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BEFORE
THE RETIREMENT BOARD
FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO

IN THE MATTER OF)
MEETING NO. 1074)

STENOGRAPHIC REPORT OF PROCEEDINGS had at
the audio conference meeting of the above-entitled
matter, on Wednesday, May 20, 2020, commencing at
the hour of 8:30 a.m.

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APPEARANCES

BOARD MEMBERS APPEARING TELEPHONICALLY:

DANIEL FORTUNA, President and
Annuitant Trustee

ANTHONY MARTIN, Secretary and Active
Trustee

WILLIAM MURPHY, Active Trustee

TIMOTHY McPHILLIPS, Active Trustee

MELISSA CONYEARS-ERVIN, City Treasurer

RESHMA SONI, City Comptroller

ANNETTE NANCE-HOLT, Active Trustee

ATTORNEYS FOR THE BOARD:

BURKE, BURNS AND PINELLI, LTD.
BY: MS. MARY PATRICIA BURNS
MR. VINCENT PINELLI

ALSO PRESENT APPEARING TELEPHONICALLY:

LORI LUND, Deputy Director
STEVEN R. SWANSON, Executive Director
LORNA SCOTT, Chief Investment Officer
JACLYN VLAHOS, Comptroller
JOHN CONNESS, Fund Accountant
DANIEL G. SAMO, M.D., Board Physician
MICHAEL I. PETERS, M.D., Board Physician
MARC TORRES, IT Systems Analysis
MARK MYSLINSKI, City of Chicago Portfolio
Manager
LEE ANN MCKAY
DAVID J. LIETZ
FRANK R. BURENS
ANDREW R. GUTH
STEVEN E. WHITERS
WILLIAM K. CLEMENS

1 CHAIRMAN FORTUNA: Tony, I am going to
2 ask you to start the roll call. It is 8:30.

3 MEMBER MARTIN: Mr. President, thank you.
4 Trustee Conyears-Ervin.

5 MEMBER CONYEARS-ERVIN: Here .

6 MEMBER MARTIN: Trustee Soni.

7 MEMBER SONI: I am here.

8 MEMBER MARTIN: Trustee Holt.

9 MEMBER NANCE-HOLT: Present.

10 MEMBER MARTIN: Trustee Murphy.

11 MEMBER MURPHY: Here.

12 MEMBER MARTIN: Trustee McPhillips.

13 MEMBER MCPHILLIPS: Here.

14 MEMBER MARTIN: Trustee Fortuna.

15 CHAIRMAN FORTUNA: Present.

16 MEMBER MARTIN: And I am present.

17 Mr. President, remarks.

18 CHAIRMAN FORTUNA: I would like to make a
19 brief remark. I would like to congratulate Brother
20 Bill Murphy for winning the Second District.
21 Congratulations.

22 MEMBER MURPHY: Thank you.

23 CHAIRMAN FORTUNA: I know it was a
24 landslide for you, but congratulations. Chicago

1 Fire Firefighters Union Second District Business
2 Agent Bill Murphy.

3 MEMBER MURPHY: Thank you.

4 MS. BURNS: Before we get started, Mr.
5 President, may I just also let everybody on the
6 phone know that we are recording this open meeting
7 as required by the Governor's Executive Order and I
8 would ask people to identify themselves when
9 speaking, if possible.

10 Anybody who is on the phone but not
11 speaking, we would request that if they could
12 kindly mute their phones while Secretary Martin and
13 Trustee McPhillips are running through the regular
14 order of business to allow you and everybody else
15 on the phone to be able to hear people speaking.

16 CHAIRMAN FORTUNA: Okay.

17 MEMBER MARTIN: Mr. President, consistent
18 with Public Act 91-0715 and reasonable constraints
19 determined by the Board of Trustees at each Regular
20 Meeting of the Board or its committee that is open
21 to the public, members of the public may request a
22 brief time to address the Board on relevant matters
23 within its jurisdiction.

24 Are there any requests for public comment

1 today?

2 CHAIRMAN FORTUNA: Hearing none,
3 Secretary Martin, please proceed.

4 MEMBER MARTIN: First, return to the
5 Approval of Administrative Items. Approval of
6 Minutes of regular audio meeting March 18, 2020 --

7 Mary Pat, do you think I should do them
8 all together or individually?

9 MS. BURNS: Sir, I think that you can do
10 those all together, unless some Trustee objects.

11 I will say I have reviewed the
12 transcripts for the audio meetings and they appear
13 to be consistent with the minutes.

14 MEMBER MARTIN: Then we'll continue on
15 for the approval of the Minutes of the Regular
16 Audio Meeting March 18, 2020, Special Audio Meeting
17 April 1, 2020, the Regular Audio Meeting of April
18 15, 2020, the Special Meeting transcript of April
19 15, 2020 and the regular audio transcript of April
20 15th of 2020.

21 Mr. President, I move to approve the
22 transcripts and minutes.

23 CHAIRMAN FORTUNA: There is a motion to
24 approve by Trustee Martin. Is there a second?

1 Trustee Martin. Seconded by Trustee Holt. All in
2 favor?

3 (Chorus of ayes.)

4 CHAIRMAN FORTUNA: Opposed?

5 Hearing none, motion carries.

6 MEMBER MARTIN: Mr. President, Item D,
7 Refunds. This month there are none.

8 Moving to Item E, Death Benefits. I'd
9 like to move to approve the Death Benefits as
10 presented by staff to the Board.

11 MEMBER MURPHY: Second.

12 CHAIRMAN FORTUNA: Motion by Trustee
13 Martin. Seconded by Trustee Murphy. All in favor?

14 (Chorus of ayes.)

15 CHAIRMAN FORTUNA: Opposed?

16 Hearing none, motion carries.

17 MEMBER MARTIN: Moving to Item F, Partial
18 Payments. I move to approve the Partial Payments
19 presented by staff to the Board.

20 MEMBER McPHILLIPS: Second.

21 CHAIRMAN FORTUNA: Motion by Trustee
22 Martin. Seconded by Trustee McPhillips. All in
23 favor?

24 (Chorus of ayes.)

1 CHAIRMAN FORTUNA: Opposed?

2 Hearing none, motion carries.

3 MEMBER MARTIN: Item G, Benefit
4 Recalculations. I move to approve the Death
5 Benefit Recalculations. In this case there is a
6 Refund Errors in Deductions.

7 MEMBER NANCE-HOLT: Second.

8 CHAIRMAN FORTUNA: Motion to approve by
9 Trustee Martin. Seconded by Trustee Holt. All in
10 favor?

11 (Chorus of ayes.)

12 CHAIRMAN FORTUNA: Opposed?

13 Hearing none, motion carries.

14 MEMBER MARTIN: Mr. President, under Item
15 H, Request for Permission. This month there are
16 none.

17 I'd like to move on to Item I, which is
18 Removals. I'd like to make a motion to approve the
19 Removals as presented by staff to the Board.

