE POLICE
DEPARTMENT ON A DISABILITY RETIREMENT SINCE 1995, AND**

**WHEREAS, THE BOARD HAS DISCUSSED THE REQUEST OF THE
ASSOCIATION, THEREFORE BE IT**

**RESOLVED, THAT THE REQUEST OF THE ASSOCIATION BE
GRANTED, BUT THAT SAID LIST ONLY INCLUDE THE LAST FOUR
(4) NUMBERS OF EACH NAMED RETIREE'S SOCIAL SECURITY
NUMBER:**

**YEAS - TRUSTEES BANDEMER, BEST, CHEEK, CHRISTIAN,
DOYLE, ENGLISH, ISOM, NGARE, STEWART AND CHAIR-
MAN ORZECH - 10**

NAYS - NONE

AA CAPITAL PARTNERS

By Mr. Cheek – Supported by Mr. Doyle

Resolved, That Banyan Realty Advisors, LLC be engaged to perform due diligence on AA Capital Partners' Book Cadillac Building/Senior Debt proposal and submit a written report of their findings to the Board:

FOLLOWING DISCUSSION OF THE FOREGOING MOTION, TRUSTEE CHEEK WITHDREW HIS MOTION AND TRUSTEE DOYLE WITHDREW HIS SUPPORT OF TRUSTEE CHEEK'S MOTION.

█ Trustees Isom and Bandemer temporarily excused themselves.

KING PHARMACEUTICAL, INC. SECURITIES LITIGATION

BY MR. CHEEK – SUPPORTED BY MR. ENGLISH

WHEREAS, IT HAS COME TO THE BOARD'S ATTENTION THAT DUE TO A CLERICAL ERROR, THE RESOLUTION OF THE BOARD TO SEEK TO BE A LEAD PLAINTIFF IN THE KING PHARMACEUTICAL CLASS ACTION LITIGATION WAS NOT INCLUDED IN THE MAY 8, 2003 MINUTES, THEREFORE BE IT

RESOLVED, THAT THE MAY 8, 2003 MINUTES BE CORRECTED TO INCLUDE THE FOLLOWING RESOLUTION:

“WHEREAS, THE SYSTEM HAS INCURRED APPROXIMATELY \$1.84 MILLION IN LOSSES AS A RESULT OF PURCHASING COMMON STOCK OF KING PHARMACEUTICAL, INC., AND

WHEREAS, BERNSTEIN, LITOWITZ, BERGER AND GROSSMANN, LLP HAS REPORTED TO THE BOARD

KING PHARMACEUTICAL, INC. SECURITIES LITIGATION

REGARDING THEIR ANALYSIS OF THE MERITS OF A CASE AGAINST KING PHARMACEUTICAL, INC., AND

WHEREAS, BERNSTEIN, LITOWITZ, BERGER AND GROSSMANN, LLP HAS INQUIRED WHETHER THE RETIREMENT SYSTEM IS INTERESTED IN SEEKING TO BE A LEAD PLAINTIFF IN THIS LITIGATION, AND

WHEREAS, THE BOARD HAS DISCUSSED THIS MATTER, AND

WHEREAS, THE BOARD DEEMS IT APPROPRIATE TO SEEK TO BE A LEAD PLAINTIFF IN THIS MATTER TO RECOVER LOSSES INCURRED BY THE SYSTEM, THEREFORE BE IT

RESOLVED, THAT THE BOARD SEEK TO BE NAMED LEAD PLAINTIFF REGARDING THIS MATTER, AND BE IT FURTHER

RESOLVED, THAT BERNSTEIN, LITOWITZ, BERGER AND GROSSMANN, LLP BE RETAINED TO REPRESENT THE SYSTEM REGARDING THIS MATTER, SUBJECT TO A PRIOR AGREEMENT REGARDING PRIOR TERMS OF RETENTION IN CLASS ACTION MATTERS, AND BE IT FURTHER

RESOLVED, THAT THE BOARD AGREES TO THE PROPOSED FEE SCHEDULE SET FORTH IN THE MAY 6, 2003 LETTER FROM SPECIAL COUNSEL WITH THE UNDERSTANDING THAT ALL FEES ARE SUBJECT TO COURT APPROVAL, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO BERNSTEIN, LITOWITZ, BERGER AND GROSSMANN, LLP”:

KING PHARMACEUTICAL, INC. SECURITIES LITIGATION

FOLLOWING FURTHER DISCUSSION OF THE FOREGOING MOTION, TRUSTEE ENGLISH WITHDREW HIS SUPPORT OF TRUSTEE CHEEK'S MOTION BECAUSE HE WAS NOT A TRUSTEE IN 2003.

