



Matters Received by the Legal Department

<u>Category</u>	<u>Received</u>	<u>Description</u>	
Action in which MWD is a party	2	Complaint (1) for Breach of Contract, (2) to Enforce Stop Payment Notice, (3) to Recover Money Due on Stop Payment Notice, (4) to Recover Money Due on Payment Bond on Public Work, filed in Los Angeles County Superior Court, in the case <i>Dennis Lorton v. OHL USA, Inc. Liberty Mutual Insurance Co., Zurich American Insurance Co., and MWD</i> , Case No. 19STLC10509, relating outstanding balance due from renting to OHL a 4000 gallon water truck for the Palos Verdes Reservoir Cover and Liner Replacement Project Complaint for (1) Wrongful Termination in Violation of Public Policy, and (2) Whistleblower Retaliation, filed in Los Angeles County Superior Court	
Government Code Claims	2	Claims relating to two separate accidents involving MWD vehicles	
Requests Pursuant to the Public Records Act	9	<u>Requestor</u>	<u>Documents Requested</u>
		CCS Global Tech	Bid documents for On-Call Consulting Services for Microsoft Azure Application
		Center for Contract Compliance (2 requests)	(1) Certified payroll records for Pride Construction Engineering Services for its work on the Garvey Reservoir Drainage and Erosion Improvements, and (2) contract documents for Mills Water Treatment Plant Underground Storage Tank Modifications
		Coachella Valley Water District	Water quality data from Lake Havasu and San Jacinto Tunnel sampling locations
		Orange County Water District	Water quality data for the period July 2018 through June 2019
		Private Citizens (3 requests)	(1) Proposal documents relating to Request for Proposal for Food Management Services, (2) inspection reports for Garvey Reservoir, and (3) list of customers who had their water connections turned off over the past 60 days
Rosette, LLP	Fallowing agreement with Bard Water District		



California WaterFix Litigation	
Subject	Status
CDWR Environmental Impact Cases Sacramento Superior Ct. Case No. JCCP 4942 (20 Coordinated Cases – 1 Validation; 17 CEQA; 2 CESA) (Judge Culhane)	
Validation Action <i>DWR v. All Persons Interested</i> CEQA 17 cases CESA/Incidental Take Permit 2 cases	<ul style="list-style-type: none"> • Cases dismissed after DWR rescinded project approval, bond resolutions, decertified the EIR, and CDFW rescinded the CESA incidental take permit • January 10, 2020 – Hearing on 9 motions for attorneys' fees and costs
Breach of Contract <i>City of Antioch v. DWR</i> Sacramento County Superior Ct. (Judge De Alba)	<ul style="list-style-type: none"> • Tentative settlement in principle reached • October 21, 2019 trial date vacated to accommodate formal settlement agreement negotiations • Mandatory settlement conference Aug. 20, 2020 • New trial date Sept. 28, 2020
COA Addendum/No-Harm Agreement <i>North Coast Rivers Alliance v. DWR</i> Sacramento County Superior Ct. (Judge Gevercer)	<ul style="list-style-type: none"> • Plaintiffs allege violations of CEQA, Delta Reform Act & public trust doctrine • Deadline to prepare administrative record extended to Jan. 17, 2020 • USBR Statement of Non-Waiver of Sovereign Immunity filed Sept. 2019 • Westlands Water District and North Delta Water Agency granted leave to intervene • Metropolitan & SWC Monitoring
Delta Plan Amendments and Program EIR 4 Consolidated Cases Sacramento County Superior Ct. (Judge Earl) <i>North Coast Rivers Alliance, et al. v. Delta Stewardship Council</i> (lead case) <i>Central Delta Water Agency, et al. v. Delta Stewardship Council</i> <i>Friends of the River, et al. v. Delta Stewardship Council</i> <i>California Water Impact Network, et al. v. Delta Stewardship Council</i>	<ul style="list-style-type: none"> • Cases challenge, among other things, the Delta Plan Updates recommending dual conveyance as the best means to update the SWP Delta conveyance infrastructure to further the coequal goals • Allegations relating to “Delta pool” water rights theory and public trust doctrine raise concerns for SWP and CVP water supplies • Cases consolidated for pre-trial and trial under <i>North Coast Rivers Alliance, et al. v. Delta Stewardship Council</i> • Time to prepare the administrative record extended to January 21, 2020 • Answers or motions to dismiss due 30 days after administrative record is lodged • SWC granted leave to intervene • Metropolitan supporting SWC



Subject	Status
<p>SWP Contract Extension Validation Action Sacramento County Superior Ct. (No judge assigned yet)</p> <p><i>DWR v. All Persons Interested in the Matter, etc.</i></p>	<ul style="list-style-type: none"> • DWR seeks a judgment that the Contract Extension amendments to the State Water Contracts are lawful • Metropolitan and 7 other SWCs filed answers in support of validity to become parties • Four answers filed in opposition denying validity on multiple grounds raised in affirmative defenses • Case deemed related to the two CEQA cases, below and assigned to Judge Culhane
<p>SWP Contract Extension CEQA Cases Sacramento County Superior Ct. (Judges Sumner and Gevercer)</p> <p><i>North Coast Rivers Alliance, et al. v. DWR</i></p> <p><i>Planning & Conservation League, et al. v. DWR</i></p>	<ul style="list-style-type: none"> • Petitions for writ of mandate alleging CEQA and Delta Reform Act violations filed on January 8 & 10, 2019 • Metropolitan preparing unopposed motions to intervene • Deemed related to DWR's Contract Extension Validation Action and assigned to Judge Culhane • Deadline to prepare administrative record extended to January 10, 2020 • Answers due 30 days after administrative record is received