20 MEMBER MURPHY: Second.

21 CHAIRMAN FORTUNA: There is a motion by
22 Trustee Martin. Seconded by Trustee Murphy. All
23 in favor?

24 (Chorus of ayes.)

1 CHAIRMAN FORTUNA: Opposed?

2 Hearing none, motion carries.

3 MEMBER MARTIN: Mr. President, under Item
4 3, Request for Approval of Payment Pursuant to
5 Administrative and Court Order. I move to approve
6 the QILDRO matters listed in the agenda.

7 MEMBER NANCE-HOLT: Second.

8 CHAIRMAN FORTUNA: There's a motion by
9 Trustee Martin. Seconded by Trustee Holt. All in
10 favor?

11 (Chorus of ayes.)

12 CHAIRMAN FORTUNA: Opposed?

13 Hearing none, motion carries.

14 MEMBER MARTIN: Mr. President, under Item
15 4, Investments, we have a couple of topics. The
16 Investment Report and possible action regarding
17 Committee recommendations as well as the Investment
18 Report for April, 2020.

19 Lorna, would you walk us through the
20 Investment Agenda items?

21 MS. SCOTT: The Investment Committee
22 Report. The Investment Committee met on Monday.
23 There were four items on our agenda.

24 Number one was the international small

1 cap equity RFP. The Committee heard five finalist
2 presentations. After discussions, the Committee is
3 recommending hiring Brown Capital and Highclere.
4 Allocating 25 million dollars each subject to
5 successful contract negotiations.

6 Item two was a review of the Globeflex
7 Watch List status. After discussion, the Committee
8 is recommending GlobeFlex stay on watch status
9 until September.

10 Item three on the agenda was the Callan
11 presentation on the first quarter performance
12 review. There was a discussion on cash needs. The
13 Committee reviewed the current asset allocation and
14 cash forecast and no action is required at this
15 time.

16 So I would like a motion to ratify the
17 Committee's recommendation for the international
18 small cap RFP finalists and keeping Globeflex on
19 watch status.

20 CHAIRMAN FORTUNA: Is there a motion?

21 MEMBER MCPHILLIPS: I will make that
22 motion.

23 Thank you, Lorna.

24 MEMBER NANCE-HOLT: Second.

1 CHAIRMAN FORTUNA: Motion by Trustee
2 McPhillips. Seconded by Trustee Holt. All in
3 favor?

4 (Chorus of ayes.)

5 CHAIRMAN FORTUNA: Opposed?

6 Hearing none, motion carries.

7 MS. SCOTT: On to the next item, the
8 Investment Report for April. There are four items
9 here. I am only going to cover the performance
10 slide and I will ask Mark to share the screen.

11 Looking at performance, this first slide
12 shows the benchmark performance for various asset
13 classes. It is a much better chart than the one we
14 saw in March. The government stimulus, the slowing
15 of the virus spread and a shift of focus to
16 reopening of the economy were all positive.

17 Generally, some themes that we see here
18 is that the U.S. stocks have outperformed small
19 cap; a lot better than large cap. Growth still
20 outperformed value. Emerging did better than
21 non-U.S.

22 The next slide looks at the market on a
23 year-to-date basis. So the April rebound was not
24 enough to offset the losses for the year. Asset

1 classes are still negative. The themes are still
2 basically the same. Small cap is underperforming
3 large cap. Growth is outperforming value.

4 The Fund is invested in both these areas.
5 Like we said last month, these tilts are going to
6 hurt us versus the policy target.

7 Looking at the next slide, which shows
8 our Fund return versus the policy target. For the
9 month of April the Fund is up 7 percent. Slightly
10 behind the top policy target which is up 7.35. The
11 year-to-date, the Fund is still down 11.9 percent,
12 behind the policy target which is down 8.19
13 percent.

14 The next slide kind of explains a little
15 bit more the underperformance versus the policy
16 target.

17 For April, we underperformed the policy
18 target by 0.3 percent. Most of that
19 underperformance can be attributed to asset
20 allocation. That's not the exact same weight as
21 the policy target.

22 The biggest distraction in April was the
23 Fund's holding of cash. We hold that cash for
24 benefit payments. It is a temporary holding of

1 cash but in a one month period, where the market
2 was strongly up, holding cash was a negative, that
3 was the primary reason that we underperformed in
4 April. Manager's style selection was positive and
5 that was primarily due to strong performance by
6 Loomis and Western.

7 Next slide breaks down the targets on a
8 year-to-date basis. Year-to-date we are
9 underperforming by 3.8 percent.

10 If you look at the last three columns,
11 most of the underperformance is coming from style
12 selection and manager selection, that minus 3.8
13 percent. Mostly within U.S. equities and within
14 fixed income. Within U.S. equities, it was
15 primarily our allocations to value that hurt.
16 Within fixed income it was being invested in the
17 asset classes. They are a little bit more risky,
18 which is where Western and Loomis had put us.

19 We expect both of those areas to recover
20 over the long-term.

21 The next couple of slides give you
22 additional return data. I will leave that
23 information for your review, but again that is just
24 an overview of performance.

1 It was a very, very strong month in
2 April. I am hoping for more of that.

3 With that, I will conclude my Investment
4 Report.

5 MEMBER MARTIN: Lorna, do we still need a
6 motion to leave Globeflex on watch?

7 MS. SCOTT: That was part of the
8 Committee recommendations.

9 MEMBER MARTIN: Okay. I thought the
10 first one was to hire.

11 MS. BURNS: It was a motion to accept the
12 recommendations of the Investment Committee so
13 Lorna was correct.

14 MEMBER MARTIN: I am not disagreeing. I
15 just wanted clarification.

16 CHAIRMAN FORTUNA: Is there a motion to
17 accept?

18 MEMBER NANCE-HOLT: Motion to accept.

19 MEMBER MCPHILLIPS: I will second it.

20 CHAIRMAN FORTUNA: Motion to accept the
21 Investment Report by Trustee Holt. Seconded by
22 Trustee McPhillips Phillips. All in favor?

23 (Chorus of ayes.)

24 CHAIRMAN FORTUNA: Opposed?

1 Hearing none, motion carries.

2 MEMBER MARTIN: Moving on, we have the
3 hearings.

4 Lori, are we ready to proceed with the
5 hearings?

6 MS. LUND: We are ready if Vince is
7 ready, if that is where you want to go now, as long
8 as Mark can confirm that everybody has called in.

9 MR. TORRES: Yes. Everyone who was
10 supposed to call in is here with us.

11 MS. LUND: Great. Then I think we are
12 ready to proceed.

13 MEMBER MARTIN: Firefighter David Lietz,
14 Engine 50, are you on the phone?

15 MR. LIETZ: Yes.

16 MEMBER MARTIN: Firefighter Lietz, this
17 is your Occupational Disability hearing.

18 For your information, Vince Pinelli, our
19 Fund attorney, who is also online, will be
20 conducting this hearing.

21 Without anything further, Vince.

22 MR. PINELLI: Thank you, Mr. Secretary.

23 Good morning, Mr. Lietz. As you have
24 been told, I am one of the attorneys for the Fund.

1 I will be conducting this hearing for the record.

2 I would just like to advise you of some
3 preliminary matters. First of all, there are seven
4 trustees present on the call at this time to hear
5 the evidence on your application.

