



• March 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 6431, 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 January 1, 2014 - March 31, 2014.
ATTACHMENT B:	Claims Against Metropolitan During the Period January 1, 2014 - March 31, 2014.
ATTACHMENT C:	Costs Collected During the Period January 1, 2014 - March 31, 2014.
ATTACHMENT D:	Property Damage Written Off as Uncollectible During the Period January 1, 2014 - March 31, 2014.
ATTACHMENT E:	Accounts Receivable Written Off as Uncollectible During the Period January 1, 2014 - March 31, 2014.

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:

Best, Best & Krieger LLP

This agreement was amended this quarter to modify the scope of work and increase the maximum amount payable.

Center for Dispute Resolution

Metropolitan retained this consultant to provide management training requested by the General Counsel.

Jackson Lewis P.C.

Metropolitan retained the services of special counsel to provide consulting services and advise regarding the Office of Federal Contract Compliance Programs' new Vietnam Era Veterans' Readjustment Assistance Act and Rehabilitation Act, Section 503 regulations.

Public Interest Investigations, Inc.

Metropolitan retained this consultant to investigate and provide recommendations on a complaint lodged by a Metropolitan employee with the Metropolitan Equal Employment Opportunity Unit.

Sheppard, Mullin, Richter & Hampton LLP

Metropolitan retained the services of special counsel to provide legal advice and representation relating to employment matters as requested.

Board Report (March 31, 2014 Quarterly Report)

Susan Woolley

Metropolitan retained this consultant to investigate and provide recommendations on a tort claim filed by a Metropolitan employee.

Claims

1. Between January 1, 2014 - March 31, 2014, Metropolitan initiated, compromised, settled, or otherwise disposed of the following claims:
 - a. Litigated Claims By and Against Third Parties
Within this past quarter, pursuant to the authority provided to the General Manager within the Administrative Code, Metropolitan settled the case entitled, Oscar Renda Contracting, Inc. (ORC) v. Metropolitan, Case No. RIC1213525. ORC sued Metropolitan on September 5, 2012, seeking \$10 million plus interest for alleged damages associated with ORC's work on the Perris Valley Pipeline, South project. Metropolitan paid ORC \$1,925,000 to settle the case, and the presiding judge dismissed ORC's complaint with prejudice on March 11, 2014.
 - b. Workers' Compensation Matters
Workers' compensation claims settled by the General Manager and the Interim General Counsel within this past quarter are reported in Attachment A.
 - c. Other Claims By and Against Third Parties
Non-litigated third party claims settled by the General Manager and the General Counsel within this past quarter are reported in Attachment B.
 - d. SB 90 Claims
No SB 90 claims for reimbursement for state-mandated costs were reported within this past quarter.
 - e. Separation Agreements
Within this past quarter, Metropolitan did not enter into any separation agreements.
2. Costs collected for claims within this past quarter are reported on Attachment C.
3. Property Damage Claims declared as uncollectible by the General Manager within this past quarter are reported in Attachment D.
4. Accounts receivables that were written off as uncollectible by the General Manager within this past quarter are reported in Attachment E.

ATTACHMENT A
 Workers' Compensation Matters Resolved During the Period
January 1, 2014 - March 31, 2014

Classification	Control No.	Date of Injury	Amount of Settlement	Nature of Injury	Basis for Settlement
O&M Technician IV	2013-0423-0470	4/23/13	\$0	Left ring finger	Stipulated settlement (providing future medical treatment only) based on treating physician's report
Water Treatment Plant Operator II	2013-0722-0033	4/12/13	\$30,000	Psychiatric, multiple body systems (sleep, diabetes, high blood pressure)	Compromise and release pursuant to a negotiated settlement that included a resignation provision
C&D Specialist	2013-0531-0522	4/17/13 CT	\$0	Hearing loss	Stipulated settlement (providing future medical treatment only) based on treating physician's report

ATTACHMENT B
 Non-Litigated Third Party Claims Against Metropolitan Resolved During the Period
January 1, 2014 – March 31, 2014

Claimant	Control No. CW No.	Amount of Settlement	Incident Description	Basis for Resolution
Jesus Hernandez (c/o Mercury Insurance)	2012-1114-0245 MEWD-1484A2	\$10,199.35	On 11/13/12, a MWD vehicle struck the rear of a third party vehicle	Third party vehicle was a total loss at \$10,849.35 - MWD negotiated to split the salvage value with Mercury which resulted in a reduced settlement
Anissia Ayala	2013-1115-0245 MEWD-1516A2	\$1,818.71	On 11/15/13, a MWD vehicle struck the rear of a third party vehicle	Third party property damage claim settled based upon an evaluation of damages and repair estimate

ATTACHMENT C
 Costs Collected During the Period
January 1, 2014 – March 31, 2014

Third Party or Cause	Control No. CW No.	Damage Amount	Incident Description	Basis for Costs Collected
Homer Lobato (c/o) Farmers Insurance	2013-1121-0254 METP – 4424A9	\$565.00	On 11/4/13, a third party driver struck and damaged a section of MWD fence	The property damage claim was paid in full by the third party insurance carrier
Chase & Victoria Fuller (c/o) Geico Insurance	2014-0107-0301 METP – 4425A9	\$1,348.12	On 1/7/14, a third party driver struck the rear of a MWD vehicle	The property damage claim was paid in full by the third party insurance carrier

ATTACHMENT D
Property Damage Claims Written Off as Uncollectible During the Period
January 1, 2014 – March 31, 2014

Third Party or Cause	Control No. CW No.	Damage Amount	Incident Description	Basis for Write-Off
Roberto Morales Freedom National Insurance Services	2011-0922-0162 METP - 4188A9	\$965.00	On 9/22/2011, third party struck a section of MWD fence	MWD negotiated with the third party and recovered \$1,200 and wrote off the uncollected balance of \$965.00

ATTACHMENT E
 Accounts Receivable Written Off as Uncollectible During the Period
January 1, 2014 – March 31, 2014

Invoice Date	Invoice Number	Customer Name	Amount Written off	Brief Description	Basis for Write-Off	Date Written Off
6/29/13	40230	Coachella Valley Water District	\$4,708.53	Share of final cost for professional services incurred under MWD project 701542, Colorado Quantification Settlement Agreement	Unable to collect due to the length of time passed since invoiced	2/19/14
6/29/13	40231	Imperial Irrigation District	\$4,708.53	Share of final cost for professional services incurred under MWD project 701542, Colorado Quantification Settlement Agreement	Unable to collect due to the length of time passed since invoiced	2/19/14
6/29/13	40232	San Diego County Water Authority	\$3,107.63	Share of final cost for professional services incurred under MWD project 701542, Colorado Quantification Settlement Agreement	Unable to collect due to the length of time passed since invoiced	2/19/14