

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

PATRICIA H. MINALDI

NO. 2014 CW 1736

VERSUS

LOUISIANA STATE EMPLOYEES'  
RETIREMENT SYSTEM, AND  
AGENCY OF THE STATE OF  
LOUISIANA

**MAR 09 2015**

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In Re: Board of Trustees of the Louisiana State Employees' Retirement System, applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 508,121.

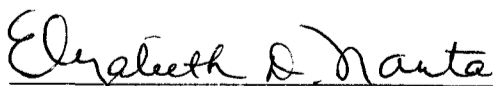
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**BEFORE: GUIDRY, WELCH AND THERIOT, JJ.**

**WRIT GRANTED.** The Board of Trustees of The Louisiana State Employee's Retirement System ("LASERS") established there is no genuine issue as to material fact and that it is entitled to judgment as a matter of law. La. Code Civ. P. art. 966B(2). Accordingly, the district court erred in denying LASERS' motion for summary judgment, which sought to dismiss with prejudice Judge Patricia H. Minaldi's second alternative claim for "the amount of all funds deposited by her or on her behalf into [LASERS] or any other retirement system related to the State of Louisiana with a reasonable rate [of] return on said funds and replacement and/or return of all funds and benefits which were deducted from, not dedicated to, or not placed into her account as a result of a unilateral decision by [LASERS] or its representative." Judge Minaldi may apply for a refund of the amount of her accumulated contributions credited to her in the employees' savings account upon filing with LASERS the requisite application form, after it has been certified by the appointing authority or personnel officer of the agency. La. R.S. 11:537A. Acceptance of a refund of accumulated contributions automatically cancels all rights in the system. La. R.S. 11:537C. Otherwise, Judge Minaldi can apply for retirement benefits. We hereby grant LASERS' motion for summary judgment and dismiss Judge Minaldi's second alternative claim with prejudice.

**JEW  
MRT  
JMG**

COURT OF APPEAL, FIRST CIRCUIT

  
DEPUTY CLERK OF COURT  
FOR THE COURT