



## Metropolitan Cases

### ***Harold Jones v. Metropolitan, et al.*** **(Los Angeles County Superior Court)**

On November 16, 2023, employee Harold Jones filed an employment lawsuit against Metropolitan in Los Angeles County Superior Court. The complaint was served on Metropolitan on November 29. The complaint alleges seven causes of action. Five causes of action are under the California Fair Employment and Housing Act (FEHA) alleging: discrimination based on race, color and/or national origin, discrimination based on age, retaliation, failure to prevent discrimination, and failure to promote. In addition, there are causes of action alleging the failure to permit inspection of personnel records and unfair business practices. Plaintiff alleges he was discriminated against based on his race/color/national origin/age because Metropolitan denied him promotions even though he was and remains well-qualified; and he alleges Metropolitan retaliated against him after he complained of discriminatory conduct in September of 2021. The Legal Department is representing

Metropolitan and is meeting and conferring with opposing counsel to address legal deficiencies in the complaint. Metropolitan anticipates responding to the complaint in January 2024.

### ***CDWR Environmental Impact Cases*** **(Sacramento County Superior Court)**

On December 26, 2023, the trial court entered an order denying motions for attorney's fees filed by eight groups of plaintiffs seeking a total of approximately \$13 million in fees stemming from the California WaterFix coordinated cases. The motions were filed after the first order denying fees issued in early 2020 was reversed on appeal in 2022. The judge denied the fee motions because the plaintiffs failed to show that their litigation over the WaterFix Environmental Impact Report (EIR) and their answers in the WaterFix bond validation case were a substantial factor in Governor Newsom's decision not to support WaterFix and the Department of Water Resources' subsequent decision to rescind the project approval and bond resolutions and decertify the EIR. Plaintiffs have until February 26, 2024 to file appeals.

## Matters Impacting Metropolitan

### **EPA Proposes Lead and Copper Rule Revision**

On November 30, 2023, the U.S. Environmental Protection Agency (EPA) announced the proposed Lead and Copper Rule Improvements (LCRI) to reduce lead in drinking water and to simplify the rule relative to the 2021 Lead and Copper Rule Revisions (LCRR). Key provisions in the proposal include: (1) requiring water systems to replace lead service lines within 10 years; (2) removing the lead trigger level; (3) improving tap sampling procedures; (4) lowering the lead action level from 15 micrograms per liter ( $\mu\text{g/L}$ ) to 10  $\mu\text{g/L}$ ; and (5) requiring new service line inventory procedures. The proposed rule also provides improvements in the following areas: corrosion control treatment, public education and consumer awareness, requirements for small systems, and sampling in schools and child-care facilities.

The proposed LCRI is intended to strengthen EPA's existing Lead and Copper Rule, which was first promulgated in 1991, and most recently revised in January 2021, when EPA issued its LCRR. While EPA's previous efforts to reduce lead in drinking water prioritized corrosion control to reduce lead levels at the tap, the LCRI focuses on mandatory lead service line replacement. Specifically, the proposed LCRI would require water systems to inventory, formulate a replacement plan for, and replace all lead service lines under the control of the water system within 10 years, regardless of lead level. EPA has found that when lead service lines are present, they represent the greatest source of lead exposure in drinking water.

The proposed LCRI would also make key changes to the protocol that water systems must use for tap sampling informed by best practices already being deployed at the local and state level, like in



Michigan. Water systems would be required to collect first liter and fifth liter samples at sites with lead service lines and use the higher of the two values when determining compliance with the rule.

In addition, EPA is proposing to lower the lead action level from 15 µg/L to 10 µg/L. When a water system's lead sampling exceeds the action level, the system would be required to inform the public and take action to reduce lead exposure while concurrently working to replace all lead pipes. For example, the system would install or adjust corrosion control treatment to reduce lead that leaches into drinking water.

Under the proposed LCRI, water systems would also be required to regularly update their inventories, create a publicly available service line replacement plan, and identify the materials of all service lines of unknown material. According to EPA, knowing where lead pipes are is critical to replacing them efficiently and equitably. Water systems are currently required under the LCRR to provide an initial inventory of their lead service lines by October 16, 2024.

