



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
RHODE ISLAND TRAFFIC TRIBUNAL
345 HARRIS AVENUE
PROVIDENCE, RI 02909-1082

Chief Judge
Albert E. DeRobbio

June 7, 2005

Administrative Magistrate
Joseph P. Ippolito, Jr.

Associate Judges
Marjorie R. Yashar
Lillian M. Almeida
Edward C. Parker
Albert R. Ciullo

J. Joseph Baxter
Supreme Court Administrator
250 Benefit Street
Providence, RI 02903

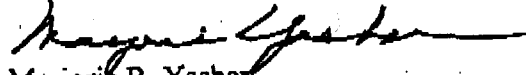
Magistrates
Aurendina G. Veiga
Domenic A. DiSandro, III
William T. Noonan

Dear Mr. Baxter:

I request that you reconfirm to me in writing, as of today's date, when I will be eligible to receive a fully vested pension equal to 100% of my annual salary in accordance with R.I.G. L. § 8-8.2-6.

Additionally, could you confirm that I have 681.0 sick hours and 14.0 deferred vacation days that are presently available. Additionally, would you please advise how those hours are reimbursed upon retirement.

Very truly yours,


Marjorie R. Yashar
Associate Judge
R.I. Traffic Tribunal

cc: John Lynch, Esquire
John F. Dolan, Esquire
James S. D'Ambra, Esquire



Supreme Court of Rhode Island
250 Benefit Street
Providence, RI 02903

J. JOSEPH BAXTER
STATE COURT ADMINISTRATOR

June 28, 2005

The Honorable Marjorie R. Yashar
Associate Judge
Rhode Island Traffic Tribunal
345 Harris Avenue
Providence, RI 02909-1082

Re: Request for Pension Information

Dear Judge Yashar:

I am in receipt of your letter dated June 7, 2005, requesting written confirmation of your eligibility to retire and receive a sum equal to your current annual salary. In your letter you also ask for information regarding the payment of accrued leave balances.

Please be advised that I can only confirm that your base entry date for state service was July 10, 1985. Matters relating to retirement, such as your eligibility date, are within the jurisdiction of the Rhode Island State Employees' Retirement Board. Matters related to reimbursement for accrued leave balances are recorded and calculated by the Division of Personnel Administration, and are not calculated by this office. See R.I.G.L. §§ 36-8-3, *Responsibility for administration*, 36-9-5 *Officers and employees exempt*, 36-10-2 *State contributions*, 8-8.2-6 *Retirement of judges on reduced pay*; and 8-8.2-8, *State Contributions*.

Accordingly, I respectfully suggest that you contact the State Employees Retirement System of Rhode Island at 222-2203 for guidance on these issues.

Sincerely,

J. Joseph Baxter
State Court Administrator

Cc: Chief Judge Albert E. DeRobbio, Rhode Island Traffic Tribunal
John F. Dolan, Esquire
James S. D'Ambra, Esquire



Employees' Retirement System of Rhode Island

ERSRI Board July 6, 2005

Paul J. Tavares
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Linda C. Riondese

Jessica F. Williams

Frank J. Karpinski
Executive Director

The Honorable Marjorie R. Yashar
Associate Judge
514 Blackstone Boulevard
Providence, RI 02906

Dear Judge Yashar:

This letter is being sent to clarify the statements made in the correspondence sent to you on June 28, 2005 by Mr. J. Joseph Baxter, State Court Administrator for the Supreme Court of Rhode Island. This letter shall also serve as a response to the correspondence sent by you to General Treasurer Paul J. Tavares dated June 24, 2005 and received on June 27, 2005.

