



- June 30, 2010 Quarterly Report

Summary

This is the quarterly report to the Legal and Claims Committee on the exercise of powers delegated to the General Manager and the General Counsel by Administrative Code Sections 6431, 6433 and 6434. In addition, the General Counsel reports to the Legal and Claims Committee on the exercise of power delegated to her by Section 6431.

Attachments

ATTACHMENT A:	Workers' Compensation Matters Resolved During the Period April 1, 2010-June 30, 2010.
ATTACHMENT B:	Claims Against Metropolitan During the Period April 1, 2010-June 30, 2010.
ATTACHMENT C:	Costs Collected During the Period April 1, 2010-June 30, 2010.
ATTACHMENT D:	Property Damage Written Off as Uncollectible During the Period April 1, 2010-June 30, 2010.
ATTACHMENT E:	Accounts Receivable Written Off as Uncollectible During the Period April 1, 2010-June 30, 2010 – None.

Detailed Report

Contracts

Within this past quarter, the General Counsel entered into the following contracts pursuant to her authority under Administrative Code Section 6431:

Bergman & Dacey, Inc.

Metropolitan retained this consultant to investigate and provide recommendations on a complaint lodged with Metropolitan's Equal Employment Opportunity Manager.

DTDE, Inc., doing business as Discovery Document Reproduction Services

Metropolitan retained this consultant to provide litigation support, including copying, scanning and related services as needed in connection with two litigation matters - *Ellsworth v. Metropolitan Water District of Southern California, et al.*, and *FoxFire Constructors, Inc. v. W.A. Rasic Construction Company, et al.*

Ellison, Schneider & Harris, LLP

Metropolitan retained this consultant to review Metropolitan's cost of service study dated December 2009 and proposed revenue requirement and alternatives for rates and changes, as well as provide advice on the cost of service methodology supporting the legal foundation for the rates and charges.

Killefer Flammang Architects

Metropolitan retained this consultant to review and analyze the design drawings and related documents for the Diemer Plant Vehicle Maintenance Centers to determine whether the work met applicable standards of care.

Kinaga Olivarez, LLP

Metropolitan retained this consultant to investigate and provide recommendations on complaints lodged with Metropolitan's Equal Employment Opportunity Officer.

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LECG, LLC

Metropolitan retained this consultant to provide research, analysis, expert testimony and litigation support relating to the Tronox LLC facility in Henderson, Nevada.

Janet Morningstar

Metropolitan retained this consultant to review Metropolitan's cost of service study dated December 2009 and proposed revenue requirement and alternatives for rates and changes, as well as provide advice on the cost of service methodology supporting the legal foundation for the rates and charges.

Musick, Peeler & Garrett LLP

Metropolitan retained this consultant to investigate and provide recommendations on complaints lodged with Metropolitan's Equal Employment Opportunity Officer.

Claims

1. Between April 1, 2010 and June 30, 2010, Metropolitan initiated, compromised, settled, or otherwise disposed of the following claims:
 - a. Litigated Claims By and Against Third Parties
Metropolitan did not initiate, compromise, settle, or otherwise dispose of any litigated claims by and against any third parties within this past quarter.
 - b. Workers' Compensation Matters
The workers' compensation claims settled by the General Manager and the General Counsel within this past quarter are reported in Attachment A.
 - c. Other Claims By and Against Third Parties
Non-litigated third party claims settled by the General Manager and the General Counsel within this past quarter are reported in Attachment B.
 - d. SB 90 Claims
Metropolitan retained Local Government Consultants, LLC ("LGC") to file SB 90 claims on its behalf. During this past quarter, LGC filed claims with the State of California totaling \$74,181.
 - e. Separation Agreements
Metropolitan did not execute any separation agreements within this past quarter.
2. Costs collected for claims within this past quarter are reported in Attachment C.
3. Property Damage Claims declared uncollectible by the General Manager within this past quarter are reported in Attachment D.
4. No accounts receivable were written off as uncollectible by the General Manager within this past quarter.