To support eliminating lead service lines, the Infrastructure and Investment and Jobs Act (Pub. L. 117-58), also referred to as the Bipartisan Infrastructure Law (signed into law Nov. 15, 2021), included \$15 billion specifically appropriated for lead service line replacement projects and associated activities directly connected to the identification and planning for the replacement of lead service lines. Additionally, \$11.7 billion of general Drinking Water State Revolving Funds can be used for lead service line replacement.

EPA held a public informational webinar about the proposed LCRI on December 6, 2023. To help inform its decision making regarding these potential revisions, EPA is also hosting a virtual public hearing on January 16, 2024, to receive public comment and present the proposed requirements of the LCRI. Furthermore, EPA published the LCRI in the Federal Register on December 6, 2023, which started a 60-day public comment period. Public comments are due by February 5, 2024. EPA intends to finalize the LCRI before the LCRR compliance date of October 16, 2024. Metropolitan staff will continue to monitor EPA's proposed LCRI.

## Other Matters

### Miscellaneous

On December 18, 2023, Metropolitan issued \$120,000,000 of Tax-Exempt Flexible Rate Revolving Note, Series 2023 A-4 (the Notes). The Notes were issued to fund Board-approved debt-financed projects. Legal Department staff attorneys worked with and assisted outside bond counsel with the drafting and negotiation of several contracts and closing certificates.

Legal Department staff worked with Finance staff to prepare and post Metropolitan's annual financial

information filings for fiscal year ended June 30, 2023, pursuant to continuing disclosure requirements for all of Metropolitan's outstanding revenue and general obligation bonds. The annual filings include certain financial and operational disclosures and the Annual Comprehensive Financial Report for Fiscal Years Ended June 30, 2023 and 2022. The annual filings are available at <http://emma.msrb.org> (the Electronic Municipal Market Access system) maintained by the Municipal Securities Rulemaking Board.

## Matters Concluded and/or Terminated

### *AFSCME Local 1902 v. Metropolitan (MOU Hearing Officer Appeal)*

On April 30, 2019, AFSCME Local 1902 filed a grievance on behalf of three Equipment Operators who alleged the denial of meal period pay in violation of the AFSCME MOU. Metropolitan denied the grievance and AFSCME appealed the denial to a hearing officer. The parties agreed to

hold the matter in abeyance pending new MOU negotiations in 2023. After completion of negotiations, on December 20, 2023, the parties resolved the grievance. EEO issues were not implicated, the agreement has no confidentiality provisions, the Operators are still employed by Metropolitan, and the Operators received \$500 each to resolve their meal period pay claims. The grievance has been withdrawn pursuant to a written settlement agreement.



## Matters Received

| <u>Category</u>                | <u>Received</u> | <u>Description</u>                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Action in which MWD is a party | 1               | Complaint for Damages: (1) Discrimination on the Bases of Race, Color, and/or National Origin; (2) Discrimination on the Basis of Age; (3) Retaliation; (4) Failure to Prevent Discrimination; (5) Failure to Promote; (6) Failure to Permit Inspection of Personnel Records; (7) Unfair Business Practice, filed in Los Angeles County Superior Court, in the case <i>Harold Jones v. MWD</i> , Case No. 23STCV28217 |
| Government Code Claims         | 2               | Claims relating to: (1) conditions at a District provided employee residence; and (2) accident involving an MWD vehicle                                                                                                                                                                                                                                                                                               |

