

**THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

**MINUTES**

**ADJOURNED LEGAL AND CLAIMS COMMITTEE**

**August 20, 2013**

Chair Fleming called the meeting to order at 9:02 a.m. in Committee Room 2-145 at Metropolitan's Headquarters.

Members present: Chair Fleming, Vice Chair Wunderlich, Directors Ackerman, Ballin, Camacho, Dick, Edwards, Griset, Mudd, and Vasquez.

Members absent: Directors Quiñonez, Record, and Steiner.

Other Board members present: Directors Babcock, Barbre, Brown, Evans, Friedman, Kurtz, Lewinger, Little, Morris, J. Murray, and Peterson.

Staff present: Scully, Bennion, Beatty, Breaux, Burman, Coffey, Diaz, Gagar Downing, Green, Horton, Johnson, Kightlinger, Man, Miyashiro, Nagai, Riss, Stites, Teraoka, Upadhyay, 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 JULY 9, 2013.**

Motion Carried      Moved: Director Edwards      Seconded: Director Camacho

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

Heriberto Diaz gave an oral report on the status of the *Thomas A. Liguori as trustee of Thomas A. Liguori Separate Property Trust v. MWD* lawsuit. Jill Teraoka gave an oral report on the status of the copper pitting lawsuits.

General Counsel Marcia Scully gave the committee brief updates on the Tronox matter, the Reid Gardner matter, and the QSA and Navajo Nation litigation. She reported to the committee the resolution of a PERB charge and the settlement of a tort claim.

- 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 Scully and General Manager Kightlinger gave a brief report on this item. No action was taken.

- c. Subject: **Report on existing litigation Orange County Water District v. Northrop Corporation, Orange County Superior Court Case No. 04CC00715**

Presented by: Senior Deputy General Counsel Catherine Stites

In closed session, Senior Deputy General Counsel Catherine Stites gave a report on this item. No action was taken.

- d. 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 and No. CPF-12-512466**

Presented by: Assistant General Counsel Heather Beatty

Directors Lewinger and Mudd, representing the San Diego County Water Authority, withdrew from the meeting for the report on this item.

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 September 10, 2013.

Meeting adjourned at 10:18 a.m.

David Fleming  
Chair