6 If you don't know you should know you
7 need the yes vote of at least five of those seven
8 trustees. Do you understand that?

9 MR. LIETZ: Yes, sir.

10 MR. PINELLI: Okay. Also, we are going
11 to introduce exhibits that have been provided to
12 you by the Fund staff. I just want to make sure
13 that you received those exhibits and you had the
14 opportunity to review them.

15 MR. LIETZ: Yes, sir.

16 MR. PINELLI: Okay. Lastly, you do not
17 have any objection to the introduction of those
18 exhibits, do you?

19 MR. LIETZ: No, sir.

20 MR. PINELLI: Okay. Thank you.

21 Then, Mr. Secretary, I just note for the
22 record that this is an application by Firefighter
23 Lietz for an Occupational Disease Disability
24 benefit based upon a heart condition that he has

1 and that he has been treated for.

2 He entered service in 1998 and developed
3 this condition during the time that he has been in
4 service with the Fire Department.

5 Mr. Chairman, at this time I would move
6 for admission of Board Exhibits 1 through 11,
7 without objection from the applicant.

8 MR. LIETZ: No objection.

9 CHAIRMAN FORTUNA: Admitted without
10 objection.

11 (Board Exhibits 1 through 11
12 were admitted into evidence.)

13 MR. PINELLI: Thank you.

14 Before I start testimony, may I please
15 have the witness and the doctor sworn in?

16 (Mr. Lietz and Doctor Peters
17 were sworn in.)

18 MR. PINELLI: Thank you.

19 DAVID J. LIETZ
20 a witness herein, having been first duly sworn, was
21 examined and testified as follows:

22 EXAMINATION

23 BY MR. PINELLI:

24 Q Just a brief question or two here. First

1 of all, the condition that you have that you
2 received treatment for, your heart condition, did
3 you develop that condition while you have been in
4 service with the Fire Department?

5 A Yes.

6 Q Since you went on layup have you engaged
7 in any activities by which you earn income?

8 A Activities on which I was what, sir?
9 Sorry.

10 Q Since you went on layup have you engaged
11 in activities by which you earned income?

12 A No, sir.

13 Q Thank you. Are you currently receiving
14 treatment for your heart condition?

15 A Yes, sir.

16 MR. PINELLI: Thank you. That is all the
17 questions I have of Mr. Lietz.

18 CHAIRMAN FORTUNA: Trustees, any
19 questions?

20 MR. PINELLI: At this time I would call
21 Doctor Peters to testify.

22 MICHAEL I. PETERS, M.D.

23 a witness herein, having been first duly sworn, was
24 examined and testified as follows:

EXAMINATION

BY MR. PINELLI:

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Q Sir, would you please state your name?

A Michael I. Peters.

Q And you are a physician; is that correct?

A Yes.

Q Do you perform a function as a consultant to this fund?

A Yes.

Q In that capacity, do you examine applicants and report to the Board?

A Yes, I do.

Q Did you follow that procedure with respect to Mr. Lietz?

A Yes, I did.

Q With respect to your examination, doctor, did you conduct a telephone examination of him due to the current restrictions from the Covid-19?

A Yes, it was limited to a telephone interview.

Q During your interview with him, was the information that he provided to you consistent with the medical records that you did in fact review?

A Yes, it was.

1 Q Doctor, did you file a written report
2 with the Board that is marked as Board Exhibit
3 Number 2?

4 A Yes, I did.

5 Q Doctor, could you just summarize for us,
6 if you would, what Mr. Lietz's diagnosis and
7 condition is and what treatment he subsequently
8 underwent?

9 A Mr. Lietz was diagnosed with a posterior
10 wall myocardial infarction on January 31st of this
11 year. He underwent a coronary artery angiogram
12 with angioplasty and had a stent placed in his
13 circumflex coronary artery. He was supposed to
14 start cardiac rehab but that has been put on hold
15 due to the Covid-19 emergency.

16 Q Based upon that fact that he has not been
17 able to complete his cardiac rehab, in his current
18 condition do you believe that he would be able to
19 return to his active duties as a firefighter?

20 A I am unable to make that assessment
21 because it's not clear whether he could function at
22 12 mets of exercise because he hasn't been able to
23 participate in rehab.

24 Q But the lack of that information, would

1 that indicate to you that it would not be advisable
2 that he return to active fire fighting duties at
3 this time?

4 A He can't return to active fire fighting
5 duties at this time without an assessment of his
6 exercise capacity.

7 MR. PINELLI: Alright. Thank you,
8 doctor. I have no further questions.

9 Are there any questions from the
10 Trustees?

11 The presentation would be concluded at
12 this time.

13 MEMBER MCPHILLIPS: I will make a motion
14 to grant.

15 CHAIRMAN FORTUNA: Motion to grant by
16 Trustee McPhillips.

17 MEMBER MARTIN: Second.

18 CHAIRMAN FORTUNA: Seconded by Trustee
19 Martin.

20 Trustee Martin.

21 MEMBER MARTIN: Yes.

22 CHAIRMAN FORTUNA: Trustee Soni.

23 MEMBER SONI: Yes.

24 CHAIRMAN FORTUNA: Trustee

1 Conyears-Ervin.

2 MEMBER CONYEARS-ERVIN: Yes.

3 CHAIRMAN FORTUNA: Trustee McPhillips.

4 MEMBER McPHILLIPS: Yes.

5 CHAIRMAN FORTUNA: Trustee Holt.

6 MEMBER NANCE-HOLT: Yes.

7 CHAIRMAN FORTUNA: Trustee Murphy.

8 MEMBER MURPHY: Yes.

9 CHAIRMAN FORTUNA: And I am a yes.

10 MEMBER MARTIN: At this time I'd like to
11 make a motion for reexam consistent with the Fund's
12 policy.

13 MEMBER MURPHY: Second.

14 CHAIRMAN FORTUNA: Motion for reexam by
15 Trustee Martin. Seconded by Trustee Murphy. All
16 in favor?

17 (Chorus of ayes.)

18 CHAIRMAN FORTUNA: Opposed?

19 Hearing none, motion carries.

20 MEMBER MARTIN: Mr. President, I would
21 also like to make a motion to adopt the Findings of
22 Fact prepared by the Fund's counsel.

23 MEMBER McPHILLIPS: Second.

24 CHAIRMAN FORTUNA: Motion by Trustee

1 Martin. Seconded by Trustee Phillips. All in
2 favor?

3 (Chorus of ayes.)

4 CHAIRMAN FORTUNA: Opposed?

5 Hearing none, motion carries.

6 Sir, based on the Findings of Fact made
7 by the Trustees, the Trustees have voted to grant
8 you the benefit you have requested.

