

**RISE Delaware Update for Sunday, April 3, 2023**

## **PRESS RELEASE**

April 3, 2023

FOR IMMEDIATE RELEASE

**CONTACT:**

Mary Graham (Legal Liaison for RISE Delaware)

The Delaware Supreme Court today, April 3, 2023, dismissed the pending Appeal brought by Secretary Claire DeMatteis, Director Cerron Cade and other State of Delaware defendants, from the decision of the Superior Court rendered on October 19, 2022 in the litigation brought by RISE Delaware, along with individual plaintiffs Karen Peterson and Tom Penozza. The Superior Court's Decision held, on an interim basis, that the Defendants had violated Delaware open government laws when, under the radar, they switched Delaware State Retirees from traditional Medicare to Medicare Advantage.

The Supreme Court agreed with RISE Delaware and held that the Defendants' Appeal should be dismissed because of "the State's failure to comply with [Supreme Court] Rule 42 when taking an appeal from an interlocutory order." In other words, the Superior Court's October 19 Decision is not an appealable, final order, and the State's Appeal at this time was not well grounded. Accordingly, for now, State Retirees' Medicfill benefit, a supplement to traditional Medicare, remains in place.

RISE will continue its fight in the Courts, and elsewhere, for State of Delaware retirees to keep their traditional Medicare benefit. And RISE will continue to oppose efforts by the State, such as the State's improper appeal, to short-circuit legitimate and important governmental processes that protect us all.

---

RISE Delaware  
P.O. Box 7262  
Newark, DE 19714

You received this email because you signed up for our messages.

Please do not respond to this email message. Email: [risedelaware@gmail.com](mailto:risedelaware@gmail.com)

**RISE Delaware: Retirees Investing in Social Equity Delaware**

<https://www.facebook.com/groups/1131036457767524>

<https://www.facebook.com/RiseDelaware>

<https://www.gofundme.com/f/rise-delaware-round-2-legal-and-other-costs>

Our Website: [www.risede.com](http://www.risede.com)

Checks may be payable to RISE Delaware at the address above.