

THE COMMONWEALTH OF MASSACHUSETTS
Public Employee Retirement Administration Commission
John W. McCormack Building, Room 1101
One Ashburton Place, Boston, MA 02108
(617) 727-9380

MEMORANDUM

TO: All Retirement Boards

FROM: Robert F. Stalnaker, Executive Director

RE: DALA Decision in Dargan v. PERAC

DATE: November 10, 1997

As you may be aware the Division of Administrative Law Appeals (DALA) has recently ruled that the estates of deceased superannuation retirees who did not receive the additional \$300 veterans' allowance, must be paid the additional amount upon application to the retirement board. The case is Priscilla Dargan v. PERAC, CR-96-1418. Please be advised that PERAC has filed objections to this decision and it will not become final until the members of the Contributory Retirement Appeal Board (CRAB) review it.

No requests for such posthumous adjustments should be processed unless and until CRAB affirms DALA's decision in this case. We will advise all retirement boards upon issuance of a decision by CRAB.

RFS/ds
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