9 You will be notified by mail of the
10 Findings of Fact and the Board's decision.

11 Thank you.

12 MR. LIETZ: Thank you all very much.

13 MEMBER MARTIN: I'd like to move on to
14 the Occupational Disease Disability application for
15 Lieutenant Paramedic Frank R. Burens, 5-1-1.

16 Frank, are you here?

17 MR. BURENS: I am here.

18 MEMBER MARTIN: Let the record reflect
19 this is the Occupational Disease Disability
20 application for Lieutenant Paramedic Frank R.
21 Burens, 5-1-1.

22 Frank, for your information, the Fund
23 attorney Vince Pinelli is going to be conducting
24 this hearing.

1 Without anything further, Vince.

2 MR. PINELLI: Thank you, Mr. Secretary.

3 Good morning, Mr. Burens.

4 MR. BURENS: Good morning.

5 MR. PINELLI: I'd like to advise you of
6 some preliminary matters before we start evidence.

7 There are seven trustees currently on
8 this call to hear the evidence on your application.
9 If you don't know you should know you would need
10 the yes vote of at least five of those seven
11 trustees. Do you understand that?

12 MR. BURENS: I understand.

13 MR. PINELLI: In addition, I assume you
14 do not have an attorney representing you. Is it
15 your desire to proceed without an attorney?

16 MR. BURENS: That's correct.

17 MR. PINELLI: Lastly, it is the
18 applicant's burden of proof to present sufficient
19 evidence to the Board in order for the Board to
20 grant this benefit. Do you understand that?

21 MR. BURENS: I do.

22 MR. PINELLI: Okay. By way of
23 procedures, I am going to ask you a few questions.

24 The board members may or may not have questions of

1 you. If they don't, then I will call the doctor to
2 testify. And if there is anything you think we
3 should ask the doctor that I haven't, just let me
4 know and you will be given that opportunity. Do
5 you understand the procedures?

6 MR. BURENS: Understood.

7 MR. PINELLI: Thank you. Could we have
8 the witnesses sworn to testify?

9 (Mr. Burens and Dr. Samo
10 were sworn to testify.)

11 FRANK R. BURENS

12 a witness herein, having been first duly sworn, was
13 examined and testified as follows:

14 EXAMINATION

15 BY MR. PINELLI:

16 Q Mr. Burens, could you please state your
17 name for the record?

18 A Frank R. Burens.

19 Q Thank you. And, sir, what is your rank
20 with the Fire Department?

21 A Lieutenant Paramedic.

22 Q Did you have an opportunity to review the
23 Board's exhibits that were tendered to you prior to
24 today's date?

1 A I have.

2 Q Do you have any objection to their
3 admission into the record in support of your
4 application?

5 A I do not.

6 MR. PINELLI: Thank you.

7 Mr. Chairman, I move for admission of
8 Board Exhibits 1 through 11, without objection from
9 the applicant.

10 CHAIRMAN FORTUNA: Please admit without
11 objection.

12 (Board Exhibits 1 through 11
13 were admitted into evidence.)

14 BY MR. PINELLI:

15 Q Now, sir, you are applying for this
16 Occupational Disease Disability benefit based upon
17 a medical condition that you have and that is colon
18 cancer; is that correct?

19 A Correct.

20 Q You entered service in the Fire
21 Department in what year?

22 A March of 1990.

23 Q So did you develop that condition during
24 the time that you have been in service with the

1 Fire Department?

2 A That is correct.

3 Q Can you tell us please since you went on
4 layup have you engaged in any activities by which
5 you earned income?

6 A I have not.

7 Q Are you still undergoing treatment for
8 your condition?

9 A I am.

10 MR. PINELLI: Thank you. That is all the
11 questions I have of the applicant.

12 CHAIRMAN FORTUNA: Any questions?

13 No questions.

14 MR. PINELLI: Thank you.

15 Moving on, I would call Doctor Samo to
16 testify.

17 DANIEL SAMO, M.D.

18 a witness herein, having been first duly sworn, was
19 examined and testified as follows:

20 EXAMINATION

21 BY MR. PINELLI:

22 Q Sir, please state your name.

23 A Daniel Samo.

24 Q You're a physician; is that correct?

1 A Yes.

2 Q Is a copy of your qualifications attached
3 to the Board Exhibits?

4 A Yes.

5 Q Do you perform a function as a consultant
6 to this fund?

7 A Yes.

8 Q In that capacity, do you review medical
9 records, examine or interview applicants and then
10 file a written report with the Board?

11 A Yes.

12 Q Did you follow that procedure with
13 respect to Mr. Burens?

14 A Yes.

15 Q Did you file a written report that is
16 marked as Board Exhibit Number 2?

17 A Yes.

18 Q Doctor, did you conduct a teleconference
19 with him?

20 A I did do a teleconference, yes.

21 Q Was the information that he provided to
22 you in that teleconference consistent with the
23 medical records that you reviewed?

24 A Yes.

1 Q Doctor, can you just summarize for us
2 what his current condition is?

3 A Currently he is in the midst of
4 treatment. He had colon cancer found on a routine
5 colonoscopy. He initially had chemotherapy, a
6 resection of a liver metastasis, a lung metastasis,
7 then radiation. And he's supposed to be having a
8 colon resection that was scheduled for last Friday,
9 but I don't know if that happened or not. So he is
10 still in the middle of his therapy.

11 Q Doctor, based upon those conditions and
12 that treatment, do you believe he would be able to
13 perform his duties with the Department?

14 A No.

15 Q Doctor, finally, is the colon cancer that
16 the applicant has the type of cancer that may be
17 caused by exposure to heat, radiation, or a known
18 carcinogen as defined by the International Agency
19 for Research on Cancer?

20 A Yes.

21 MR. PINELLI: Thank you, doctor. That is
22 all the questions I have.

23 CHAIRMAN FORTUNA: Trustees, any
24 questions?

1 MEMBER MARTIN: At this time I'd like to
2 make a motion to grant.

3 MEMBER HOLT: Seconded by Trustee Holt.

4 CHAIRMAN FORTUNA: There is a motion to
5 grant by Trustee Martin. Seconded by Trustee
6 Holt.

7 Trustee Martin.

8 MEMBER MARTIN: Yes.

9 CHAIRMAN FORTUNA: Trustee Soni.

10 MEMBER SONI: Yes.

11 CHAIRMAN FORTUNA: Trustee

12 Conyears-Ervin.

13 MEMBER CONYEARS-ERVIN: Yes.

14 CHAIRMAN FORTUNA: Trustee McPhillips.

15 MEMBER McPHILLIPS: Yes.

16 CHAIRMAN FORTUNA: Trustee Holt.

17 MEMBER NANCE-HOLT: Yes.

18 CHAIRMAN FORTUNA: Trustee Murphy.

19 MEMBER MURPHY: Yes.

20 CHAIRMAN FORTUNA: And I am a yes.

21 MEMBER MARTIN: Mr. President, I'd like
22 to make a motion for reexam consistent with the
23 Fund's reexam policy.

24 MEMBER MURPHY: Second.

1 CHAIRMAN FORTUNA: Motion for reexam by
2 Trustee Martin. Seconded by Trustee Murphy. All
3 in favor?

4 (Chorus of ayes.)