LEGAL COUNSEL THEN ASKED THAT A PRESENT TRUSTEE WHO WAS A TRUSTEE IN 2003 SUPPORT TRUSTEE CHEEK'S MOTION AND TRUSTEE DOYLE SUPPORTED SAME:

KING PHARMACEUTICAL, INC. SECURITIES LITIGATION

BY MR. CHEEK - SUPPORTED BY MR. DOYLE

WHEREAS, IT HAS COME TO THE BOARD'S ATTENTION THAT DUE TO A CLERICAL ERROR, THE RESOLUTION OF THE BOARD TO SEEK TO BE A LEAD PLAINTIFF IN THE KING PHARMACEUTICAL CLASS ACTION LITIGATION WAS NOT INCLUDED IN THE MAY 8, 2003 MINUTES, THEREFORE BE IT

RESOLVED, THAT THE MAY 8, 2003 MINUTES BE CORRECTED TO INCLUDE THE FOLLOWING RESOLUTION:

"WHEREAS, THE SYSTEM HAS INCURRED APPROXIMATELY \$1.84 MILLION IN LOSSES AS A RESULT OF PURCHASING COMMON STOCK OF KING PHARMACEUTICAL, INC., AND

WHEREAS, BERNSTEIN, LITOWITZ, BERGER AND GROSSMANN, LLP HAS REPORTED TO THE BOARD REGARDING THEIR ANALYSIS OF THE MERITS OF A CASE AGAINST KING PHARMACEUTICAL, INC., AND

WHEREAS, BERNSTEIN, LITOWITZ, BERGER AND GROSSMANN, LLP HAS INQUIRED WHETHER THE

KING PHARMACEUTICAL, INC. SECURITIES LITIGATION

**RETIREMENT SYSTEM IS INTERESTED IN SEEKING TO BE A
LEAD PLAINTIFF IN THIS LITIGATION, AND**

**WHEREAS, THE BOARD HAS DISCUSSED THIS MATTER,
AND**

**WHEREAS, THE BOARD DEEMS IT APPROPRIATE TO SEEK
TO BE A LEAD PLAINTIFF IN THIS MATTER TO RECOVER
LOSSES INCURRED BY THE SYSTEM, THEREFORE BE IT**

**RESOLVED, THAT THE BOARD SEEK TO BE NAMED LEAD
PLAINTIFF REGARDING THIS MATTER, AND BE IT FURTHER**

**RESOLVED, THAT BERNSTEIN, LITOWITZ, BERGER AND
GROSSMANN, LLP BE RETAINED TO REPRESENT THE
SYSTEM REGARDING THIS MATTER, SUBJECT TO A PRIOR
AGREEMENT REGARDING PRIOR TERMS OF RETENTION IN
CLASS ACTION MATTERS, AND BE IT FURTHER**

**RESOLVED, THAT THE BOARD AGREES TO THE PROPOSED
FEE SCHEDULE SET FORTH IN THE MAY 6, 2003 LETTER
FROM SPECIAL COUNSEL WITH THE UNDERSTANDING
THAT ALL FEES ARE SUBJECT TO COURT APPROVAL, AND
BE IT FURTHER**

**RESOLVED, THAT A COPY OF THIS RESOLUTION BE
FORWARDED TO BERNSTEIN, LITOWITZ, BERGER AND
GROSSMANN, LLPTM:**

**YEAS - TRUSTEES BEST, CHEEK, CHRISTIAN, DOYLE, ENGLISH,
NGARE, STEWART AND CHAIRMAN ORZECZ - 8**

NAYS - NONE

LEGAL COUNSEL'S REPORTS

LEGAL COUNSEL RONALD ZAJAC DISCUSSED VARIOUS MATTERS WITH THE BOARD, INCLUDING ENVIRONMENTAL DISPOSAL SYSTEMS, INC.

Environmental Disposal Systems, Inc.

By Mr. English

Whereas, The Board has been presented with a communication from McTevia and Associates wherein McTevia and Associates requests that the Board fund Draw 27 for Environmental Disposal Systems, Inc. in the amount of \$389,557.00, Therefore be it

Resolved, That subject to final approval of all transaction documents by the Boards Legal Counsel, the Board approve said funding:

TRUSTEE ENGLISH'S MOTION RECEIVED NO SUPPORT.

