

ITEM 13

**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

None.

Recent Decisions

Department of Finance v. Commission on State Mandates, San Diego Unified School Dist., et al., Sacramento County Superior Court, Case No. 34-2010-80000529 [Graduation Requirements Parameters and Guidelines Amendment, November 2008]

On March 20, 2013, the court entered judgment upholding the Commission's amendments to the parameters and guidelines that included a reasonable reimbursement methodology (RRM) in the form of a formula for reimbursement of science teacher salary costs. The court denied Finance's request for a writ of administrative mandate, holding that "petitioner has not established that the Commission abused its discretion in any way in adopting the amendments to the Parameters and Guidelines, and the reasonable reimbursement methodology contained therein, that are at issue in this case, or in making the amendments effective retroactively."

Litigation Calendar

<u>Case</u>	<u>Date of Hearing</u>
1. <i>State of California Department of Finance, State Water Resources Control Board, et al. v. Commission on State Mandates and County of Los Angeles, et al.</i> 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]	April 17, 2013 in the Second District Court of Appeal (the State has requested a continuance of the hearing until May 22, 2013)

¹ Based on information available as of April 4, 2013. 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.