5 CHAIRMAN FORTUNA: Opposed?
6 Hearing none, motion carries.

7 MEMBER MARTIN: Mr. President, at this
8 time I'd like to make a motion to adopt the
9 Findings of Fact prepared by Fund counsel.

10 MEMBER McPHILLIPS: Second.

11 CHAIRMAN FORTUNA: Motion to adopt the
12 Findings of Fact by Trustee Martin. Seconded by
13 Trustee McPhillips. All in favor?

14 (Chorus of ayes.)

15 CHAIRMAN FORTUNA: Opposed?
16 Hearing none, motion carries.

17 Based on the Findings of Fact and
18 conclusions of law made by the Trustees, the
19 Trustees have voted to grant you the benefit you
20 have requested.

21 You will be notified by mail of the
22 Findings of Fact and the Board's decision.

23 Thank you and good luck.

24 MR. WHITERS: Thank you, very much.

1 MEMBER MARTIN: Is Firefighter Clemens on the line?

2 MR. CLEMENS: Yes.

3 MEMBER MARTIN: Let the record reflect
4 this is the Duty Disability application for
5 Firefighter William J. Clemens, Truck 59.

6 Firefighter Clemens, this hearing is
7 going to be conducted by Fund counsel Vince
8 Pinelli.

9 Without anything further, Vince.

10 MR. PINELLI: Thank you, Mr. Secretary.

11 Good morning, Mr. Clemens.

12 As you have been told, I am one of the
13 attorneys for the Fund. I will be conducting this
14 hearing for the record. I'd like to advise you of
15 some preliminary matters before we start
16 presentation of evidence.

17 First of all, there are seven trustees
18 present at this time to hear the evidence on your
19 application. If you don't know you should know the
20 Pension Code requires you get the yes vote or an
21 affirmative vote of at least five of the seven
22 trustees. Do you understand that?

23 MR. CLEMENS: Yes, sir.

24 MR. PINELLI: Also, I see that you

1 decided to proceed without an attorney. Is it your
2 intention to proceed to the hearing without an
3 attorney?

4 MR. CLEMENS: Yes, sir.

5 MR. PINELLI: Lastly, it is the
6 applicant's burden of proof to present sufficient
7 evidence to the Board in order for the Board to
8 grant this benefit. Do you understand that it is
9 your burden of proof?

10 MR. CLEMENS: Yes, sir.

11 MR. PINELLI: Okay. Thank you.

12 Procedurally, I am going to ask you some
13 questions. The Board may or may not have questions
14 of you. Then I will call Doctor Peters to testify.
15 If there is anything I don't ask him that you think
16 is important for the Board to know, please let me
17 know and you will be given that opportunity. Do
18 you understand?

19 MR. CLEMENS: Yes, sir.

20 MR. PINELLI: Thank you.

21 May I have the witnesses sworn to
22 testify?

23 (Mr. Clemens and Dr. Peters
24 were sworn.)

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WILLIAM J. CLEMENS

a witness herein, having been first duly sworn, was
examined and testified as follows:

EXAMINATION

BY MR. PINELLI:

Q Sir, would you just state your name for
the record?

A William J. Clemens.

Q What's your rank with the Fire
Department?

A Firefighter.

Q What was your last assignment before you
went on layup?

A Truck 59.

Q Mr. Clemens, did you receive a copy of
the Board Exhibits in advance of today's hearing?

A I have.

Q Did you have the opportunity to review
them?

A Yes, I have.

Q Do you have any objection to their
admission into the record in support of your
application?

A I do not.

1 MR. PINELLI: Thank you.

2 Mr. Chairman, I would move for admission
3 of Board Exhibits 1 through 12, without objection.

4 (Board Exhibits 1 through 12
5 were admitted into evidence.)

6 CHAIRMAN FORTUNA: Exhibits will be
7 admitted, without objection.

8 MR. PINELLI: Thank you.

9 BY MR. PINELLI:

10 Q Now, sir, you are making an application
11 for a Duty Disability benefit based upon an injury
12 that you suffered on March the 3rd of 2019; is that
13 correct?

14 A I believe it was March 2nd.

15 Q I'm sorry, you're correct, March the 2nd,
16 that is the date of the injury?

17 A Yes, sir.

18 Q Now, understanding the Board has the
19 benefit of reviewing your sworn statement, could
20 you just summarize for us briefly where you were
21 and what happened to you that caused you the
22 injury?

23 A Yes. We were called to a fire at 61st
24 and Spalding and there was a fire in the attic and

1 I went up into the attic to perform my duties as a
2 truckman. And while doing those duties, I severely
3 hurt my back and I had a hard time getting back out
4 the fire once the fire progressively got worse. I
5 had a hard time getting out of the fire.

6 When I came out, I seen my Lieutenant Pat
7 Murphy. He instantly seen me and called the
8 ambulance for me.

9 Q Okay. Can you tell us specifically were
10 you doing some particular action or activity when
11 you first experienced the problem?

12 A Well, while going in the attic, I was
13 doing search and rescue. Also knocking out
14 ceiling, doors and windows, whatever was in the
15 way, searching the whole second floor.

16 Q Now, sir, the pain was it in your lower
17 back, your lumbar region?

18 A Yes, it was.

19 Q You had prior injuries according to the
20 records to your lumbar spine before this; is that
21 correct?

22 A That is true, yes.

23 Q And back in 1999 did you have a surgical
24 procedure due to a duty injury that you incurred?

1 A I don't believe it was '99. I believe
2 that is not true. I think that was in the 80's
3 when I had a surgery. But I did get hurt in I
4 believe like two or three years ago. I got hurt
5 while at another fire when I was on an engine
6 performing duties on the hydrant.

7 Q Okay. As a result of that injury, did
8 you receive medical treatment?

9 A I did. I was laid up and I received
10 steroid shots and I eventually got back on the -- I
11 went back to Work Hardening and did good enough to
12 get back on-the-job.

13 Q Then did you work consistently from that
14 time until this incident on March the 2nd of '19?

15 A Yes, I did.

16 Q During that time period while you were
17 working, were you experiencing any problems with
18 your lower back?

19 A I don't believe so. No, I don't believe
20 it was hampering me from doing my duties once I was
21 back at work until this incident on March 2nd of
22 2019.

23 Q Okay. My question I think was just did
24 you continue to experience any discomfort even

1 though you were able to perform your duties or did
2 you not have any discomfort?

3 A No, I believe I was fit for duty.

4 Q Okay. Now you have been having medical
5 treatment for your back; is that correct?

6 A Yes, sir.

7 Q What were the doctors telling you with
8 respect to your back and any future treatment for
9 it?

10 A The last physician that I seen, after I
11 went through the rounds of the shots and therapy,
12 he suggested surgery for my lower back. I believe
13 it was -- he was going to put three pins on each
14 side of the injured area.

