



● December 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
October 1, 2020 – December 31, 2020 - NONE.
- ATTACHMENT B: Claims Against Metropolitan Resolved by Risk Management During the Period
October 1, 2020 – December 31, 2020.
- ATTACHMENT C: Costs Collected During the Period
October 1, 2020 – December 31, 2020.
- ATTACHMENT D: Property Damage Written Off as Uncollectible During the Period
October 1, 2020 – December 31, 2020 - NONE.
- ATTACHMENT E: Accounts Receivables Written Off as Uncollectible During the Period
October 1, 2020 – December 31, 2020 - 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:

Ronald D. Bremen Agreement No. 193458

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

Ronald D. Bremen Agreement No. 193458

This agreement was amended this quarter to modify the Explanatory Recitals and the Scope of Work sections.

Cislo & Thomas LLP

This agreement was amended this quarter to reflect an increase in the maximum amount payable.

Hanson Environmental, Inc.

Metropolitan retained the services of Consultant to provide expert witness testimony in the *Metropolitan Water District of Southern California v. California Department of Fish & Wildlife et al.* litigation, initially Fresno County Superior Court Case No. 20CECG01347 now referred to as CDWR Water Operations Cases, Judicial Council Coordination Proceeding No. 5117.

Board Report (December 31, 2020 Quarterly Report)

Michael A. Heider

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

Musick, Peeler & Garrett LLP

Metropolitan retained the services of Special Counsel to provide legal advice on contractor claims related to the Colorado River Aqueduct 6.9 kV Power Cable Replacement Project.

Public Interest Investigations, Inc.

Metropolitan retained the services of Consultant to investigate and provide recommendations regarding EEO-based complaints and allegations raised by and concerning a Metropolitan employee.

Thompson Coburn LLP

Metropolitan retained the services of Special Counsel to provide legal advice and counsel concerning regulatory compliance with the North American Electric Reliability Corporation (NERC) or energy reliability standards.

Van Ness Feldman LLP

Metropolitan retained the services of Special Counsel to provide advice on compliance with federal environmental law with respect to the State Water Project and Bay-Delta Issues, including new State Water Project Delta conveyance.

Western Energy and Water

Metropolitan retained the services of Special Counsel to provide legal advice on the activities of, and related to, the California Independent System Operator pertaining to and impacting Metropolitan, its electrical facilities, its energy-related agreements, its energy market activities, and its regulatory requirements.

Susan Woolley (Agreement No. 193459)

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

Susan Woolley (Agreement No. 193466)

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

Susan Woolley (Amendment to Agreement 185879)

This agreement was amended this quarter to reflect an increase in the maximum amount payable.

Claims and Other Matters

1. Between October 1, 2020 – December 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 agreement within this past quarter.

Board Report (December 31, 2020 Quarterly Report)

- b. Workers' Compensation Matters
No Workers' Compensation claims were settled by the General Manager and the General Counsel within this past quarter.
 - 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
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. No Accounts Receivables were written off as uncollectible by the General Manager within this past quarter.

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

Claimant	Control No. TPA No.	Amount of Settlement	Incident Description	Basis for Resolution
Law Offices of Hartsuyker, Stratman, Williams-Abrego, on behalf of Bristol West for their insured Pedro Contreras	2020-0127-0365 027-000111	\$1,288.88	On 1/24/2020, an MWD struck and damaged a third-party vehicle while making a lane change	The third-party claim was settled based upon an evaluation of the accident, damage, repair cost and reimbursement of the insured's deductible
Law Office of Scott Warmuth on behalf of Tina Yan Huang	2019-1003-0188 027-000098	\$7,500.00	On 10/2/2019, an MWD vehicle rear-ended a third-party vehicle causing bodily injury	The third-party bodily injury claim was settled based upon an evaluation of the injury and treatment costs
Nina Nguyen	2019-0826-0104 027-000112	\$1,450.21	On 8/26/2019, an MWD vehicle backed into and damaged a third-party vehicle	The third-party claim was settled based upon an evaluation of the accident, damage, repair cost

ATTACHMENT C
Costs Collected During the Period of
October 1, 2020 – December 31, 2020

Third Party or Cause	Control No. TPA No.	Costs Collected	Incident Description	Basis for Costs Collected
Mary Speidel	2020-0814-0078 026-000299	\$2,193.00	On 8/14/2020, a third-party vehicle struck and damaged an MWD vehicle while exiting a parking lot	The property damage claim was paid in full by the third party's insurance carrier