CATHERINE MORTIERE

EACH MEMBER OF THE BOARD AND THE BOARD'S EXECUTIVE STAFF WAS PROVIDED WITH COPIES OF THE SYSTEM'S "MOTION FOR CASE EVALUATION SANCTIONS" DATED MARCH 10, 2005 RELATIVE TO THIS CLASS ACTION LITIGATION.

INTERNAL REVENUE SERVICE

EACH MEMBER OF THE BOARD AND THE BOARD'S EXECUTIVE STAFF WAS PROVIDED WITH COPIES OF THE IRS' MARCH 9, 2005 REQUEST FOR ADDITIONAL INFORMATION AS IT RELATES TO FORM 2848 (POWER OF ATTORNEY AND DECLARATION OF REPRESENTATIVE) WHICH LEGAL COUNSEL FORWARDED TO THE IRS ON FEBRUARY 10, 2005.

EXECUTIVE SECRETARY LITIGATION

EACH MEMBER OF THE BOARD AND THE BOARD'S EXECUTIVE STAFF WAS PROVIDED WITH COPIES OF TERRY BRUNER'S (STATE OF MICHIGAN COURT OF APPEALS) MARCH 8, 2005 COMMUNICATION TO THE CITY'S ATTORNEY BRUCE CAMPBELL RELATIVE TO THIS CLASS ACTION LITIGATION.

CALPINE CORPORATION

EACH MEMBER OF THE BOARD AND THE BOARD'S EXECUTIVE STAFF WAS PROVIDED WITH COPIES OF SPECIAL COUNSEL'S (KOHN, SWIFT & GRAF, P.C.) MARCH 14, 2005 DRAFT OF "LEAD PLAINTIFF'S OBJECTIONS AND RESPONSE TO CALPINE CORPORATION'S SECOND SET OF REQUESTS FOR ADMISSION" RELATIVE TO THIS CLASS ACTION LITIGATION.

OM GROUP

EACH MEMBER OF THE BOARD AND THE BOARD'S EXECUTIVE STAFF WAS PROVIDED WITH COPIES OF THE UNITED STATES' DISTRICT COURT'S (FOR THE NORTHERN DISTRICT OF OHIO, EASTERN DIVISION) MARCH 8, 2005 "AGREEMENT TO SETTLE CLASS ACTION" RELATIVE TO THIS CLASS ACTION LITIGATION WHICH WAS PROVIDED TO LEGAL COUNSEL BY THE BOARD'S SPECIAL COUNSEL BERNSTEIN, LITOWITZ, BERGER AND GROSSMANN, LLP.

■ TRUSTEE BANDEMER RE-JOINED THE MEETING.

■ TRUSTEE ISOM RE-JOINED THE MEETING.

GABRIEL, ROEDER, SMITH & COMPANY

THE BOARD DISCUSSED THE SYSTEM'S JUNE 30, 2004 ACTUARIAL VALUATION WITH NORM JONES VIA SPEAKER CONFERENCE.

Environmental Disposal Systems, Inc.

By Ms. Isom – Supported by Mr. English

Whereas, The Board has been requested to execute the documents which are referenced below relative to the foregoing, and

Whereas, The execution of said documents has been recommended by the Board's advisor, McTevia & Associates, Inc., and the Board's special legal counsel, F. Logan Davidson, and

Whereas, The execution of said documents has been reviewed and approved as to form by the Board's Legal Counsel, and the execution of said documents is consistent with prior action of the Board, Therefore Be It

Resolved, That said documents be executed by two (2) authorized signatories on behalf of the Board, and be it further

Resolved, That the Retirement System retain copies of said executed original documents:

DOCUMENT: TENTH MODIFICATION AGREEMENT OF FIRST LOAN (DATED MARCH 10, 2005)

DOCUMENT: FIFTH MODIFICATION AGREEMENT OF SECOND LOAN (DATED MARCH 10, 2005)

DOCUMENT: MEMORANDUM OF MODIFICATION OF MORTGAGE (DATED MARCH 10, 2005)

YEAS – TRUSTEES BANDEMER, BEST, CHEEK, DOYLE, ENGLISH, ISOM AND CHAIRMAN ORZECH – 7

Environmental Disposal Systems, Inc.