15 Q He's recommending a fusion surgery at
16 L-5/S-1?

17 A Yes, sir.

18 Q Okay. Can you describe for the Board, if
19 you would, just currently what your condition is as
20 far as any pain or limitations that you have?

21 A I have consistent aching and pain
22 constantly. I cannot bend down to put socks and
23 shoes on when my socks are without the laces. If I
24 kneel down, I need help to get up. It is

1 constantly aching. I know there's a problem there
2 where I am looking to the surgery, that is sometime
3 in the future I guess. I am kind of in limbo on
4 that, too.

5 MR. PINELLI: Thank you, sir. That is
6 all the questions I have.

7 CHAIRMAN FORTUNA: Any questions,
8 Trustees?

9 MR. PINELLI: Then I would call Doctor
10 Peters.

11 (Witness previously sworn.)

12 MICHAEL I. PETERS, M.D.

13 a witness herein, having been first duly sworn, was
14 examined and testified as follows:

15 EXAMINATION

16 BY MR. PINELLI:

17 Q Sir, could you please state your name?

18 A Michael I. Peters.

19 Q You are a physician; is that correct?

20 A Yes, it is.

21 Q Is a copy of your qualifications as a
22 physician attached to the Board Exhibits?

23 A Yes.

24 Q Do you perform a function as a consultant

1 to this Fund?

2 A Yes, I do.

3 Q In that capacity, do you review medical
4 records, examine or interview applicants and report
5 to the Board?

6 A Yes.

7 Q Did you follow that procedure with
8 respect to Mr. Clemens?

9 A Yes, I did.

10 Q Did you file a written report with the
11 Board that is marked as Board Exhibit 2?

12 A Yes.

13 Q Doctor, did you interview Mr. Clemens?

14 A I interviewed him by telephone due to the
15 Covid-19 emergency.

16 Q Based upon your interview with him, was
17 the information he provided to you consistent with
18 what you saw in the medical records?

19 A Yes, it was.

20 Q Doctor, can you briefly summarize for us
21 what his condition is and his current treatment?

22 A Yes. Mr. Clemens has worsening of spinal
23 stenosis and neuroforaminal stenosis at L-4/5 and
24 L-5/S-1, which has been documented by two different

1 MRIs since his initial injury on March 2, 2019.
2 His surgeon has advised that he have a fusion at
3 both those levels.

4 It's my understanding that the only
5 reason why he hasn't had the surgery is due to some
6 insurance issues.

7 Q Doctor, you referenced those two MRIs.
8 Was there an indication in the record that -- I
9 believe one was in March and then a second one in
10 October, that the MRI results indicated that his
11 condition is worsening?

12 A That's correct.

13 Q Doctor Lim is the surgeon that is
14 treating him?

15 A Yes.

16 Q Did Doctor Lim indicate that in his
17 opinion the incident he described was an
18 exacerbation of his lower back condition?

19 A Yes.

20 Q Doctor, obviously, perhaps maybe not, but
21 I will just ask you, in his current condition would
22 he be able to perform his duties with the Fire
23 Department?

24 A No, he would not.

1 MR. PINELLI: Thank you, that is all the
2 questions I have.

3 CHAIRMAN FORTUNA: Are there any
4 questions for the doctor, Trustees?

5 Hearing none.

6 MEMBER MARTIN: Mr. President, I'd like
7 to make a motion to approve.

8 MEMBER MURPHY: Second.

9 CHAIRMAN FORTUNA: Motion to approve by
10 Trustee Martin. Seconded by Trustee Murphy.

11 Trustee Martin.

12 MEMBER MARTIN: Yes.

13 CHAIRMAN FORTUNA: Trustee Soni.

14 MEMBER SONI: Yes.

15 CHAIRMAN FORTUNA: Trustee

16 Conyears-Ervin.

17 MEMBER CONYEARS-ERVIN: Yes.

18 CHAIRMAN FORTUNA: Trustee McPhillips.

19 MEMBER McPHILLIPS: Yes.

20 CHAIRMAN FORTUNA: Trustee Holt.

21 MEMBER NANCE-HOLT: Yes.

22 CHAIRMAN FORTUNA: Trustee Murphy.

23 MEMBER MURPHY: Yes.

24 CHAIRMAN FORTUNA: And I am a yes.

1 MEMBER MARTIN: Mr. President, I make a
2 motion for reexam.

3 MEMBER NANCE-HOLT: Second.

4 CHAIRMAN FORTUNA: Motion for reexam by
5 Trustee Martin. Seconded by Trustee Holt. All in
6 favor?

7 (Chorus of ayes.)

8 CHAIRMAN FORTUNA: Opposed?

9 Hearing none, motion carries.

10 MEMBER MARTIN: Mr. President, motion to
11 adopt the Findings of Fact of Fund counsel.

12 MEMBER MURPHY: Second.

13 CHAIRMAN FORTUNA: Motion by Trustee
14 Martin. Seconded by Trustee Murphy. All in favor?

15 (Chorus of ayes.)

16 CHAIRMAN FORTUNA: Opposed?

17 Hearing none, motion carries.

18 Based on the Findings of Fact and
19 conclusions of law made by the Trustees, the
20 Trustees have voted to grant you the benefit you
21 have requested.

22 You will be notified by mail of the
23 Findings of Fact and the Board's decision.

24 Thank you.

1 MR. CLEMENS: Thank you. I appreciate
2 everything that the Board did. Thank you, very
3 much.

4 MEMBER MARTIN: Andrew Guth would be
5 next.

6 CHAIRMAN FORTUNA: Do you want to make a
7 motion to go into Executive Session?

8 MS. BURNS: Before we do that, can I just
9 explain to the people on the phone, the members of
10 the public, what we are going to do.

11 We are going to go into closed session
12 after this motion. Mark is going to keep everybody
13 off in the waiting room, other than the Trustees
14 and Vince, Lori, Steve and myself. Then we will do
15 the closed session. When we finish, we'll go back
16 on to this phone line and resume the meeting. So
17 if members of the public want to come back into the
18 meeting, they can stay on the call. Mark will then
19 put you back into the meeting.

20 With that understanding of the procedures
21 that we have to follow in order to preserve the
22 sanctity of the closed session, I would ask that
23 you entertain a motion pursuant to Section 2(c)4
24 and 2(c)11 of the Open Meetings Act to discuss

1 testimony and possible litigation.

