

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MONROE )

IN THE MONROE CIRCUIT COURT  
CAUSE NO. 53 C01 0902 PL 00401

RUTH H. STEWART,  
Plaintiff,

v.

VICKIE LEWIS and  
THE BOARD OF TRUSTEES OF  
THE INDIANA STATE TEACHERS'  
RETIREMENT FUND,  
Defendants.

### SUMMARY JUDGMENT ORDER

This cause came before the Court on October 29, 2009 on Plaintiff Ruth H. Stewart's Motion for Summary Judgment. Ruth H. Stewart appeared in person and by counsel, Darla S. Brown. Defendant Vickie Lewis appeared in person and without counsel. Defendant, the Board of Trustees of the Indiana State Teachers' Retirement Fund appeared by its counsel, Deputy Attorney General Jim Hutton.

After considering the Plaintiff's Motion for Summary Judgment and supporting documentation, and Defendant Vickie Lewis's Response in Opposition to the Motion for Summary Judgment, the Court now Finds and Orders as follows:

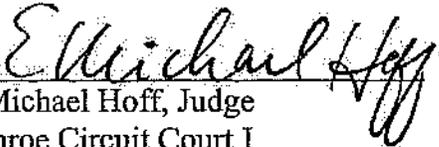
1. The Decree of Dissolution of Marriage and the property settlement agreement precluded Donald R. Lewis from changing the survivor beneficiary of his Indiana State Teachers' Retirement Fund pension from Ruth H. Stewart to Vickie Lewis;
2. Indiana Code § 5-10.2-4-7.2 (g)(2) prohibited Donald R. Lewis from changing his designated beneficiary from Ruth H. Stewart to Vickie Lewis;

3. The beneficiary of said survivor benefit should be judicially altered back to Ruth H. Stewart; and

4. Ruth H. Stewart is entitled to receive and should receive Donald R. Stewart's survivor benefit from the Indiana State Teachers' Retirement Fund.

IT IS THEREBY ORDERED, ADJUDGED AND DECREED by the Court that judgment is hereby entered on behalf of Ruth H. Stewart and against Vickie Lewis and the Board of Trustees of the Indiana State Teachers' Retirement Fund on Plaintiff Ruth H. Stewart's Complaint for Declaratory Judgment.

SO ORDERED this 4<sup>th</sup> day of November, 2009.

  
E. Michael Hoff, Judge  
Monroe Circuit Court I

Distribution:

Darla S. Brown  
KELLEY, BELCHER & BROWN

Jim Hutton  
Deputy Attorney General  
Indiana Government Center South 5th Flr

Vickie Lewis

**Pursuant to Local Rule 3(C), this proposed Order was drafted by Darla S. Brown**

CIVIL NOTICE  
MONROE CIRCUIT COURT 1

Ruth Stewart vs. Vickie Lewis, The Board of  
Trustees of The Indiana State Teachers  
Retirement Fund



To: Darla S Brown



ATTORNEYS	PARTIES
	PLAINTIFF / PETITIONER
Darla S Brown	Ruth H Stewart
	DEFENDANT / RESPONDENT
Thomas Bunger; Gary W Bippus	Vickie Lewis; The Board of Trustees of The Indiana State Teachers Retirement Fund

EVENTS:

Entry Date	File Stamp/ Order Signed	Event and Comments
11/04/2009	11/04/2009	Order Granting Motion for Summary Judgment (Summary Judgment Order issued. CLOSED ajj)