

## **PROGRESS REPORT IN THE YOUNG CASE**

**EFFECTIVE JANUARY 2, 2002**

1. Settlement and Payments: The case is winding down.

We have reduced our open files to 1843. We have 1723 affidavits and 1681 claims have been settled.

- 1554 plaintiffs have been paid.
- 169 claims are waiting to be paid.
- 42 completed claims are waiting to either be settled or set for arbitration.

There are 120 affidavits that OSRL has completed based on questionnaires that have not been signed and returned to OSRL. Some of them have been outstanding for months. Probably by the end of February at the latest there will be either an agreement, or a Court order imposing a date, cutting off the right of plaintiffs to make a claim unless their signed affidavit has actually been received by OSRL. If you or anyone you know has not turned in an affidavit yet, the window of opportunity to do so is rapidly closing.

2. Court Proceedings

The appeal of the critical issues in this case which include half time versus time and one half, the appropriate way of handling penalty pay, and pre-judgment interest are pending setting of oral argument. All of the briefs have been filed. I anticipate the case will be argued by May and a decision will be rendered anywhere from six months to a year and one half after that.

A separate appeal has been filed for the plaintiffs in the Oregon University system who worked outside their contract dates. We do not yet have a briefing schedule for that case.

Oral argument before Judge Lipscomb is scheduled for the 25<sup>th</sup> of January to determine whether the three District Attorneys who made claims, that were accepted by State, will be allowed to recover or whether the Court will dismiss their claims. If those claims are dismissed, that decision will be appealed.

3. Claims Pending Arbitration

We have now arbitrated three cases. Unfortunately, the first two were in front of the same arbitrator who due to personal circumstances has not yet issued decisions in those cases. The third was recently tried, and we do not have a decision in it. Progress has been made in settling the other cases pending arbitration.

Sincerely,

John Hoag, Attorney