| <u>Category</u>                                                            | <u>Received</u>                                                                                                                                                                                                                            | <u>Description</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                            |                                          |                                                                                                                                                                                                                                            |                                            |                                                               |                    |                                                                                |                 |                                                                                                                                                         |                                                                            |                                           |                        |                                                                                                 |                   |                                                                                |
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| Subpoenas                                                                  | 2                                                                                                                                                                                                                                          | (1) Deposition Subpoenas for Production of Business Records for employment, payroll, and claims records and (2) records relating to any asbestos-containing products served on two different matters unrelated to Metropolitan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                  |                            |                                          |                                                                                                                                                                                                                                            |                                            |                                                               |                    |                                                                                |                 |                                                                                                                                                         |                                                                            |                                           |                        |                                                                                                 |                   |                                                                                |
| Requests Pursuant to the Public Records Act                                | 16                                                                                                                                                                                                                                         | <table><tr><th><u>Requestor</u></th><th><u>Documents Requested</u></th></tr><tr><td>Andersen Integrate Services (2 requests)</td><td>(1) Proposals, company scores, and evaluation worksheets for On-Call General Industrial Hygiene and Safety Services; and (2) Proposals, company scores, and total dollar spent under each contract for On-Call Industrial Hygiene Services</td></tr><tr><td>Blair, Church &amp; Flynn Consulting Engineers</td><td>Records of any existing MWD facilities near project in Irvine</td></tr><tr><td>Brown and Caldwell</td><td>Request for Qualifications for PDB Services for Sepulveda Feeder Pump Stations</td></tr><tr><td>CCS Global Tech</td><td>Score sheet, winning proposals, number of task orders, and awarded contracts for Request for Qualifications for On-Call Information Technology Services</td></tr><tr><td>County of San Diego, Department of Public Works, Land Development Division</td><td>EGIA contract for SoCalWaterSmart Program</td></tr><tr><td>DRMcNatty &amp; Associates</td><td>Accepted proposal for Data Management and Data Analytics Consulting and Implementation Services</td></tr><tr><td>Los Angeles Times</td><td>Data on water transfers within Kings County to MWD during the period 2018-2023</td></tr></table> | <u>Requestor</u> | <u>Documents Requested</u> | Andersen Integrate Services (2 requests) | (1) Proposals, company scores, and evaluation worksheets for On-Call General Industrial Hygiene and Safety Services; and (2) Proposals, company scores, and total dollar spent under each contract for On-Call Industrial Hygiene Services | Blair, Church & Flynn Consulting Engineers | Records of any existing MWD facilities near project in Irvine | Brown and Caldwell | Request for Qualifications for PDB Services for Sepulveda Feeder Pump Stations | CCS Global Tech | Score sheet, winning proposals, number of task orders, and awarded contracts for Request for Qualifications for On-Call Information Technology Services | County of San Diego, Department of Public Works, Land Development Division | EGIA contract for SoCalWaterSmart Program | DRMcNatty & Associates | Accepted proposal for Data Management and Data Analytics Consulting and Implementation Services | Los Angeles Times | Data on water transfers within Kings County to MWD during the period 2018-2023 |
| <u>Requestor</u>                                                           | <u>Documents Requested</u>                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                            |                                          |                                                                                                                                                                                                                                            |                                            |                                                               |                    |                                                                                |                 |                                                                                                                                                         |                                                                            |                                           |                        |                                                                                                 |                   |                                                                                |
| Andersen Integrate Services (2 requests)                                   | (1) Proposals, company scores, and evaluation worksheets for On-Call General Industrial Hygiene and Safety Services; and (2) Proposals, company scores, and total dollar spent under each contract for On-Call Industrial Hygiene Services |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                            |                                          |                                                                                                                                                                                                                                            |                                            |                                                               |                    |                                                                                |                 |                                                                                                                                                         |                                                                            |                                           |                        |                                                                                                 |                   |                                                                                |
| Blair, Church & Flynn Consulting Engineers                                 | Records of any existing MWD facilities near project in Irvine                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                            |                                          |                                                                                                                                                                                                                                            |                                            |                                                               |                    |                                                                                |                 |                                                                                                                                                         |                                                                            |                                           |                        |                                                                                                 |                   |                                                                                |
| Brown and Caldwell                                                         | Request for Qualifications for PDB Services for Sepulveda Feeder Pump Stations                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                            |                                          |                                                                                                                                                                                                                                            |                                            |                                                               |                    |                                                                                |                 |                                                                                                                                                         |                                                                            |                                           |                        |                                                                                                 |                   |                                                                                |
| CCS Global Tech                                                            | Score sheet, winning proposals, number of task orders, and awarded contracts for Request for Qualifications for On-Call Information Technology Services                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                            |                                          |                                                                                                                                                                                                                                            |                                            |                                                               |                    |                                                                                |                 |                                                                                                                                                         |                                                                            |                                           |                        |                                                                                                 |                   |                                                                                |
| County of San Diego, Department of Public Works, Land Development Division | EGIA contract for SoCalWaterSmart Program                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                            |                                          |                                                                                                                                                                                                                                            |                                            |                                                               |                    |                                                                                |                 |                                                                                                                                                         |                                                                            |                                           |                        |                                                                                                 |                   |                                                                                |
| DRMcNatty & Associates                                                     | Accepted proposal for Data Management and Data Analytics Consulting and Implementation Services                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                            |                                          |                                                                                                                                                                                                                                            |                                            |                                                               |                    |                                                                                |                 |                                                                                                                                                         |                                                                            |                                           |                        |                                                                                                 |                   |                                                                                |
| Los Angeles Times                                                          | Data on water transfers within Kings County to MWD during the period 2018-2023                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                            |                                          |                                                                                                                                                                                                                                            |                                            |                                                               |                    |                                                                                |                 |                                                                                                                                                         |                                                                            |                                           |                        |                                                                                                 |                   |                                                                                |