NAYS - TRUSTEES CHRISTIAN AND STEWART - 2

ABSTAIN - TRUSTEE NGARE - 1

Environmental Disposal Systems, Inc.

By Ms. Isom - Supported by Mr. Doyle

Whereas, The Board has been presented with a communication from McTevia and Associates wherein McTevia and Associates requests that the Board fund Draw 27 for Environmental Disposal Systems, Inc. in the amount of \$389,557.00, Therefore be it

Resolved, That subject to final approval of all transaction documents by the Boards Legal Counsel, the Board approve said funding:

**YEAS - TRUSTEES BANDEMER, BEST, CHEEK, DOYLE,
ENGLISH, ISOM AND CHAIRMAN ORZECH - 7**

NAYS - TRUSTEES CHRISTIAN AND STEWART - 2

ABSTAIN - TRUSTEE NGARE - 1

■ TRUSTEE STEWART TEMPORARILY EXCUSED HIMSELF.

**CHAIRPERSON ORZECH RELINQUISHED THE CHAIR TO VICE
CHAIRPERSON ISOM AND MADE THE MOTION WHICH FOLLOWS:**

MINUTES OF THURSDAY, MAY 13, 2004

BY MR. ORZECH - SUPPORTED BY MR. ENGLISH

RESOLVED, THAT THE BOARD'S MOTIONS REGARDING THE BOARD'S MINUTES OF THURSDAY, MAY 13, 2004, WHICH WERE TABLED MAY 27, 2004, BE REMOVED FROM THE TABLED:

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YEAS - TRUSTEES BANDEMER, BEST, CHEEK, CHRISTIAN, DOYLE, ENGLISH, NGARE, ORZECH AND VICE CHAIRPERSON ISOM - 9

NAYS - NONE

VICE CHAIRPERSON ISOM RELINQUISHED THE CHAIR TO CHAIRPERSON ORZECH.

FOLLOWING ARE THE BOARD'S MAY 27, 2004 MOTIONS REGARDING THE BOARD'S MAY 13, 2004 MINUTES.

MINUTES OF THURSDAY, MAY 13, 2004

BY MR. ORZECH - SUPPORTED BY MR. STEWART

RESOLVED, THAT THE MINUTES OF THE MEETING HELD THURSDAY, MAY 13, 2004 BE APPROVED AS RECORDED AND SUBMITTED BY THE BOARD'S RECORDING SECRETARY:

FOLLOWING DISCUSSION OF THE FOREGOING MOTION, TRUSTEE STEWART WITHDREW HIS SUPPORT, AS HE DID NOT ATTEND SAID MEETING.

TRUSTEE FAIRWEATHER THEN SUPPORTED TRUSTEE ORZECH'S MOTION.

MINUTES OF THURSDAY, MAY 13, 2004

BY MR. ORZECH - SUPPORTED BY MR. FAIRWEATHER

RESOLVED, THAT THE MINUTES OF THE MEETING HELD THURSDAY, MAY 13, 2004 BE APPROVED AS RECORDED AND SUBMITTED BY THE BOARD'S RECORDING SECRETARY:

FOLLOWING DISCUSSION OF THE FOREGOING MOTION, TRUSTEE CHEEK MADE THE MOTION WHICH FOLLOWS:

BY MR. CHEEK - SUPPORTED BY MR. WILLIAMS

RESOLVED, THAT THE FOREGOING MOTION BE AMENDED AS FOLLOWS:

- 1. PAGE 18 (OF MAY 13, 2004 MINUTES) INCLUDE THE WORDS "AND THE CITY'S ATTORNEY BE NOTIFIED OF THE BOARD'S POSITION REGARDING THIS MATTER" IN THE SECOND "RESOLVED" OF TRUSTEE ORZECH'S MOTION (WHICH WAS SUPPORTED BY TRUSTEE ISOM) REGARDING THE POLICEMEN AND FIREMEN RETIREMENT SYSTEM VERSUS THE CITY OF DETROIT**

THE BOARD DID NOT OBJECT TO THE ABOVE AMENDMENT.

