



- December 31, 2014 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 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 October 1, 2014 - December 31, 2014.
ATTACHMENT B:	Claims Against Metropolitan Resolved by Risk Management During the Period October 1, 2014 - December 31, 2014.
ATTACHMENT C:	Costs Collected During the Period October 1, 2014 - December 31, 2014.
ATTACHMENT D:	Property Damage Written Off as Uncollectible During the Period October 1, 2014 - December 31, 2014 - None.
ATTACHMENT E:	Accounts Receivable Written Off as Uncollectible During the Period October 1, 2014 - December 31, 2014 - None.

Detailed Report

Contracts

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

Duane Morris LLP

Metropolitan retained the services of special counsel to work on issues related to seeking enforcement of water rights and preventing diversion of stored water by Delta diverters. This agreement was amended within the same quarter to reflect an increase in the maximum amount payable.

Hunton & Williams

Metropolitan retained the services of special counsel to assist with encouraging State interest in amicus briefs in support of the Petition for Certiorari in the *State Water Contractors v. Sally Jewell* matter.

Liebert Cassidy Whitmore

This agreement was amended this quarter to reflect an increase in the maximum amount payable and contract language updates regarding Billing and Payments, Equal Employment Opportunity, Affirmative Action and Notification of Employee Rights under NLRA.

Michael Casey & Associates formerly known as On the Flop, LLC dba Casey

This agreement was amended this quarter to reflect a name change and contract language updates regarding Billing and Payments, Equal Employment Opportunity, Affirmative Action and Notification of Employee Rights under NLRA and Notices.

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Miller Baroness

Metropolitan retained the services of special counsel to provide counsel and advice related to litigation including, but not limited to, appeals in the pending cases entitled, *San Diego County Water Authority v. Metropolitan Water District of Southern California*, San Francisco County Superior Court Case Nos. CPF-10-510830 and CPF-12-512466 and any related matters.

Public Interest Investigations, Inc.

Metropolitan retained this consultant to conduct an investigation of allegations of different treatment in the Information Technology Group based on national origin/ethnicity.

Seyfarth Shaw LLP

Metropolitan retained the services of special counsel to provide legal advice and consultation in connection with a Government Tort Claim and to represent Metropolitan in the defense of any related litigation.

Squire Patton Boggs (US) LLP formerly known as Squire Sanders LLP

This agreement was amended this quarter to reflect a name change and contract language updates regarding Equal Employment Opportunity, Affirmative Action and Notification of Employee Rights under NLRA and Notices.

Claims and Other Matters

1. Between October 1, 2014 - December 31, 2014, Metropolitan initiated, compromised, settled, or otherwise disposed of the following claims and entered into the following separation agreements:

a. Litigated, Compromised and Settled Claims By and Against Third Parties

Metropolitan amended a settlement agreement entered into in 1993 with the City of Monterey Park within this past quarter.

This amendment removes the operational limitations on the use of the Garvey Reservoir and allows Metropolitan to resume normal operation of the Reservoir to a maximum water elevation of 573 feet. Metropolitan will help pay for improvements to the adjacent tennis court and/or the parking and frontage north and/or south of the tennis court. The City of Monterey Park will perform the improvements which may include resurfacing, lighting, fencing and/or landscaping.

On November 12, 2014, Metropolitan executed a settlement agreement with a former employee who filed a complaint for damages on July 9, 2014, in Los Angeles County Superior Court against Metropolitan. The complaint was amended on September 8, 2014. The amended complaint alleges disability discrimination and retaliation in violation of the Fair Employment and Housing Act. The agreement falls within the Administrative Code authority granted to the General Manager and General Counsel; and key terms of the agreement included a dismissal of the lawsuit, a general release, no admission of wrongdoing, and no reemployment rights.

b. Workers' Compensation Matters

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 Resolved by Risk Management

Non-litigated third party claims resolved by Risk Management (under authority delegated by the General Manager) and approved by the General Counsel within this past quarter are reported in Attachment B.

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- d. SB 90 Claims
SB 90 claims for reimbursement for state-mandated costs were reported within this past quarter in the amount of \$2,676.00.
 - e. Separation Agreements
Metropolitan did not enter into any separation agreements within this past quarter.
2. Costs collected for claims within this past quarter are reported in Attachment C.
 3. There were no Property Damage Claims declared as uncollectible by the General Manager within this past quarter.
 4. There were no Accounts Receivables that were written off as uncollectible by the General Manager within this past quarter.

ATTACHMENT A
 Workers' Compensation Matters Resolved During the Period
October 1, 2014 – December 31, 2014

Classification	Control No.	Date of Injury	Amount of Settlement	Nature of Injury	Basis for Settlement
Electronic Technician II/ Instrumentation & Control Technician III	2011-1114-0246	11/10/11	\$15,065.00	Right knee	Stipulated settlement based on treating physician's report
C&D Specialist	2013-0221-0357	1/22/13 CT	\$28,692.50	Both shoulders, wrists, elbows and hands	Stipulated settlement based on treating orthopedist's report

ATTACHMENT B
 Claims Against Metropolitan Resolved by Risk Management During the Period
October 1, 2014 – December 31, 2014

Claimant	Control No. York No.	Amount of Settlement	Incident Description	Basis for Resolution
Bob Taylor	2014-0509-0522 MEWD-1536A9	\$553.44	On 5/5/14, a third party home owner sustained damage to a sliding glass door, when it was struck by debris during District weed abatement	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate
David Hale	2014-0701-0003 MEWD-1537A2	\$384.04	On 7/1/14, a District vehicle struck and damaged a third party vehicle	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate
Nina Kang	2014-1126-0271 MEWD-1546A2	\$183.31	On 11/24/2014, a third party drove over an unsecured District metal cover in the roadway and sustained tire damage	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate

ATTACHMENT C
Costs Collected During the Period
October 1, 2014 – December 31, 2014

Third Party or Cause	Control No. York No.	Damage Amount	Incident Description	Basis for Costs Collected
Norma Garcia	2014-0505-0513 METP-4507A1	\$1,031.79	On 5/5/14, a third party driver struck the rear of the District vehicle	The property damage claim was paid in full by the third party insurance carrier