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U.S. DISTRICT COURT
DISTRICT OF MASS.

1 NAGUI MANKARUSE
2 19081 Carp Circle
3 Huntington Beach, CA 92646
4 Telephone: (714) 580-3777
5 Facsimile : (714) 846-5012
6 mankaruse@alumni.usc.edu

7 Attorneys for Plaintiff In Pro Per
8 NAGUI MANKARU
9 SE

10 **UNITED STATES DISTRICT COURT**
11 **FOR THE DITRICT OF MASACHSSETS**

12 NAGUI MANKARUSE, an individual
13 and member of the class in:

14 Johnny Cruz, on behalf of himself and all
15 others similarly situated, Plaintiff,

16 v.

17 Raytheon Company, Kelly B. Lappin, in
18 her capacity as Plan Administrator for the
19 Raytheon Company Pension Plan for
20 Hourly Employees, the Raytheon
21 Company Pension Plan for Salaried
22 Employees, the Raytheon
23 Non Bargaining Retirement Plan, the
24 Raytheon Bargaining Retirement Plan,
25 and the Raytheon Retirement Plan for
26 Engineers & Contractors, Inc. and Aircraft
27 Credit Employees, and John/Jane Does
28 1 through 10 inclusive.

) Case No.: 1:19-cv-11425-PBS

) OPPOSITION IN PART TO CLA SS
) ATTORY'S MOTION TO THE
) HONORABLE COURT ABOUT
) RAYTHEON PENSION SETTLEMENT
) AGREEMENT AND REQUEST TO BE
) ALLOWED TO PARTICIPATE IN THE
) FINAL SETTLEMENT HEARING.

) DATE: NOT ASSIGNED
) TIME:
) DEPT:

) Trial Date: (NOT ASSIGNED)

) *[Unlimited Jurisdiction]*

1 **MASSACHUSETTS STATUTES ALLOWING /MANDATING ATTORNEYS**
2 **FEES:**

3 M.G.L.c.12 Mass. Civil Rights Act.

4 Violation of constitutional rights; civil actions by aggrieved persons; cost and fees

5 M.G.L.c.62F

6 7. Taxpayer suits

7 M.G.L. c.71

8 37D. Racial; definitions; statistics; transfers; priorities; plans for elimination; public
9 hearings; regulations; jurisdiction; costs; attorney's fees

10 M.G.L. c. 93A.

11 11. Rights to attorney's fees for persons engaged in trade or businesses.

12 M.G.L. c. 167B

13 20. Liability of any Person to consumer

14 Statute prohibits compulsory consumer EFT's and require disposal of fees.

15 **Elder**

16 M.G.L. c.93. Regulation of trade and Certain Enterprises

17 M.G.L. c. Regulation of Trade and Certain Enterprises

18 103. Equal rights; age and handicap; violations; remedies.

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Opposition In Part to Raytheon Pension Settlement Agreement

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2 1.The class member plaintiff Nagui Mankaruse retiree Engineer of the
3
4 Raytheon salaried employees opposes in part some parts in the agreement provisions
5 based on the grounds of fairness, reasonableness and adequacy as follows:
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7 2. The attorneys' fees to be awarded must be reasonable and calculated
8 according to the Great state of Massachusetts standard and allowed attorneys' fees of
9
10 litigation in the Federal District Court.
11

12 3.The Cost must be calculated and edited to be correct and actual costs.
13 Additional costs that do not lend itself to reasonable or adequate but be crossed off.
14

15 4.The settlement encompasses the monetary rights of elderly people (retired
16 employees) of Raytheon Company who served Raytheon to serve our great Nation
17 the United States of America building advanced weapons to make our military the
18 greatest in the history of the world.
19

20
21 5.The Raytheon retired employees' pension is a small monthly payment any
22 way in th e rang form \$50 to Les than \$1,000 in average with t he exception of
23 limited retirees' monthly payment above the average. All these retirees living their
24 final phase of their lives on fixed income with the current inflation and cost of living
25 is going to be unreasonable for the attorneys' fees requested by the councils are very
26
27 much exaggerated to ask for 15% of the total amount of settlement proposed of that
28

1 actually \$8.9 millions out of the total proposed settlement of \$59 million present
2 value.

3
4 6. The retirees are several thousands and mostly have no other opportunities to
5
6 earn any additional money for the rest of their lives.

7
8 7. The \$ \$8.9 million proposed attorneys' fees and cost is very big amount of
9 money compared to the presumed work ours performed by the councils and their staff
10 for very limited routine litigation that jus started to end up going to a settlement
11 phase. It is arise concern when the number come to \$8.9 million, why not \$9, 10, 3\$
12 or less or more?
13

14 8. In our society of law and order, right and wrong, of fairness and of rights, the
15 plaintiff's Councils efforts of the Class Lawsuit is very limited routine task and just
16 started. The class representatives who hired these council did most of the effort
17 identified the error by the Raytheon (the employer) retirement pension association.
18
19

20 9. Most of the retirees whether salaried or wage earners are very experienced
21 and can be considered the best of the best in the world in their fields and their salaries
22 or wages while active in their careers didn't earn any kind of money in this order of
23 magnitude even with consideration of the present value.
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27 10. It is believed that Raytheon retirees association was not an action of any
28 kind of illegal and it is not intentionally happened of even any kind of fraudulent

1 action, rather it is believed it can be considered as an honest mistake and Raytheon is
2 now willing to correct it by a settlement.
3

4 **CONCLUSION**

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6 11. The plaintiff here is not minimizing the efforts of the councils rather
7 appreciating their effects.

8
9 12. It is only fair and adequate that the attorney's fees and costs can be granted
10 and allowed/mandate actual standard hourly rate according to state of Massachusetts
11 regulations.

12
13 13. The plaintiff and member of the class respectfully request to be allowed to
14 be present in the hearings to attend and be present in all the hearings to come
15 including the final settlement hearing as scheduled date and be notice for the future
16 dates.

17
18 Respectfully submitted,

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20 DATED: April 30, 2021


NAGUI MANKARUSE
Plaintiff In Pro Per

PROOF OF SERVICE

I, Magda Mankaruse, declare:

I am and was at the time of the service mentioned in this declaration; reside in the County of Orange, California. I am over the age of 18 years and not a party to the within action. My residence address is 19081 Carp Circle Huntington Beach, California 92646.

On April 30, 2021, I served a copy (ies) of the following document(s)
 OPPOSITION IN PART TO CLA SS ATTORY’S MOTION TO THE HONORABLE COURT
 ABOUT RAYTHEON PENSION SETTLEMENT AGREEMENT AND REQUEST TO BE
 ALLOWED TO PARTICIPATE IN THE FINAL SETTLEMENT HEARING.

On the parties to this action by placing those in a sealed envelope(s) addressed as follows:

Party(ies) Serviced	Name of Party	Method of Service
Clerk of the Court United States District Court for the District of Massachusetts 1 Courthouse Way, Suite 2300 Boston, MA 02210	Clerk of the Court	US Mail
Douglas P. Needham IZARD KINDALL & RAABE LLP 29 South Main Street, Suite 305 West Hartford, CT 06107	Douglas P. Needham	US MAIL
Christian J. Pistilli Covington & Burlington One City Center Washington DC 20001	Christian J. Pistilli	US MAIL

X [BY MAIL] I placed the sealed envelope(s) for collection and mailing with postage fully prepaid is deposited in United States Postal Service, Huntington Beach, California

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct, and that this declaration was executed on April 30, 2021, at Huntington Beach, California.

Magda Mankaruse

Magda Mankaruse