

**THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

**MINUTES**

**LEGAL AND CLAIMS COMMITTEE**

**October 9, 2012**

Chair Wunderlich called the meeting to order at 9:02 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, Hawkins, Record, and Steiner.

Members absent: Directors Griset and Heidel.

Other Board members present: Directors Babcock, Barbre, Brown, Evans, Friedman, Grandsen, Little, Millard, Morris, J. Murray, Peterson, Wilson, and Wright.

Staff present: Scully, Bennion, Beatty, Bennett, Breaux, Burman, Downing, Goshi, Ivey, Kightlinger, Man, Miyashiro, Riss, 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 SEPTEMBER 11, 2012.**

Motion Carried      Moved: Director Edwards      Seconded: Director Hawkins

Votes: Unanimous

**3. CONSENT CALENDAR ITEMS – ACTION**

None

**4. OTHER BOARD ITEMS – ACTION**

None

**5. BOARD INFORMATION ITEMS**

None

**6. COMMITTEE ITEMS**

a. Subject: General Counsel's report of monthly activities

Presented by: General Counsel Marcia Scully

General Counsel Marcia Scully reported that Phase 1 of the *Orange County Water District v. Northrop* trial has concluded. She informed the committee that before the judge sets a date for the Phase 2 jury trial to commence, the remaining parties will be ordered to go to mediation.

The General Counsel also reported that the QSA trial is scheduled to commence November 13. Also, oral argument before the California Court of Appeal in the *Hyatt-Thermalito* case is set for November 16; however, the State Attorney General has requested a 90-day continuance.

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:    General Counsel Marcia Scully

In closed session, General Counsel Marcia Scully 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 November 6, 2012 (subsequently moved to November 5, 2012).

Meeting adjourned at 9:38 a.m.

Robert Wunderlich  
Chair