

Susie Dahl  
Executive Director



Pam Henry  
Assistant Executive Director

**MoDOT & Patrol  
Employees' Retirement System**

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November 26, 2010

Mr. Roger K. Heidenreich  
Attorney at Law  
SNR Denton  
One Metropolitan Square  
Suite 3000  
St. Louis, Missouri 63102-2741

Dear Mr. Heidenreich:

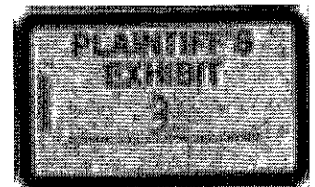
I have enclosed a certified excerpt of minutes of the Board of Trustees and the legal file presented to and considered by the Board on November 18, 2010.

Please let me know if you require any further documentation regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Thornburg'.

Keith Thornburg  
General Counsel





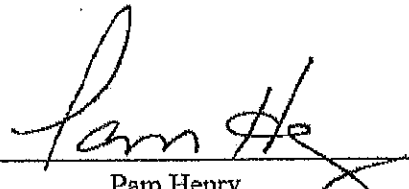
1913 William Street • PO Box 1930  
Jefferson City, MO 65102-1930  
Phone: 800-270-1271 or 573-298-6080  
Email: mpers@modot.mo.gov  
Fax: 573-522-6111

## CERTIFICATE AUTHENTICATING RECORDS KEPT BY THE SYSTEM

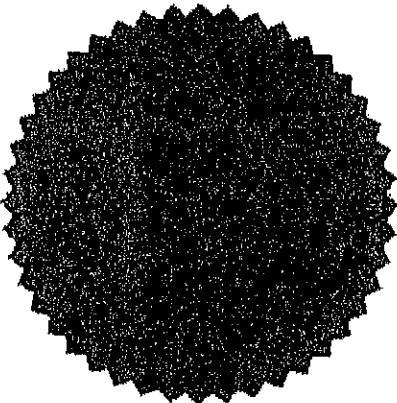
Issued 11/26/2010

COMES NOW, Pam Henry, Assistant Executive Director for the MoDOT and Patrol Employees' Retirement System (MPERS), and pursuant to Section 536.130, RSMo, I hereby certify that the attached pages present an excerpt of the minutes of the meeting of the MPERS' Board of Trustees held on November 18, 2010, reporting the Board's decision, In the Matter of Survivor Application, Dennis Engelhard, Deceased, Appeal No. 2010-1, and the accompanying "Legal File" presented to the Board of Trustees consisting of a cover page and pages numbered one through one hundred nineteen. These documents are true, correct and complete copies of records which are kept in the office of the System.

IN WITNESS WHEREOF, I have executed this certificate this 26th day of November, 2010.

  
\_\_\_\_\_  
Pam Henry  
Assistant Executive Director

(MPERS' SEAL)



**EXCERPT FROM NOVEMBER 18, 2010  
MPERS BOARD MEETING MINUTES**

**BOARD OF TRUSTEES' MEETING**

**THURSDAY, NOVEMBER 18, 2010**

**1:00 p.m.**

**1913 William Street**

**Jefferson City, Missouri**



**MoDOT & Patrol  
Employees' Retirement System**

**TRUSTEES PRESENT:** Mr. Roger D. Stottlemyre, Chair  
Ms. Sue Cox, Vice Chair  
Mr. Lloyd "Joe" Carmichael  
Mr. Rudolph E. Farber  
Major J. Bret Johnson  
Colonel Ron Replogle  
Mr. Bob Sfreddo  
Mr. Kenneth H. Suelthaus

**TRUSTEES ABSENT:** Mr. Kevin Keith  
Representative Charlie Schlottach

**VACANT POSITION:** Senator

A regularly scheduled meeting of the Missouri Department of Transportation and Highway Patrol Employees' Retirement System (MPERS) was held on Thursday, November 18, 2010, at the system's office located at 1913 William Street in Jefferson City, Missouri. The meeting was called to order by Mr. Stottlemyre pursuant to Section 104.180 of the Revised Statutes of Missouri, as amended.

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**Appeal No. 2010-1, In the Matter of Survivor Application  
Dennis Engelhard, Deceased**

On August 17, 2010, the Executive Director denied an application for survivor benefits submitted by Mr. Kelly D. Glossip in regard to Dennis Engelhard. A formal request for the Board's review was submitted on October 15, 2010.

VOTE TO CLOSE MEETING

The Retirement Board voted to close a portion of its meeting on November 18, 2010, for the purpose of discussing attorney client privileged communications and records protected from disclosure by law. Upon motion made by Mr. Suelthaus and seconded by Mr. Carmichael to convene in closed session, the following roll call vote was taken:

Ms. Sue Cox, Aye  
Mr. Lloyd "Joe" Carmichael, Aye  
Mr. Rudolph E. Farber, Aye  
Major J. Bret Johnson, Aye  
Colonel Ron Replogle, Aye  
Mr. Bob Sfreddo, Aye  
Mr. Roger D. Stottlemire, Aye  
Mr. Kenneth H. Suelthaus, Aye

A motion to return to Open Session was made by Mr. Farber and seconded by Colonel Replogle. By unanimous vote of all Trustees present, the Board returned to open session.

After the Board's review of the "Legal File", a motion was made by Mr. Suelthaus and seconded by Mr. Farber, to uphold the decision of the Executive Director. The following vote was taken:

Ms. Sue Cox, Aye  
Mr. Lloyd "Joe" Carmichael, Aye  
Mr. Rudolph E. Farber, Aye  
Major J. Bret Johnson, Aye  
Colonel Ron Replogle, Aye  
Mr. Bob Sfreddo, Aye  
Mr. Roger D. Stottlemire, Aye  
Mr. Kenneth H. Suelthaus, Aye

Motion carried to uphold the decision of the Executive Director to deny the application for survivor benefits presented in Appeal No. 2010-1.

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ADJOURN

A motion to adjourn was made by Mr. Carmichael and seconded by Colonel Replogle. By unanimous vote of all Trustees present, the meeting of the Board of Trustees was adjourned.