

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

September 11, 2012

Chair Wunderlich called the meeting to order at 9:00 a.m. in Committee Room 2-145 at Metropolitan's Headquarters.

Members present: Chair Wunderlich and Vice Chair Quiñonez, Directors Ackerman, Ballin, Camacho, Dick, Edwards, Fleming, Griset, Record, and Steiner.

Members absent: Directors Hawkins and Heidel.

Other Board members present: Directors Brick, Brown, Grandsen, Lewinger, Little, Millard, Morris, J. Murray, Peterson, Wilson, and Wright.

Staff present: Scully, Bennion, Bennett, Burman, Burton, DeBacker, Downing, Goshi, Kightlinger, Man, Mares, Miyashiro, Patterson, Riss, Roberts, Schlang, Torres, Upadhyay, Waade, and Zinke.

1. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMITTEE ON MATTERS WITHIN THE COMMITTEE'S JURISDICTION

No members responded.

2. APPROVAL OF THE MINUTES OF THE LEGAL AND CLAIMS COMMITTEE MEETING HELD AUGUST 21, 2012.

Motion Carried Moved: Director Edwards Seconded: Director Fleming
 Abstained: Director Steiner

Votes: 10 = Yes; 1 = Abstain

6. COMMITTEE ITEMS

- a. Subject: General Counsel's report of monthly activities
Presented by: General Counsel Marcia Scully

General Counsel Marcia Scully reported on an employee lawsuit, *Jena Minor v. Metropolitan Water District*. A hearing regarding the appeal which was filed in this matter is scheduled for September 18.

Also in the *San Luis Rey Band of Mission Indians* arbitration matter, San Luis Rey proposed an agreement to settle this matter.

- b. Subject: Report on *Consolidated Delta Smelt Cases*, USDC Case No. 1:09-CV-407 LJO-DLB; and *Consolidated Salmonid Cases*, USDV Case No. 1:09-CV-1053 LJO-DLB
Presented by: General Counsel Marcia Scully

In closed session, General Counsel Marcia Scully gave a report on this item. No action was taken.

- c. Subject: Report on *San Diego County Water Authority v. Metropolitan Water District of Southern California, et al.*, San Francisco County Superior Court Case No. CPF-10-510830
Presented by: Assistant General Counsel Heather Beatty

In closed session, Assistant General Counsel Heather Beatty gave a report on this item. No action was taken.

7. FOLLOW-UP ITEMS

None

8. FUTURE AGENDA ITEMS

None

Next meeting will be held on October 9, 2012.

Meeting adjourned at 9:49 a.m.

Robert Wunderlich
Chair