

KUTAK ROCK LLP
SUITE 300
8601 NORTH SCOTTSDALE ROAD
SCOTTSDALE, ARIZONA 85253-2742
480-429-5000
FACSIMILE 480-429-5001
www.kutakrock.com

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MARC R. LIEBERMAN
marc.lieberman@kutakrock.com
(480) 429-5000

November 7, 2008

VIA FIRST CLASS MAIL

Mr. Mark Spencer
President
Phoenix Law Enforcement Association
1102 West Adams Street
Phoenix, AZ 85007

Re: *Request for Review of "same position" reemployment*

Dear Mr. Spencer:

This firm represents the Fund Manager of the Public Safety Personnel Retirement System ("PSPRS" or the "System"). We are in receipt of your letter dated October 28, 2008 on behalf of the Phoenix Law Enforcement Association ("PLEA") concerning the interpretation and application of the "same position" language contained in A.R.S. § 38-849(D), and more specifically, whether Mr. Harris is properly receiving PSPRS retirement benefits while reemployed by the City of Phoenix.

Both this firm and the System greatly appreciate all the work PLEA and the Arizona Police Associations do on behalf of the State's public safety personnel. We are sensitive to the need to recruit qualified law enforcement personnel and to insure that the System's enabling legislation is being properly interpreted and administered. We have begun reviewing the materials provided by PLEA with respect to the "same position" issue in general and Mr. Harris in particular and will have a response to you in due course.

Thank you for the work you provide to the community and bringing this matter to our attention.

Sincerely,



Marc R. Lieberman

cc: Mr. James Hacking, Public Safety Personnel Retirement System