



- June 30, 2015 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 March 1, 2015 - June 30, 2015.
ATTACHMENT B:	Claims Against Metropolitan Resolved by Risk Management During the Period March 1, 2015 - June 30, 2015.
ATTACHMENT C:	Costs Collected During the Period March 1, 2015 - June 30, 2015.
ATTACHMENT D:	Property Damage Written Off as Uncollectible During the Period March 1, 2015 - June 30, 2015 - None.
ATTACHMENT E:	Accounts Receivables Written Off as Uncollectible During the Period March 1, 2015 - June 30, 2015 - 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:

Special Bond Counsel: Metropolitan retained the following Special Bond Counsel to provide legal advice, opinions and representation with respect to (a) financing or refinancing projects, (b) proposed federal or state regulations, actions or policies, (c) documents related to security instruments, derivative product programs, investment agreement, (d) legality and tax status of securities, (e) litigation or administrative proceedings on financing matters, (f) matters affected or governed by Internal Revenue Code and other tax laws and regulations, and (g) other financial and tax matters:

1. Law Offices of Alexis S.M. Chiu

Executive Presentations, Inc.

Metropolitan retains this consultant to assist in preparing presentation materials for trial in the matter entitled, *Shapell Industries v. Moulton Niguel Water District* and such other services as may be requested pertaining to the copper pitting cases.

Musick, Peeler & Garrett, LLP

This agreement was amended this quarter to reflect Fee Schedule modifications.

Public Interest Investigations, Inc.

1. This agreement was amended this quarter to reflect an increase in the maximum amount payable and amendments to contract language regarding Scope of Work and Billing and Payments sections of Agreement No. 131978.

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2. Metropolitan retains this consultant to investigate and provide recommendations on complaints raised by a Metropolitan employee – Agreement No. 146606.

Claims and Other Matters

1. Between March 1, 2015 - June 30, 2015, 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 settled the following matter within this past quarter:

On May 20, 2015, Metropolitan sent to Cal-OSHA information and documentation in support of the independent employee action defense (“IEAD”) which Metropolitan asserted as a complete defense to a February 20, 2015 Citation for a General Violation and Notification of Penalty. Cal-OSHA had issued the citation to Metropolitan regarding an alleged violation of Title 8 of California Code of Regulations section 1593 (haulage vehicle operation) at the Iron Mountain facility. In response, on June 2, 2015, Cal-OSHA proposed settling the matter by withdrawing the citation because Metropolitan had submitted evidence sufficient to support the IEAD in exchange for a cost waiver by Metropolitan. Metropolitan accepted the settlement terms, and on June 24, 2015, Administrative Law Judge Ursula Clemons issued an Order vacating the citation and proposed penalty of \$1,125 for the desert vehicle incident.

- 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.

- d. SB 90 Claims

SB 90 claims for reimbursement for state-mandated costs were collected in the amount of \$5,455.00 and reported within this past quarter.

- 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
March 1, 2015 – June 30, 2015

Classification	Control No.	Date of Injury	Amount of Settlement	Nature of Injury	Basis for Settlement
Survey & Mapping Technician III	2014-0618-0593	6/18/14	\$0	Left knee	Stipulated settlement, providing future medical care, based on treating physician's report
Administrative Assistant II (C)	2012-1010-0191 2014-0909-0117	10/9/12 7/23/13 CT	\$15,000.00	Hand, back, both knees, digestive system (stomach), and nervous system (psyche)	Compromise & Release, negotiated settlement
Administrative Assistant II	2013-1115-0240	11/14/13	\$0	Left elbow	Stipulated settlement, providing future medical care, based on treating physician's report
Team Manager IV/ Unit Manager III	2011-0106-0344	1/6/11	\$4,968.00	Right knee, left ankle, tailbone	Stipulated settlement based on Qualified Medical Evaluator's report
O&M Technician IV	2014-0110-0319	1/15/14	\$0	Right upper arm	Stipulated settlement, providing future medical care, based on treating physician's report
O&M Technician IV	2013-0321-0409	3/21/13	\$0	Left foot	Stipulated settlement, providing future medical care, based on treating physician's report
Electronic Technician II	2012-0705-0007	6/29/12	\$19,665.00	Cervical spine, thoracic spine	Stipulated settlement based on treating physician's report
O&M Technician IV	2013-0910-0121	9/10/13	\$750.00	Left foot/ankle, skin, body system	Compromise & Release, negotiated settlement

ATTACHMENT B
 Claims Against Metropolitan During the Period of
March 1, 2015 – June 30, 2015

Claimant	Control No. TPA No.	Amount of Settlement	Incident Description	Basis for Resolution
James Barnes	2014-0525-0549 MEWD-1532A2	\$4,925.87	On 5/22/14, an MWD vehicle struck and damaged the right side door on a third party vehicle	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate
John Reilly	2015-0108-0315 MEWD-1549A2	\$4,898.30	On 1/8/15, water was released from an MWD vacuum valve, which caused minor damage to the backyard of a third party's residential property	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate
Jae Sik Kang	2015-0401-0454 MEWD-1560A2	\$252.60	On 4/1/15, an MWD vehicle struck and damaged the driver's side mirror on a third party vehicle	The third party property damage claim was settled based upon an evaluation of damages and the actual repair cost

ATTACHMENT C
 Costs Collected During the Period of
March 1, 2015 – June 30, 2015

Third Party or Cause	Control No. TPA No.	Damage Amount	Incident Description	Basis for Costs Collected
David Penman	2014-0528-0551 METP-4486A9	\$10,570.02	On 5/27/14, a third party vehicle towing a boat and trailer struck and damaged an MWD meter cabinet	The property damage claim was paid in full by the third party insurance carrier
David Cossio	2014-0925-0164 METP-4526A9	\$3,507.60	On 9/25/14, a third party vehicle rear-ended an MWD vehicle	The property damage claim was paid in full by the third party insurance carrier
Mario Santacruz	2014-1016-0205 METP-4530	\$1,788.00	On 10/16/14, a third party vehicle rear-ended an MWD vehicle	The property damage claim was paid in full by the third party insurance carrier
Angelique Rivera	2014-1023-0219 METP-4529A9	\$13,744.85	On 10/22/14, a third party vehicle struck an MWD vehicle head on	The MWD vehicle was a total loss and the third party insurance carrier settled with MWD based upon an agreed blue book value