

Bond Case Briefs

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PUBLIC PENSIONS . - ILLINOIS

Gilmore v. City of Mattoon

Appellate Court of Illinois, Fourth District - October 16, 2019 - N.E.3d - 2019 IL App (4th) 180777 - 2019 WL 5205476

Retired city employees brought claim against city alleging violations of Insurance Code, equal protection, breach of contract, promissory estoppel, unjust enrichment, and violation of pension protection clause of Illinois constitution, based on employees' cost of contributions to health insurance premiums.

The Circuit Court granted city's motion to dismiss for claims of violations of Insurance Code, breach of contract, promissory estoppel, unjust enrichment, and violations of pension protection clause. Employees appealed.

The Appellate Court held that:

- Employees waived any claim of private right of action under Insurance Code;
- Statute of frauds precluded employees' breach of contract and promissory estoppel claims;
- Retired city employees failed to allege specific facts to show that state municipal retirement fund representative was invested with any authority to bind city to any promise or agreement; and
- City's actions did not violate pension protection clause.