

ITEM 18

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

1. Petition for Supreme Court Review Filed November 26, 2013

State of California Department of Finance, State Water Resources Control Board, et al. v. Commission on State Mandates and County of Los Angeles, Second District Court of Appeal, Case No. B237153
[*Municipal Storm Water and Urban Runoff Discharges*, 03-TC-04, 03-TC-19, 03-TC-20, and 03-TC-21]

The County of Los Angeles and surrounding cities have filed a petition for Supreme Court review to challenge the Court of Appeal decision, finding as a matter of law that the requirements of the permit in this case are mandated by federal law and, thus reimbursement is not required pursuant to article XIII B, section 6.

Under the Rules of Court, the Supreme Court has 60 days from the date the petition for review was filed to make a decision. In this case, that decision should be made during the week of January 27, 2014. The county and cities have also filed a request with the Supreme Court to de-publish the Court of Appeal decision.

Recent Decisions

None.

Litigation Calendar

No hearings are currently on courts' calendar.

¹ Based on information available as of January 9, 2014. 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.