

ITEM 16

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. Amicus Briefs Filed - *State of California Department of Finance, State Water Resources Control Board, and California Regional Water Quality Control Board, Los Angeles Region v. Commission on State Mandates and County of Los Angeles, et al.*, California Supreme Court, Case No. S214855
(Municipal Storm Water and Urban Runoff Discharges, 03-TC-04, 03-TC-19, 03-TC-20, and 03-TC-21)

Amicus briefs have been filed by the following entities: City of Costa Mesa, City of Westminster, California Stormwater Quality Association, Riverside County Flood Control and Water Conservation District, County of Riverside, City of Cypress, City of Dana Point, City of San Clemente, City of Yorba Linda, City of Irvine, and City of Anaheim. The deadline to file amicus briefs is November 24, 2014.

Recent Decisions

1. The Court approved plaintiff's motion to bifurcate the first two causes of action (Petition for Writ of Mandate challenging the constitutionality of Government Code section 17557(d)(2)(B); Education Code section 42238.24; Education Code section 56523)– Hearing To Be Set

California School Boards Assoc., et al. v. State of California, et al.

Alameda County Superior Court, Case No. RG11554698 (Mandates process for K-12 school districts, redetermination, budget trailer bills)

Litigation Calendar

<u>Cases</u>	<u>Subject and Date of Hearing</u>
<i>Santa Clarita Valley Sanitation Dist. v. Commission on State Mandates, et al.</i> Los Angeles County Superior Court, Case No. BS148024 (Upper Santa Clara River Chloride Requirements, 10-TC-09)	December 16, 2014 - Hearing on Petition for Writ of Mandate

¹ Based on information available as of November 20, 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.

<p><i>Counties of San Diego, et al. v. Commission on State Mandates, et al.</i>, San Diego County Superior Court, Case No. 37-2014-00005050-CU-WM-CTL, (Mandate Redetermination, Sexually Violent Predators, 12-MR-01, CSM-4509)</p>	<p>February 27, 2015 – Hearing on Request for Declaratory Relief and Petition for Writ of Mandate</p>
<p><i>County of Los Angeles v. Commission on State Mandates, Department of Finance</i> Los Angeles County Superior Court, Case No. BS148845, (Public Guardianship Omnibus Conservatorship Reform, 07-TC-05)</p>	<p>March 3, 2015 – Hearing on Petition for Writ of Mandate</p>
<p><i>Clovis Unified School Dist. v. Commission on State Mandates, State Controller’s Office</i>, Sacramento County Superior Court, Case No. 34-2014-80001931, (Graduation Requirements IRC, 05-4435-I-50 and 08-4435-I-52)</p>	<p>March 13, 2015 – Hearing on Petition for Writ of Mandate</p>
<p><i>Coast Community College District, et al. v. Commission on State Mandates, Department of Finance</i>, Sacramento County Superior Court, Case No. 34-2014-80001842 (Minimum Conditions for State Aid, 02-TC-25/02-TC-31)</p>	<p>June 15, 2015 – Hearing on Petition for Writ of Mandate</p>