

COPY

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

**JOSEPH J. DROLET,
AMAZIAH V. COHEN,
ROSAMOND DORSETT CROWE,
ROBERT H. MCMICHAEL,
NELLIE L. SOUTHERN,
HOWELL R. TRAMMELL, and
WINSTON E. PARKER, on behalf
of themselves and all other retired Fulton
County Employees similarly situated,
Plaintiffs,**

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

AUG 27 1995

LUTHER D. THOMAS, Clerk
by: *KA* Deputy Clerk

v.

**CIVIL ACTION NO.
1: 95 -CV- 2296-JMF
COMPLAINT-CLASS
ACTION**

**FULTON COUNTY, GEORGIA,
Defendant.**

CONSENT ORDER

I. INDEMNITY/MEDICARE COVERAGE

The parties agree, and this court orders that retirees over the age of 65, regardless of when they retired, are entitled to health insurance coverage equal to or in a greater amount than the coverage which was provided to such individual by Fulton County immediately prior to retirement. The cost to such individual for such insurance shall not exceed the same percentage of the total cost as was paid

by such individual immediately prior to retirement. Fulton County agrees, and this court orders that the existing Indemnity/Medicare Supplement coverage provided by Blue Cross/Blue Shield that pays less than one hundred percent of the difference between the Medicare allowed amount of a medical bill and the Medicare payment, after application of the Medicare payment, will be replaced with coverage that pays the entire difference between the Medicare allowed amount of the medical bill and any Medicare payments or other coinsurance benefit payments, with a maximum benefit no greater than the health insurance coverage such retiree had immediately prior to retirement. As for any medical expenses not covered by Medicare, retirees over the age of 65 shall be entitled to health insurance coverage equal to or in a greater amount than the coverage which was provided to such individual by Fulton County immediately prior to retirement. The cost to such individual for such insurance shall not exceed the same percentage of the total cost as was paid by such individual immediately prior to retirement. In no event, shall the retirees Medicare coverage or other insurance coverage cause Fulton County to reduce the level of benefits it is to pay under the retirees' Fulton County health coverage, except that Fulton County will not be responsible for payment of those portions of medical expenses actually paid by Medicare. Fulton County shall continue to pay one half of each retiree's Medicare

premium (when the retiree dies, any surviving dependant over 65 years of age has one half of their Medicare premiums paid by Fulton County). The replacement of the existing Indemnity/Medicare policy with the policy described in this subsection shall occur and be effective on January 1, 1999. Notification to the retirees of these changes in coverage will occur in the regular course of open enrollment for the year 1999.

II. SCHEDULE OF FUTURE MATTERS

The parties agree, and this court orders that the parties will file their consolidated pretrial order within 14 days after the court enters an order on the Plaintiffs' Second and Third Motions for Summary Judgment, if no appeal is filed by either party. If either party elects to appeal the order on the Plaintiffs' Second and Third Motions for Summary Judgment, the notice of appeal will be filed within 14 days after the order has been entered. The consolidated pretrial order shall be due 30 days after the remittitur of the case to the district court.

III. DISCOVERY

The parties agree and this court orders that the parties shall have 60 days from the date of this order to conduct the depositions of Phil Curran and Jim Trieschmann. The Plaintiffs' shall have the opportunity to confirm that the discovery on prescriptions furnished by the Defendant is complete. Furthermore,

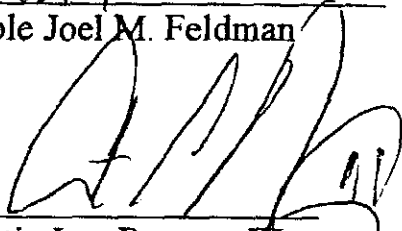
the Defendant shall furnish to the Plaintiffs the amount of administrative expenses that are attributable to the provision of health benefits to retirees for each of the years 1992 through 1998.

This the 26th day of August, 1998

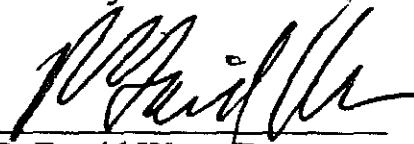

Honorable Joel M. Feldman

Consented to by:

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