

**ITEM 10**  
**CHIEF LEGAL COUNSEL'S REPORT**  
**New Filings, Recent Decisions, Litigation Calendar**

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This public session report is intended only as an information item for the public.<sup>1</sup> 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**

**1. Petition for Writ of Mandate Denied by Trial Court - County of Los Angeles v. Commission on State Mandates, Malia M. Cohen as State Controller**

Los Angeles County Superior Court, Case No. 23STCP00036;  
(*Municipal Stormwater and Urban Runoff Discharges Consolidated IRCs*, 19-0304-I-04, 20-0304-I-06, 20-0304-I-08, 20-0304-I-09, 20-0304-I-10, 20-0304-I-11, and 20-0304-I-13)

This case addresses consolidated IRCs, which alleged that the Controller incorrectly reduced reimbursement claims for the *Municipal Stormwater and Urban Runoff Discharges* program. The claimants challenged the reductions on the ground that local return revenues received by the claimants from the Los Angeles County Metropolitan Transportation Authority under the Proposition A and Proposition C local return programs and used to fund the costs of the mandated program, are the claimants' proceeds of taxes and are not required to be identified as offsetting revenues. The Commission found that the Controller correctly reduced the costs claimed and denied the IRCs. On August 28, 2023, the trial court signed and entered judgment, affirming the Commission's Decision and denied the petition for writ of mandate.

**Litigation Calendar**

Nothing pending at this time.

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<sup>1</sup> Based on information available as of September 7, 2023. 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.