



● March 31, 2020 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 Administrative Code Section 6431.

Attachments

- ATTACHMENT A: Workers' Compensation Matters Resolved During the Period
January 1, 2020 – March 31, 2020.
- ATTACHMENT B: Claims Against Metropolitan Resolved by Risk Management During the Period
January 1, 2020 – March 31, 2020.
- ATTACHMENT C: Costs Collected During the Period
January 1, 2020 – March 31, 2020.
- ATTACHMENT D: Property Damage Written Off as Uncollectible During the Period
January 1, 2020 – March 31, 2020– None.
- ATTACHMENT E: Accounts Receivables Written Off as Uncollectible During the Period
January 1, 2020 – March 31, 2020.

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:

Cislo & Thomas LLP

This agreement was amended this quarter to reflect a modification to the fee schedule.

GeoPentech, Inc.

Metropolitan retained the services of Consultant to provide technical support regarding Coachella Valley Water District's application to the Bureau of Land Management for a permit to use lands for Colorado River water recharge.

Internet Law Center

This agreement was amended this quarter to reflect an increase in the maximum amount payable and a modification to the billing section.

Norton Rose Fulbright US LLP (Prior Disclosure Counsel)

This agreement was amended this quarter to reflect an update to the Fee Schedule, Key Personnel and the Time and Term of the agreement.

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Seyfarth Shaw LLP

Metropolitan retained the services of Special Counsel to provide legal representation, advice and consultation in the litigation entitled, *Greg Staar v. Metropolitan Water District of Southern California and DOES 1 through 50, inclusive*, Los Angeles Superior Court Case No.19STCV41726.

Stradling Yocca Carlson & Rauth, PC (Disclosure Counsel)

Metropolitan retained the services of Disclosure Counsel to assist in the preparation and review of Metropolitan's preliminary and official statements, remarketing agreements, and other disclosure documents, including Appendix A to such documents and any disclosure undertakings in connection with the issuance and sale of its revenue bonds and other securities. This includes rendering an opinion to Metropolitan and the underwriter(s) of bonds or other securities and assisting in the preparation, evaluation and review of any disclosure related documents and compliance issues, disclosure related presentations, filing of annual reports and notices of events. Disclosure Counsel will also provide periodic training and updates to disclosure procedures and requirements and provide legal advice and opinions regarding proposed federal and state legislation or regulatory rules actions or policies which have a bearing on disclosure related issues.

Van Ness Feldman

Metropolitan & State Water Contractors retained the services of Special Counsel to provide joint legal representation, advice and consultation on an as-needed basis with respect to legal actions, claims, potential regulatory proceedings and related matters pertaining to the 2019 Biological Opinions issued by the U.S. Fish and Wildlife Service and National Marine Fisheries Service for the Re-initiation of Consultation on the Coordinated Operations of the Central Valley Project and State Water Project, including anticipated litigation challenging the U.S. Bureau of Reclamation's Environmental Impact Statement for the proposed operations by the Biological Opinions.

Susan Woolley, Esq.

Metropolitan retained the services of Consultant to perform a confidential investigation and provide analysis and recommendations as directed, regarding anonymous allegations of sexual harassment.

Susan Woolley, Esq.

Metropolitan retained the services of Consultant to investigate and provide analysis and recommendations as directed, on allegations of employee misconduct and EEO-based complaints.

Claims and Other Matters

1. Between January 1, 2020 – March 31, 2020, 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 did not enter into any settlement agreements within this past quarter.
 - 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
No SB 90 claims for reimbursement for state-mandated costs collected were 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. No Property Damage Claims were declared as uncollectible by the General Manager within this past quarter.
 4. Accounts Receivables 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, 2020 – March 31, 2020

| Classification | Control No. | Date of Injury | Amount of Settlement | Nature of Injury | Basis for Settlement |
|-----------------------|--------------------|-----------------------|-----------------------------|-------------------------|---|
| Pr. Legal Analyst | 2017-0719-0030 | 07/19/2017 | \$13,412.00 | Neck | Stipulated settlement based on Agreed Medical Evaluation and Panel Qualified Medical Evaluation reports |

ATTACHMENT B
 Claims Against Metropolitan Resolved by Risk Management During the Period
January 1, 2020 – March 31, 2020

| Claimant | Control No. TPA No. | Amount of Settlement | Incident Description | Basis for Resolution |
|--------------------|--------------------------------|---------------------------------|---|---|
| Marina Flores | 2019-0821-0097 027-000093 | \$3,974.00 | On 8/20/19, an MWD vehicle backed into the third party vehicle causing damage | The third property claim was settled based upon an evaluation of the accident, vehicle damage and repair costs |
| Akitsugu Yamaguchi | 2019-0410-0497 027-000076 | \$4,580.39 | On 4/9/19, strong winds knocked down a tree on MWD property onto a Southern California Edison power line resulting in a power outage which caused electrical damage to a third party residence and their major appliances | The third party property claim was settled based upon an evaluation of the property damage and repair costs to the residence and the appliances |
| Christopher Uthoff | 2019-0710-0016 027-000086 | \$2,339.26 | On 7/8/19, an MWD vehicle backed into a third party vehicle causing damage | The third property claim was settled based upon an evaluation of the accident, vehicle damage and repair costs |
| Mark Whitegon | 2019-0819-0090 027-000092 | \$790.38 | On 8/19/19, a third party (employee operating their own automobile) struck a speedbump under construction on MWD property which caused damage to the vehicle | The third property claim was settled based upon an evaluation of the accident, vehicle damage and repair costs |

ATTACHMENT C
 Costs Collected During the Period of
January 1, 2020 – March 31, 2020

| Third Party or Cause | Control No. TPA No. | Costs Collected | Incident Description | Basis for Costs Collected |
|-----------------------------|------------------------------|------------------------|---|---|
| David Andrew Gallup | 2019-1106-0247 026-000246 | \$4,211.19 | On 11/6/19, a third party vehicle rear-ended an MWD vehicle causing damage | The property damage claim was paid in full by the third party's insurance carrier |
| Melissa Burnette | 2019-1023-0220 026-000242 | \$8,390.00 | On 10/21/19, a third party vehicle struck the security card reader at an MWD gate | The property damage claim was paid in full by the third party's insurance carrier |

ATTACHMENT E
 Accounts Receivable Written Off as Uncollectible During the Period
January 1, 2020 – March 31, 2020

| Invoice Date | Invoice Number | Customer Name | Amount Written-Off | Brief Description | Basis for Write-Off | Date Written-Off |
|--------------|----------------|----------------|--------------------|--|---------------------|------------------|
| N/A | N/A | Project 701644 | \$72,636.98 | Relocation of East Orange County Feeder No.2 | Uncollectible | 2/28/2020 |
| N/A | N/A | Dianne Lee | \$70.00 | Tuition Recovery after Termination | Uncollectible | 3/12/2020 |
| | | Total | \$72,706.98 | | | |