

**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

March 4, 1994

To: Board of Directors (Water Problems Committee)
Board of Directors (Legal and Claims Committee)

From: General Counsel

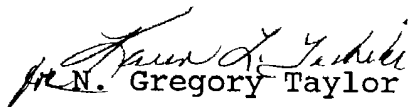
Subject: Memorandum Concerning Closed Session Relating to Potential and Pending Litigation (Closed Session Pursuant to Gov. Code, §§ 54956.9 and 54956.9, subd. (a))

Under specified conditions, Directors of the District may meet in closed session to confer with or receive advice from the General Counsel regarding litigation which has been formally initiated, where there is a significant exposure to litigation against the District, or when the Board is deciding whether to initiate litigation.

Government Code section 54956.9 requires that this memorandum be furnished to you whenever the District's legal counsel recommends such a closed session and its purpose is to confer with, or receive advice from counsel regarding litigation which has been formally initiated, decide whether to initiate litigation, or consider a matter where there is a significant exposure to litigation. This memorandum must be furnished to you no later than one week after the closed session is held.

A closed session is anticipated to be held at the meeting of the Water Problems and Legal and Claims Committees on March 7, 1994, and, as necessary, at the meeting of the Board of Directors on March 8, 1994, to present, discuss and consider Board **Item 8-9**, authorizing the General Counsel to intervene in litigation relating to the Delta smelt.

In addition, the Legal and Claims Committee may meet in closed session at its March 7, 1994 meeting to consider Committee **Item 7a** involving Arizona v. California III.


N. Gregory Taylor