

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

PAUL J. FROMMERT et al.,

Plaintiffs,

vs.

SALLY L. CONKRIGHT et al.,

Defendants.

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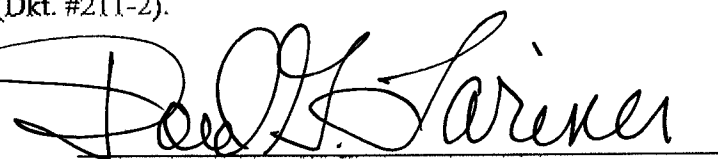
CIVIL ACTION NO. 6:00-cv-6311

ORDER

IT IS ORDERED, ADJUDGED AND DECREED that judgment is entered in favor of the defendants with respect to the claims of Matthew D. Alfieri; William M. Burritt; William F. Coons; Bruce D. Craig; Richard C. Crater; John L. Crisafulli; Deborah J. Davis; Charles R. Drannbauer; Carol E. Gannon; James D. Gagnier; Janice R. Heiler; Charles Hobbs; Gerald A. Leonardo, Jr.; Charles J. Maddalozzo; Walter J. Petroff; Kenneth W. Pietrowski; Irshad Qureshi; and John A. Williams (the "Eighteen Releasor Plaintiffs"). The claims of the Eighteen Releasor Plaintiffs are dismissed with prejudice, and without an award of costs to any party.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that judgment is entered in favor of all other plaintiffs (the "Non-Release Plaintiffs") in part. Defendants are ordered to calculate and pay retirement benefits to the Non-Release Plaintiffs without using a so-called "phantom account," in accordance with the methodology set forth in the affidavit of Lawrence M. Becker sworn to on June 26, 2006 (Dkt. #211-2).

Signed: December 14, 2011



David G. Larimer
United States District Judge