ATTACHMENT A
 Workers' Compensation Matters Resolved During the Period
April 1, 2010-June 30, 2010

Classification	Control No.	Date of Injury	Amount of Settlement	Nature of Injury	Basis for Settlement
Maintenance Mechanic I	2007-0312-0485 2007-0917-0185	2/9/07 CT ¹ 3/12/07 CT	\$50,000.00	Psyche, circulatory system, gastrointestinal system, body system, stress	Compromise and release, negotiated settlement.
O&M Technician IV	2008-0624-0857	1/10/08 CT	\$4,140.00	Bilateral hearing loss	Stipulated settlement based on treating physician's report.
Maintenance Mechanic I	2005-1221-0321	5/1/03 CT	\$13,042.50	Bilateral hearing loss	Stipulated settlement based on Agreed Medical Evaluator's report.
Administrative Assistant I	2008-0506-0734	5/6/08 CT	\$40,000.00	Chest, nose, psyche, upper extremities, digestive system	Compromise and release, negotiated settlement.

¹ CT = Continuous Trauma

ATTACHMENT B
 Claims Against Metropolitan During the Period
April 1, 2010-June 30, 2010

Claimant	Control No. CW No.	Amount of Settlement	Incident Description	Basis for Resolution
Phyllis Fraine	2010-0310-0519 CW150561	\$1,009.32	On 3/9/10, a District driver backed into a third party vehicle.	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate.
Stephanie Adams	2009-0421-0698 CW 1495336	\$2,087.23	On 4/21/09, a District driver rear-ended a third party vehicle.	The third party bodily injury and property damage claims were negotiated and settled with the third party.
Marilyn Adolphus	2009-0929-0223 CW 1504588	\$140.00	On 9/23/09, a third party vehicle was damaged by an overhead pipe that leaked in the parking garage.	The third party property damage claim was negotiated and settled with the third party.
Marelle Keledjian	2010-0108-0389 CW 1516774	\$1,963.87	On 1/8/10, a District driver backed into a third party vehicle.	The third party property damage claim was negotiated and settled with the third party.

ATTACHMENT C
 Costs Collected During the Period
April 1, 2010-June 30, 2010

Third Party or Cause	Control No. Project No.	Damage Amount	Incident Description	Basis for Costs Collected
Gualberto Sanchez, Wawanesa Insurance	2007-0619-0742 Project No. 761337	\$838.00	On 6/17/07, a third party struck and damaged MWD's air release structure.	The claim for property damage was \$2,373.25, of which \$838 was the pro-rated settlement based on policy limits by the third party's insurance carrier. A total of \$1,535.25 was written off.
Edward Frankovich, 21 st Century Insurance Co.	2009-1221-0360 Project No. 76168	\$3,897.62	On 12/17/09, a third party struck and damaged MWD's vehicle.	The claim for property damage was paid in full by the third party's insurance carrier.

ATTACHMENT D
 Invoices Written Off as Uncollectible During the Period
April 1, 2010-June 30, 2010

Third Party or Cause	Control No. CW No.	Project No.	Damage Amount	Incident Description	Basis for Write-Off	Date Written Off
Unidentified Third Party	2008-0929-0230 CW 1484354	761548	\$1,653.50	On 10/1/09, an unidentified third party struck and damaged parked and unoccupied MWD vehicle.	The property damage costs were written off because the third party could not be identified.	6/3/10
Unidentified Third Party	2009-0325-0640 CW 1500170	761610	\$876.63	On 3/25/09, an unidentified third party struck and damaged MWD vehicle.	The property damage costs were written off because the third party could not be identified.	6/3/10
Stephanie Willis and Otis Mixon	2008-0623-0856 CW 1478887	761521	\$872.77	On 6/18/08, a third party rear-ended MWD vehicle.	The property damage costs were written off because the third party could not be located.	6/3/10
Unidentified Third Party	2007-0612-0724 CW 1454232	761335	\$2,429.00	On 6/11/07, an unidentified third party damaged MWD driveway.	The property damage costs were written off because the third party could not be identified.	6/3/10
Unidentified Third Party	2006-0703-0004 CW 1431143	761176	\$11,931.03	On 7/1/06, an unidentified third party damaged MWD corrosion cabinet.	The property damage costs were written off because the third party could not be identified.	6/3/10