

MISSOURI CIRCUIT COURT  
TWENTY-SECOND JUDICIAL CIRCUIT  
(CITY OF ST. LOUIS)

CHARLES A. LANE, and	)	
JAMES CRAWFORD,	)	
	)	Case No. 2122-CC00751
Plaintiffs,	)	
	)	Division 20
v.	)	
	)	
POLICE RETIREMENT SYSTEM	)	
OF THE CITY OF ST. LOUIS, et al.,	)	
	)	
Defendants.	)	

**ANSWER OF DEFENDANT CITY OF ST. LOUIS TO PLAINTIFFS’ AMENDED PETITION FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF**

COMES NOW Defendant City of St. Louis, by and through counsel, and for its Answer to Plaintiffs’ Amended Petition for Declaratory Judgment and Injunctive Relief (“First Amended Petition”) states as follows:

1. Defendant City of St. Louis (“City”) admits the allegations in paragraph 1 of Plaintiffs’ First Amended Petition.
2. Defendant City lacks sufficient information and knowledge to admit or deny the allegations in paragraph 2 of the First Amended Petition.
3. With respect to the allegations in paragraph 3 of the First Amended Petition, Defendant City admits that Defendant Police Retirement System of the City of St. Louis (“PRS”) is a state agency governed by state statutes pursuant to § 86.200 RSMo., *et seq.*
4. Defendant City admits the allegations in paragraph 4 of Plaintiffs’ First Amended Petition.
5. Defendant City admits the allegations in paragraph 5 of Plaintiffs’ First Amended Petition.

6. Defendant City admits the allegations in paragraph 6 of Plaintiffs' First Amended Petition.

7. Defendant City admits the allegations in paragraph 7 of Plaintiffs' First Amended Petition.

**Count I**

8. Defendant City adopts and restates its answers to paragraphs 1 through 7 of the First Amended Petition as if stated fully herein.

9. Paragraph 9 of the First Amended Petition contains Plaintiffs' description of constitutional provisions that Defendant City need not admit or deny.

10. Defendant City admits the allegations in paragraph 10 of Plaintiffs' First Amended Petition.

11. Defendant City admits the allegations in paragraph 11 of Plaintiffs' First Amended Petition.

12. Defendant City admits the allegations in paragraph 12 of Plaintiffs' First Amended Petition.

13. Defendant City admits the allegations in paragraph 13 of Plaintiffs' First Amended Petition.

14. Defendant City admits the allegations in paragraph 14 of Plaintiffs' First Amended Petition.

15. Defendant City admits that the statutory provisions referenced in paragraph 15 of the First Amended Petition had the effect of requiring increased benefit payments by Defendant PRS to police retirees.

16. Defendant City admits the allegations in paragraph 16 of Plaintiffs' First Amended Petition.

17. Defendant City admits the allegations in paragraph 17 of Plaintiffs' First Amended Petition.

18. Defendant City admits the allegations in paragraph 18 of Plaintiffs' First Amended Petition.

19. Defendant City admits the allegations in paragraph 19 of Plaintiffs' First Amended Petition.

20. Paragraph 20 of the First Amended Petition defines the term "Unfunded Costs" as used in the First Amended Petition and need not be admitted or denied.

21. Defendant City admits the allegations in paragraph 21 of Plaintiffs' First Amended Petition.

22. Paragraph 22 of the First Amended Petition contains legal conclusions that Defendant City need not admit or deny.

23. Paragraph 23 of the First Amended Petition contains legal conclusions that Defendant City need not admit or deny.

24. Paragraph 24 of the First Amended Petition contains legal conclusions that Defendant City need not admit or deny.

**Count II**

25. Defendant City adopts and restates its answers to paragraphs 1 through 24 of the First Amended Petition as if stated fully herein.

26. Defendant City lacks sufficient information and knowledge to admit or deny the allegations in paragraph 26 of the First Amended Petition.

27. Defendant City admits that § 86.364 R.S.Mo. and § 86.810 RSMo. are inapplicable to the case at bar.

28. Defendant City admits that no City approvals or authorizations occurred with respect to the pension benefit increases referenced in paragraph 15 of the First Amended Petition and referenced therein as the “Post-Hancock Statutory Mandates.”

29. Defendant City admits the allegations in paragraph 29 of Plaintiffs’ First Amended Petition.

**Count III**

30. Defendant City adopts and restates its answers to paragraphs 1 through 29 of the First Amended Petition as if stated fully herein.

31. Defendant City denies the allegations in paragraph 31 of the First Amended Petition that City has breached any fiduciary or other duty. Defendant City admits the remainder of the allegations in paragraph 31 of the First Amended Petition

32. Defendant City denies that it has failed to meet or fulfill any fiduciary duties. Defendant City admits that Plaintiffs and City taxpayers may pursue the claims asserted in the First Amended Petition.

33. Paragraph 33 of the First Petition contains legal conclusions that Defendant City need not admit or deny.

34. Paragraph 34 of the First Amended Petition contains legal conclusions that Defendant City need not admit or deny.

**Count IV**

35. Defendant City adopts and restates its answers to paragraphs 1 through 34 of the First Amended Petition as if stated fully herein.

36. Defendant City admits that the State of Missouri is obligated to fund the additional expenses incurred by Defendant PRS and referenced as “Unfunded Costs” in the Petition, and that the State’s failure to do so is detrimental to the City.

37. Paragraph 37 of the First Amended Petition contains legal conclusions that Defendant City need not admit or deny.

38. Paragraph 38 of the First Amended Petition contains legal conclusions that Defendant City need not admit or deny.

Respectfully submitted,

MATT MOAK,  
CITY COUNSELOR

/s/ Michael A. Garvin  
Michael A. Garvin, #39817  
1200 Market Street, Room 314  
St. Louis, MO 63103  
Phone: (314) 622-3361  
Fax: (314) 622-4956  
garvinm@stlouis-mo.gov

**Certificate of Service**

I hereby certify that on Friday, August 13, 2021, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court’s electronic filing system upon all parties of record.

/s/ Michael A. Garvin