

## **Celebrating victory for our client!**

Evans Kingsbury LLP is pleased to announce another victory on appeal.

In *Thompson v. Superior Court*, our client was previously married to a State parks employee. During their divorce proceeding, the State employee failed to disclose her CalPERS retirement plan as a community asset and so the asset was not divided in the final judgment of dissolution. Pursuant to California law, our client continued to own a marital interest in her ex-wife's retirement plan. The ex-wife subsequently remarried. After the ex-wife died, her new wife sought to recover the deceased ex-wife's retirement benefits from CalPERS. CalPERS denied the new wife's request, so the new wife sought a writ from the Superior Court. The Superior Court found in favor of our client, finding that our client is entitled to her marital share of the ex-wife's pension. The new wife appealed and the Court of Appeal sustained the trial court's judgment in favor of our client.