

NORTH CAROLINA  
MECKLENBURG COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
21-CVS-4063

ROBERT WRIGHT, MARK  
MICHALEC, and SCOTT SHIPMAN  
individually and on behalf of all others  
similarly situated,

Plaintiffs

v.

CITY OF CHARLOTTE

Defendant.

**PLAINTIFFS' RESPONSE TO DEFENDANT'S  
REQUEST FOR STATEMENT OF MONETARY  
RELIEF SOUGHT**

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NOW COME Plaintiffs Robert Wright, Mark Michalec, and Scott Shipman ("Plaintiffs"), individually and on behalf of all others similarly situated participants in The Charlotte-Mecklenburg Voluntary Police Pledge Fund (the "Class") serves the following response to Defendant City of Charlotte's Request for Statement of Monetary Relief Sought.

Plaintiffs objects to the request at this time as they are not able to respond with a dollar amount but will do so within a reasonable amount of time once (1) the class has been certified and (2) the required information about class members has been provided by the City of Charlotte so as to allow for such damages to be quantified.

However, the following is provided to allow for an understanding of plaintiffs' current position based on the information now known. Obviously, if additional information is learned during discovery, the below will need to be revised.

1. For those members of the class who have retired, plaintiffs believe each should receive a dollar amount equal to \$10.00 multiplied by the number of participants in the pledge fund at the time the individual retired.
2. For those members of the class who have served more than twenty years but have not yet retired as of the time pledge fund deductions were no longer taken by the city of Charlotte, plaintiffs believe that each should receive an amount equal to \$10.00 multiplied by the number of pledge Fund participants at the time the last weekly pledge fund deduction was taken.
3. For those members of the class who have served less than twenty years, at the time the last pledge fund deduction was taken by the City of Charlotte, plaintiffs believe that each should receive an amount equal to \$10.00 multiplied by the number of the pledge fund participants at the time the last pledge fund deduction was taken which amount being reduced by the amount required to have been deducted from that participant's pay before the participant would have been eligible retire.
4. If the Court determines, that either 1, 2 or 3 is not a legally permissive measure of damages for that group of participants, each participant in that group, would recover as damages an amount equal to the total amount that was deducted from each participant's pay during the time, he or she participated in the pledge fund.

For purpose of determining the number of people participating in the Pledge Fund at any point in time, the City of Charlotte need only determine the number of Pledge Fund participants who had \$5 deducted from their pay at that pay period.

In addition to the above, the plaintiffs believe that each participant is entitled to appropriate interest, and plaintiffs' class would be entitled to costs and expenses (including the administrative costs associated with distributing the award to each participant) as well as attorneys' fees as provided by law.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on June 24, 2021, he served the following:

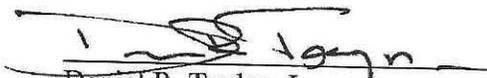
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upon counsel for Defendant by United States Postal Service addressed to:

Daniel E. Peterson  
Parker Poe  
620 South Tryon Street, Suite 800  
Charlotte, NC 28202  
*Attorney for Defendant City of Charlotte*

and by email to: DanielPeterson@ParkerPoe.com

This the 24<sup>th</sup> day of June 2021.



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