

FILED
Clerk
District Court

FEB 22 2016

for the Northern Mariana Islands
By
(Deputy Clerk)

UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

BETTY JOHNSON, on behalf of herself, and as
a representative of a class of similarly-situated
persons,

Plaintiffs,

v.

RALPH DELEON GUERRERO TORRES,¹
Governor of the Commonwealth of the Northern
Mariana Islands ("CNMI"), *et al.*,

Defendants.

CIVIL CASE NO. 09-00023

ORDER

On February 19, 2016, this case came before the court for a status hearing, to further discuss whether a solution had been reached to address the concerns of the Settlement Fund Trustee (the "Trustee") with regard to the Government's source of payment for what has been called the 25% pension payments. Consistent with the various matters discussed at the hearing, the court orders the following:

- Weekly Conference Calls- The Secretary of Finance Larissa Larson and the Settlement Fund's administrator Lillian Pangelinan shall continue to participate in weekly conference calls to discuss the schedule of the Government's interim payments. The court shares the Trustee's concern that the Government needs to be make more significant and regular payments toward the minimum annual payments

¹ Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Governor Torres is substituted for the late Gov. Eloy Inos as a party in this action.

1 required under the Settlement Agreement. The court is aware that the Settlement
2 Fund has had to regularly draw down on its investments to cover the 75% payments
3 to the retirees. As the Trustee's expert has reported, the Government's actions (or
4 inaction) greatly impacts the Retirees in that it results in a significant loss of
5 investment income and will hasten the depletion date of the Settlement Fund's
6 investment. Accordingly, this issue must remain a priority with the Government.

- 7 • Creation of Working Group - The Trustee shall begin a working group conversation
8 with the Governor and the Legislative Branch to explore long-term solutions that
9 will ensure the Government meets its obligations under the Settlement Agreement.
10 The court reemphasizes that is critical for the Government to work together and to
11 cooperate with the Trustee to identify a stable source of funds to ensure the
12 continued payment of pension benefits to the retirees.

13 IT IS SO ORDERED.



/s/ **Frances M. Tydingco-Gatewood**
Designated Judge
Dated: Feb 22, 2016