- 2. THAT THE MAY 13, 2004 MINUTES REFLECT TRUSTEE CHEEK'S MOTION REGARDING THE BOARD'S 62ND ANNUAL ACTUARIAL VALUATION, WHICH IS REFERENCED BELOW:**

BY MR. CHEEK

RESOLVED, THAT THE BOARD'S 62ND ANNUAL ACTUARIAL VALUATION BE DEEMED IMPROPER DUE TO THE INCLUSION OF AN IMPROPER RECOMMENDED EMPLOYER CONTRIBUTION RATE (USED A 14-YEAR AMORTIZATION OF UAAL AND NOT A 20-YEAR AMORTIZATION OF UAAL),

MINUTES OF THURSDAY, MAY 13, 2004

**AND THAT THE BOARD DIRECTS ITS ACTUARY TO SUBMIT
A RECOMMENDATION WHICH IS IN COMPLIANCE WITH ALL
APPLICABLE PENSION REGULATIONS AND STATE LAW
REQUIREMENTS.**

**TRUSTEE CHEEK HAS WITHDRAWN HIS MOTION AND TRUSTEE
ORZECH'S MOTION WILL NOW BE BROUGHT FORTH FOR A
VOTE.**

MINUTES OF THURSDAY, MAY 13, 2004

BY MR. ORZECH - SUPPORTED BY MR. FAIRWEATHER

**RESOLVED, THAT THE MINUTES OF THE MEETING HELD
THURSDAY, MAY 13, 2004 BE APPROVED AS RECORDED AND
SUBMITTED BY THE BOARD'S RECORDING SECRETARY:**

**YEAS - TRUSTEES BANDEMER, BEST, CHRISTIAN, DOYLE,
ENGLISH, ISOM AND CHAIRMAN ORZECH - 7**

NAYS - TRUSTEE CHEEK - 1

ABSTAIN - TRUSTEE NGARE - 1

■ TRUSTEE STEWART RE-JOINED THE MEETING.

MAYFIELD GENTRY REALTY ADVISORS

BY MR. STEWART - SUPPORTED BY MR. DOYLE

WHEREAS, THE BOARD HAS BEEN CONSIDERING ADDING A DISCRETIONARY ACCOUNT ARRANGEMENT TO THE BOARD'S EXISTING REAL ESTATE ADVISORY AGREEMENT WITH MAYFIELD GENTRY REALTY ADVISORS ("MGRA"), AND

WHEREAS, THE BOARD HAS DISCUSSED THIS MATTER, THEREFORE BE IT

RESOLVED, THAT THE BOARD ENTER INTO A DISCRETIONARY ACCOUNT ARRANGEMENT WITH MAYFIELD GENTRY REALTY ADVISORS WITH TERM-DISCRETION LIMITATIONS CONSISTENT WITH THE BOARD'S DISCUSSION OF THIS DATE AND CONSISTENT WITH DISCRETIONARY LIMITATIONS OF A PRIOR ADVISOR, SUBJECT TO APPROVAL OF THE DOCUMENTATION BY THE BOARD'S GENERAL COUNSEL, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO MAYFIELD GENTRY REALTY ADVISORS:

**YEAS - TRUSTEES BANDEMER, BEST, CHEEK, CHRISTIAN, DOYLE,
ENGLISH, ISOM, NGARE, STEWART AND CHAIRMAN
ORZECH - 10**

NAYS - NONE

**MAYFIELD GENTRY REALTY ADVISORS
AVANTI BUILDING AND FLORIDA MALL**

BY MS. ISOM - SUPPORTED BY MR. STEWART

RESOLVED, THAT THE BOARD RE-AFFIRM ITS PRIOR ACCEPTANCE OF THE RECOMMENDATION FROM MAYFIELD GENTRY REALTY ADVISORS ("MGRA") TO SELL THE AVANTI BUILDING AND FLORIDA MALL, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO MAYFIELD GENTRY REALTY ADVISORS:

YEAS - TRUSTEES BANDEMER, BEST, CHEEK, CHRISTIAN, DOYLE, ENGLISH, ISOM, NGARE, STEWART AND CHAIRMAN ORZECH - 10

NAYS - NONE

PUBLIC FORUM

AT 2:37 P.M., CHAIRMAN ORZECH DECLARED THE MEETING IN OPEN FORUM FOR GENERAL DISCUSSION BY THE PUBLIC ATTENDING THE MEETING.

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, CHAIRMAN ORZECH ADJOURNED THE MEETING AT 2:45 P.M. UNTIL THURSDAY, MARCH 24, 2005, AT 9:00 A.M., IN ROOM 910 OF THE COLEMAN A. YOUNG MUNICIPAL CENTER, DETROIT, MICHIGAN 48226.

RESPECTFULLY SUBMITTED,

ASSISTANT EXECUTIVE SECRETARY