2 CHAIRMAN FORTUNA: Tony, make that
3 motion.

4 MEMBER MARTIN: I make the motion
5 consistent with Fund counsel's recommendation.

6 MEMBER McPHILLIPS: Second.

7 CHAIRMAN FORTUNA: There is a motion by
8 Trustee Martin. Seconded by Trustee McPhillips.
9 Roll call. Trustee Martin.

10 MEMBER MARTIN: Yes.

11 CHAIRMAN FORTUNA: Trustee Soni.

12 MEMBER SONI: Yes.

13 CHAIRMAN FORTUNA: Trustee

14 Conyears-Ervin.

15 MEMBER CONYEARS-ERVIN: Yes.

16 CHAIRMAN FORTUNA: Trustee McPhillips.

17 MEMBER McPHILLIPS: Yes.

18 CHAIRMAN FORTUNA: Trustee Holt.

19 MEMBER NANCE-HOLT: Yes.

20 CHAIRMAN FORTUNA: Trustee Murphy.

21 MEMBER MURPHY: Yes.

22 CHAIRMAN FORTUNA: And I am a yes.

23 (The Board went into Executive Session

24 off the record. No action was taken

1 in Executive Session.)

2 MEMBER MARTIN: Mr. Guth, are you
3 present?

4 MR. GUTH: Yes, I am.

5 MEMBER MARTIN: Let the record reflect,
6 Mr. President, that this is the Disability
7 application for Firefighter EMT Andrew R. Guth with
8 2-7-2.

9 Firefighter Guth, on the phone with us is
10 one of the Fund's attorney Vince Pinelli. He will
11 be conducting this hearing.

12 Vince, without anything further, go right
13 ahead.

14 MR. PINELLI: Thank you, Mr. Secretary.

15 Mr. Guth, first of all, before we
16 proceed, I would like to spread of record that you
17 and I had an opportunity to discuss your pending
18 application by telephone a few minutes ago; is that
19 correct?

20 MR. GUTH: Yes.

21 MR. PINELLI: After our discussion, did
22 you indicate to me that it was your intent at this
23 time to withdraw your application for a Duty
24 Disability benefit and replace it with an

1 application for an Occupational Disease Disability
2 benefit?

3 MR. GUTH: That is correct.

4 MR. PINELLI: Sir, while we are doing
5 this virtually so we can't provide you with that
6 application, you will in fact execute an
7 application for an Occupational Disease Disability
8 benefit when it is provided to you by the Fund
9 staff; is that correct?

10 MR. GUTH: Correct.

11 MR. PINELLI: So given that set of
12 circumstances is it your desire today to proceed on
13 the application for an Occupational Disease
14 Disability benefit?

15 MR. GUTH: Yes, it is.

16 MR. PINELLI: Prior to that decision, did
17 we discuss the various options that were available
18 to you, including deferring this matter today to a
19 future date to allow you the opportunity to think
20 about it or discuss it with anyone else?

21 MR. GUTH: Yes.

22 MR. PINELLI: It is your desire to
23 proceed with the application today for an
24 Occupational Disease disability benefit?

1 MR. GUTH: That is correct.

2 MR. PINELLI: That being said then, at
3 this time I would like to advise you of some
4 preliminary matters.

5 There are seven trustees present to hear
6 the evidence on your application. If you don't
7 know you should know you would need the yes vote of
8 at least five of those trustees in order to receive
9 this benefit. Do you understand that?

10 MR. GUTH: Yes.

11 MR. PINELLI: Also, you do not have an
12 attorney of record representing you. Is it your
13 decision to proceed as we have discussed without an
14 attorney?

15 MR. GUTH: Yes.

16 MR. PINELLI: Lastly, it is the
17 applicant's burden of proof to present sufficient
18 evidence to the Board in order for the Board to
19 grant the benefit that the applicant is seeking.
20 Do you understand it is your burden of proof?

21 MR. GUTH: Yes.

22 MR. PINELLI: By way of procedures, I am
23 going to ask you some questions under oath. The
24 board members may or may not have questions of you.

1 Then I will call Doctor Samo to testify. If there
2 is anything I don't ask him that you think is
3 important for the Board to know, just let me know
4 and you will be given that opportunity. Do you
5 understand the procedures?

6 MR. GUTH: Yes.

7 MR. PINELLI: Then we are ready to
8 proceed. Could I have the witnesses sworn to
9 testify?

10 (Mr. Guth and Dr. Samo were
11 witness.)

12 ANDREW R. GUTH

13 a witness herein, having been first duly sworn, was
14 examined and testified as follows:

15 EXAMINATION

16 BY MR. PINELLI:

17 Q Sir, please state your name for the
18 record.

19 A Andrew R. Guth.

20 Q What is your rank with the Fire
21 Department?

22 A Firefighter EMT.

23 Q What was your last assignment before you
24 went on layup?

1 of Board's Exhibit 2 through 12, without objection
2 from the applicant.

3 CHAIRMAN FORTUNA: Admitted without
4 objection.

5 (Board Exhibits 2 through 12 were
6 admitted into evidence.)

7 MR. PINELLI: Thank you.

8 BY MR. PINELLI:

9 Q Now, Mr. Guth, you are applying for an
10 Occupational Disease Disability benefit based upon
11 a condition that you have that was diagnosed as
12 coronary artery disease; is that correct?

13 A Yes.

14 Q And you entered service with the Fire
15 Department in 1997; is that correct?

16 A That is correct.

17 Q And did you develop that condition while
18 you have been in service with the Fire Department?

19 A Yes.

20 Q In other words, you didn't have it when
21 you came on the Fire Department; is that correct?

22 A That is correct, I did not have it.

23 Q Thank you. Now, as a result of that
24 condition, you underwent certain medical treatment,

1 including an angioplasty; is that correct?

2 A That is correct.

3 Q And as a result of that procedure, were
4 you undergoing certain follow-up treatments,
5 including cardiac rehabilitation?

6 A That is correct.

7 Q Have you been able to complete that
8 rehabilitation as a result of the Covid-19
9 condition?

10 A No, not as of yet.

11 Q Since you went on layup have you engaged
12 in any activity by which you earn income or money?

13 A No.

14 MR. PINELLI: Thank you, sir. That is
15 all the questions I have at this time.

16 CHAIRMAN FORTUNA: Trustees, any
17 questions? No questions.

18 Vince, go ahead.

19 MR. PINELLI: Hearing no questions, I
20 would then call Doctor Samo to testify.

21 (Witness previously sworn.)

22 DANIEL SAMO, M.D.

23 a witness herein, having been first duly sworn, was
24 examined and testified as follows:

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EXAMINATION

BY MR. PINELLI:

Q Sir, please state your name.

A Daniel Samo.

Q You are a physician; is that correct?

A Yes.

Q A copy of your qualifications as a physician are attached to the Board Exhibits?

A Yes.

Q Do you perform a function as a consultant to this Fund in which you review medical records, examine or interview applicants and report to the Board?

A Yes.

Q Did you follow that procedure with respect to Mr. Guth?

A Yes.

Q Did you file a written report with the Board that is marked as Board Exhibit Number 2?

A Yes, I did.

Q Doctor Samo, could you briefly summarize for us what the record showed with respect to Mr. Guth's condition?

