

Hearing: June 26, 2008

ITEM 12

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 and California Integrated Waste Management Board v. Commission on State Mandates, et al.*, Sacramento County Superior Court Case No. 07CS00355, [*Integrated Waste Management*]

On May 29, 2008, the court signed its Ruling on Submitted Matter granting the state's petition for writ of mandate. The ruling directs the Commission to amend the offset paragraph of the parameters and guidelines to identify offsetting savings from reduced or avoided disposal costs and to identify 100% of offsetting revenues derived from the sale of recyclable materials. The Commission's Statement of Decision is not disturbed with this decision. The judgment and writ have not yet been issued. This decision affects community college districts.

Litigation Calendar

Case Reference	Hearing Date
<i>San Diego Unified School Dist. v. Commission on State Mandates and California Department of Finance</i> , San Diego County Superior Court, Case No. 37-2007-00064088-CU-PT-CTL, [<i>Parameters and Guidelines Amendment, Emergency Procedures, Earthquake Procedures, and Disasters and Comprehensive School Safety</i>]	June 27, 2008

¹ Based on information available as of June 6, 2008. 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.