

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

PETAR MRKONJIC,

Plaintiff,

v.

DELTA FAMILY-CARE
DISABILITY & SURVIVORSHIP
PLAN, an ERISA plan; DELTA
RETIREMENT PLAN, an ERISA
plan, THE ADMINISTRATIVE
COMMITTEE OF DELTA AIR
LINES, INC., a plan administrator,
DOES 1 through 10, inclusive,

Defendants.

Case No. 2:15-cv-02255-JAK-JC

JUDGMENT

JS-6

Courtroom: 750
The Honorable John A. Kronstadt

This Court hereby enters judgment pursuant to Federal Rule of Civil Procedure 58 against the Delta Family-Care Disability and Survivorship Plan, the Delta Retirement Plan and the Administrative Committee of Delta Air Lines, Inc. (“Defendants”), as to Plaintiff’s claim that the Social Security benefit offset should be recalculated using 2003 rates.

The Court enters judgment in favor of Defendants on Plaintiff’s claims that the worker’s compensation offset was not properly calculated and as to the

1 corrected total amount of the overpayment to Plaintiff from Delta Retirement Plan
2 after adjusting for the Social Security claim referred to in the prior paragraph.
3 Specifically, the Court enters judgment that the correct amount of the overpayment
4 was \$167,210.00 at the time of the Administrative Committee's first decision on
5 remand as of September 17, 2014, and that the net overpayment due to the Delta
6 Retirement Plan from Plaintiff at that time was \$62,017.07.

7 The Court further enters judgment with respect to the repayment period by
8 concluding that the Administrative Committee's decision on the second remand of
9 March 14, 2016 was not arbitrary or capricious.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: September 12, 2016.



JOHN A. KRONSTADT
UNITED STATES DISTRICT JUDGE