A Sure. He had a long history of

1 hypertension but was doing well until June 25th of
2 2019. He had the onset of chest pain, shortness of
3 breath and diaphoresis, sweating, while climbing
4 stairs at a fire.

5 He was taken to the hospital. He was
6 worked up. He had no changes on his cardiogram.
7 His cardiac or heart enzymes were normal but his
8 stress test was abnormal.

9 It was felt that he did not have a
10 myocardial infarction but rather had exertional
11 angina. He did have a cardiac catheterization,
12 which showed multiple areas of narrowing of his
13 coronary vessels; stenosis. Two of those areas
14 were dilated and he had stents placed. He was
15 doing well afterwards, but still had the reduced
16 aerobic capacity and occasional chest pain with
17 exertion.

18 He did go to rehab and was doing well for
19 that, but then realized he was still having some
20 chest pain with exertion. He had undergone a
21 stress test the morning that I saw him and he
22 advised me that the test had to be stopped because
23 he had chest pain and shortness of breath.

24 Later I did get the report of that stress

1 test and it showed that he did have the test
2 stopped at six minutes which is a very short time.
3 It is only about 4 or 5 mets. He would need to get
4 to 12 mets so he was unable to really complete the
5 test. Therefore, the results of the test are
6 really not valid.

7 He's been told by his doctor that he has
8 some lesions that can't be reached by angioplasty
9 and that he will need to have an open procedure.

10 Q Doctor, is the angioplasty and stents
11 that he had put in are those medical procedures
12 that are used to treat coronary artery disease?

13 A Yes, they are.

14 Q Based upon what you just described of his
15 current condition, what he's reported his current
16 symptoms and so forth and his diagnosis and his
17 inability to finish his rehabilitation, do you
18 believe that he would be able to return to his full
19 fire fighting duties?

20 A I do not believe he can do firefighter
21 duties.

22 MR. PINELLI: Thank you, doctor. That is
23 all the questions I have.

24 CHAIRMAN FORTUNA: Trustees, any

1 questions for Doctor Samo?

2 MEMBER MARTIN: At this time I'd like to
3 make a motion to approve.

4 CHAIRMAN FORTUNA: Motion to grant by
5 Trustee Martin. Is there a second?

6 MEMBER HOLT: Second.

7 CHAIRMAN FORTUNA: Seconded by Trustee
8 Holt.

9 Trustee Martin.

10 MEMBER MARTIN: Yes.

11 CHAIRMAN FORTUNA: Trustee Soni.

12 MEMBER SONI: Yes.

13 CHAIRMAN FORTUNA: Trustee

14 Conyears-Ervin.

15 MEMBER CONYEARS-ERVIN: Yes.

16 CHAIRMAN FORTUNA: Trustee McPhillips.

17 MEMBER McPHILLIPS: Yes.

18 CHAIRMAN FORTUNA: Trustee Holt.

19 MEMBER NANCE-HOLT: Yes.

20 CHAIRMAN FORTUNA: Trustee Murphy.

21 MEMBER MURPHY: Yes.

22 CHAIRMAN FORTUNA: And I am a yes.

23 MEMBER MARTIN: Mr. President, I'd like

24 to make a motion for reexam consistent with the

1 Fund's policy.

2 MEMBER McPHILLIPS: Second.

3 CHAIRMAN FORTUNA: Motion by Trustee
4 Martin for reexam. Seconded by Trustees
5 McPhillips. All in favor?

6 (Chorus of ayes.)

7 CHAIRMAN FORTUNA: Opposed?

8 Hearing none, motion carries.

9 MS. BURNS: There won't be a motion to
10 adopt the Findings because we will need to prepare
11 those, but we will take care of that at the June
12 meeting. We will circulate proposed Findings to
13 the Trustees and they can sign it and get it back
14 to us either before or at the time of the June
15 meeting.

16 CHAIRMAN FORTUNA: Based on the Finding
17 of Fact made by about the Trustees, the Trustees
18 have voted to grant you the benefit that you have
19 requested.

20 You will be notified by mail of the
21 Findings of Fact and the Board's decision.

22 Thank you and good luck.

23 MR. GUTH: Thank you, members.

24 MEMBER MARTIN: Mr. President, I'd like

1 to move on to Item 6, the Approval of Board
2 Physician Reviews of Disability Recipients.

3 I'd like to make a motion to approve the
4 Board's Physician recommendations for reviews.

5 MEMBER MURPHY: Second.

6 CHAIRMAN FORTUNA: There is a
7 recommendation and motion by Trustee Martin.
8 Seconded by Trustee Murphy. All in favor?

9 (Chorus of ayes.)

10 CHAIRMAN FORTUNA: Opposed?

11 Hearing none, motion carries.

12 MEMBER MARTIN: Mr. President, under Item
13 7, we have Expenditures. I'd like to make a motion
14 to approve the Administrative Expenses for April,
15 subject to my recusal of the item discussed in
16 Executive Session.

17 MEMBER MURPHY: Second.

18 CHAIRMAN FORTUNA: Mary Pat, can he make
19 that motion?

20 MS. BURNS: He can make the motion.

21 CHAIRMAN FORTUNA: There's a motion by
22 Martin. Seconded by Trustee Murphy. All in
23 favor?

24 MEMBER SONI: Yes.

1 MEMBER CONYEARS-ERVIN: Yes.

2 MEMBER McPHILLIPS: Yes.

3 MEMBER NANCE-HOLT: Yes.

4 MEMBER MURPHY: Yes.

5 CHAIRMAN FORTUNA: And I am a yes.

6 MS. BURNS: The record will reflect one
7 recusal, that being Trustee Martin.

8 CHAIRMAN FORTUNA: Motion carries.

9 MEMBER MARTIN: Under New Business and
10 Old Business. Is there any new or old business?

11 CHAIRMAN FORTUNA: Trustees, any new
12 business?

13 There is no new business.

14 Is there any old business, Trustees?

15 Hearing no old business.

16 MEMBER MCPHILLIPS: Motion to adjourn.

17 MEMBER NANCE-HOLT: Second.

18 CHAIRMAN FORTUNA: Motion to adjourn by
19 Trustee McPhillips. Seconded by Trustee Holt. All
20 in favor?

21 (Chorus of ayes.)

22 CHAIRMAN FORTUNA: Opposed?

23 Hearing none, motion carries.

24 Thank you, very much.

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(WHICH WERE ALL THE PROCEEDINGS
IN THE ABOVE-ENTITLED MEETING
AT THIS DATE AND TIME.)

1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF DU PAGE)
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5

6 DEBORAH TYRRELL, being a Certified Shorthand
7 Reporter, on oath says that she is a court reporter
8 doing business in the County of DuPage and State of
9 Illinois, that she reported in shorthand the
10 proceedings given at the taking of said cause and
11 that the foregoing is a true and correct transcript
12 of her shorthand notes so taken as aforesaid; and
13 contains all the proceedings given at said cause.
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16

17 Debbie Tyrrell
18 DEBBIE TYRRELL, CSR
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