

**STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION  
BOARD OF TRUSTEES**

In the Matter of the PERA Salary  
Determinations Affecting Retired  
and Active Employees of the City  
of Duluth

OAH Docket Number: 4-3600-2080902

**MOVANTS' PROPOSED ORDER ON  
MOTION FOR SUMMARY JUDGMENT**

Allen Johnson, et al., Petitioners

---

The matter came before the Honorable Bruce H. Johnson, Assistant Chief Administrative Law Judge on the Motion for Summary Judgment of Dean Cooke, David Hanson, Jeffrey N. Johnson, Matthew Ketola, Richard Mattson, Darrell Youngblom and Lee Youngblom (hereinafter Movants). Petitioners appeared by and through their counsel, Thomas F. Andrew. The Board of Trustees of the Public Employees Retirement Association (PERA) appeared by and through its counsel, Jon K. Murphy, Assistant Attorney General.

Based upon all of the files, records and proceedings herein, the Administrative Law Judge makes the following:

**ORDER**

It is ordered that the Motion of Dean Cooke, David Hanson, Jeffrey N. Johnson, Matthew Ketola, Richard Mattson, Darrell Youngblom and Lee Youngblom for Summary Judgment is granted. PERA shall treat all amounts paid to the above named Movants for unused personal leave as salary under the laws governing the Retirement Plan and that therefore no adjustment in their salary based upon amounts paid to them for unused personal leave shall be made.

Dated: \_\_\_\_\_, 2009

---

Bruce H. Johnson  
Assistant Chief Administrative Law Judge