

From : Clyde Keenan, ACRE Attorney

Sent: Tue, Jul 29, 2014 9:28 pm

Subject: Re: Healthcare Oversight Committee

Jim, both John Canale, Firefighter's Atty and I attended the meeting today. I know many of our members are getting impatient and want to file a lawsuit immediately. Although we have the complaint ready to file we are trying to make sure that when we do so that we do it in such a way as to give us the very best chance to get an injunction.

We are both aware of upcoming "open enrollment" dates in October and November, and we will not lose sight of those. Getting an injunction is a difficult process. It is called an "extraordinary remedy" in the law and requires many details, including "irreparable harm" and the exhaustion of any available administrative remedies.

Today's council committee action has left the door open for a political solution and we are going to have to wait and see how it plays out. Neither John nor I are optimistic about this happening but must be patient, without waiting too long. In your discussions with our members please stress to them how hard Mike Lee is working. He has the weight of everyone's interest on his shoulders and is working late at night preparing data for us lawyers, the unions, the committee any all other interested parties. No one in ACRE leadership has ever had issues this difficult to deal with.

See you soon.

Clyde