Please be advised that the Employees' Retirement System of Rhode Island ("ERSRI") only acts as a disbursement agent for those judges who do not participate in the Judicial Retirement System Trust (the "Trust"). Retirement eligibility dates and benefit amounts for members who do not contribute to the Trust are determined and provided by the Court System to ERSRI. According to Mr. Baxter, your appointment date is July 10, 1985, and consistent with Rhode Island General Law §8-8.2-7, you are not a contributing member of ERSRI. Thus, ERSRI has no records or information on your employment. I would refer you to Mr. Baxter or the Chief Judge of the Traffic Tribunal for any retirement information.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Frank J. Karpinski
Executive Director

cc: J. Joseph Baxter, State Court Administrator for the Supreme Court of Rhode Island
Honorable Chief Judge Albert E. DeRobbio, Rhode Island Traffic Tribunal
James S. D'Ambra, Esquire
John F. Dolan, Esquire
Kerry F. Walsh, Esquire, Chief Legal Counsel, Office of the General Treasurer

STATE OF RHODE ISLAND



AND PROVIDENCE PLANTATIONS

Supreme Court
Frank Licht Judicial Complex
Providence, R.I. 02903

September 22, 2005

Judge Marjorie Yashar
514 Blackstone Boulevard
Providence, RI 02906

Re: Calculation of Retirement Benefits

Dear Judge Yashar:

Pursuant to your request, this office has determined your retirement benefits as of December 30, 2005, to be \$120,310 annually, based on your entry date of 07-10-1985, and your reaching the age of sixty-five (65) years, pursuant to R.I.G.L. Section 8-8.2-6(a). In addition, pursuant to R.I.G.L. 8-8.2-12(a), you are entitled to a 3% increase on the third January after the date of retirement and each year following, which is compounded.

Should you have any questions pertaining to your retirement benefits, please call Linda Bonaccorsi of our Employee Relations Office at 222-2700.

Sincerely,

David R. Heden
Assistant Administrator
Of Employee Relations

Pc: Chief Judge Albert E. DeRobbio
J. Joseph Baxter, State Court Administrator
Renn Olenn, Esq.



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William T. Noonan

September 26, 2005

Honorable Marjorie R. Yashar
514 Blackstone Boulevard
Providence, RI 02906

Dear Judge Yashar:

This letter will advise you that as of September 26, 2005 you are returned to active status as a Judge of the Traffic Tribunal.

Very truly yours,

Albert E. DeRobbio
Chief Judge

AED/dmd



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
RHODE ISLAND TRAFFIC TRIBUNAL
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September 27, 2005

Chief Judge
Albert E. DeRobbio

Administrative Magistrate
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Chief Judge Albert E. DeRobbio,

This letter will advise you that I am retiring from active service immediately. I have responded to the Amended Complaint of the Commission of Judicial Tenure and Discipline as set forth in the Answer and Proposal for Resolution.

As a condition of my retirement, I am waiving any claim I may have for pay during that time beginning when I requested a "leave without pay status" up to June 1, 2005 when I presented myself at the Traffic Tribunal in order to return to work. I also waive and renounce any right, claim or entitlement to back pay or pay of any nature from June 1, 2005 up to September 26, 2005 or the date I was returned to active status. I further request that my pension benefits be conditioned upon my voluntary waiver of all pension pay and benefits from September 27, 2005 up to December 30, 2005.

Please see that my notice of immediate retirement together with the above waivers of my rights are transmitted to the appropriate authority.

Judge Marjorie R. Yashar

cc: Chief Justice Frank J. Williams
J. Joseph Baxter, State Court Administrator



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September 27, 2005


Honorable Marjorie R. Yashar
514 Blackstone Boulevard
Providence, RI 02906

Dear Judge Yashar:

This letter will advise you that I am in receipt of your letter announcing your intention to retire immediately and includes your voluntary waiver of any claim for back pay, any claim for the period of time when you were given 'leave without pay', and waiving any and all pension benefits to which you may be entitled up to December 30, 2005.

I have this day forwarded both your letter and mine to the Court Administrator for further processing.

Very truly yours,


Albert E. DeRobbio
Chief Judge

AED/dmd



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Dominic A. DiSandro, III
William T. Noonan

September 27, 2005

Mr. J. Joseph Baxter
State Court Administrator
Supreme Court
250 Benefit Street
Providence, RI 02903

Dear Mr. Baxter:

Enclosed is a letter of retirement received from Judge Yashar, who is retiring from active service effective the date of this letter.

Please note that the attached letter from her of this date conditions her retirement on her voluntary waiver of any claim for back pay, a waiver of any claim for pay while on 'leave without pay status', as well as a waiver of any pension benefits up to December 30, 2005.

Very truly yours,

Albert E. DeRobbio
Chief Judge

AED/dmd
Enclosure