

Hearing: December 6, 2007

ITEM 17

CHIEF LEGAL COUNSEL'S REPORT New Filings, Recent Decisions, Litigation Calendar

This public session report is intended only as an information item for the public.¹ Commission communications with legal counsel about pending litigation or potential litigation are reserved for Closed Executive Session, per the Notice and Agenda.

New Filings

- *California School Boards Association et al. v. Commission on State Mandates, et al.*, Sacramento County Superior Court, Case No. 07CS01399, [*School Accountability Report Cards, SARC*]
Date Filed: October 19, 2007

Trial Court Judgment Entered

- *County of San Bernardino v. Commission on State Mandates, et al.*
Los Angeles County Superior Court, Case No. BS106052
[*SEMS*]

The Los Angeles County Superior Court heard the matter on September 12, 2007, and adopted a ruling affirming the Commission's decision and denying the petition for writ of mandate. The court found that SEMS is not a state-mandated program based on the Supreme Court's decision in *Department of Finance v. Commission on State Mandates (Kern High School Dist.)* (2004) 30 Cal.4th 727. Judgment was entered on October 22, 2007

Litigation Calendar

Case Reference	Hearing Date
<i>Department of Finance and California Integrated Waste Management Board v. Commission on State Mandates, et al.</i> , Sacramento County Superior Court Case No. 07CS00355, [<i>Integrated Waste Management</i>]	February 29, 2008

¹ Based on information available as of November 20, 2007. Release of this litigation report shall not be deemed to be a waiver of any privileged communication or act, including, but not limited to, the attorney-client privilege and the attorney work product doctrine.