| <u>Requestor</u>                 | <u>Documents Requested</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Orange County Water District     | General Mineral and Physical Analysis of MWD's Water Supplies for the period July 2022 through June 2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Private Citizens<br>(3 requests) | Proposals and/or Statements of Qualifications and sign-in sheets for pre-proposal meetings or site visits for the (1) Request for Qualifications for As Needed Engineering Design Services for pipelines, potable and recycled water storage and conveyance facilities and sewage lift stations; and (2) Request for Qualifications for Engineering Services for Water Treatment Facilities, Conveyance, Storage & Distribution Facilities, and Large Rotating Equipment; and (3) List of firms that submitted proposals, list of firms who were prequalified, prequalified firms' proposals, and evaluation tabulation for Request for Qualifications for On-Call General Industrial Hygiene Services |
| Rist Associates<br>(2 requests)  | Proposals and/or Statements of Qualifications and sign-in sheets for pre-proposal meetings or site visits for the (1) Request for Proposal for Desalination Research; and (2) Request for Qualifications for On-Call Engineering Services                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Sensis                           | Winning Proposal and scoring sheets for Request for Proposal for Multi-Media Placement Consulting Services for Water Awareness & Outreach Campaign                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| SteepSteel                       | Copies of all active leases/licenses for cell towers, rooftop antennas, or other wireless installations on property owned or managed by MWD, along with 24 months of associated payment histories                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



### PLEASE NOTE

- ADDITIONS ONLY IN THE FOLLOWING TWO TABLES WILL BE SHOWN IN RED.
- ANY CHANGE TO THE *OUTSIDE COUNSEL AGREEMENTS* TABLE WILL BE SHOWN IN REDLINE FORM (I.E., ADDITIONS, REVISIONS, DELETIONS).



## Bay-Delta and SWP Litigation

### Consolidated DCP Revenue Bond Validation Action and CEQA Case

*Sierra Club, et al. v. California Department of Water Resources* (CEQA, designated as lead case)

*DWR v. All Persons Interested* (Validation)

Sacramento County Superior Ct.  
(Judge Kenneth C. Mennemeier)

#### • Validation Action

- Metropolitan, Mojave Water Agency, Coachella Valley Water District, and Santa Clarita Valley Water Agency have filed answers in support
- Kern County Water Agency, Tulare Lake Basin Water Storage District, Oak Flat Water District, County of Kings, Kern Member Units & Dudley Ridge Water District, and City of Yuba City filed answers in opposition
- North Coast Rivers Alliance et al., Howard Jarvis Taxpayers Association, Sierra Club et al., County of Sacramento & Sacramento County Water Agency, CWIN et al., Clarksburg Fire Protection District, Delta Legacy Communities, Inc, and South Delta Water Agency & Central Delta Water Agency have filed answers in opposition
- Case ordered consolidated with the DCP Revenue Bond CEQA Case for pre-trial and trial purposes and assigned to Judge Earl for all purposes
- DWR's motions for summary judgment re CEQA affirmative defenses granted; cross-motions by opponents denied
- Dec. 9, 2022 DWR's motion for summary adjudication of Delta Reform Act and public trust doctrine affirmative defenses granted; NCRA's motion for summary judgment re same denied
- Trial on the merits held May 15-18, 2023
- Supplemental briefing ordered on three issues with final brief due June 30, 2023
- Tentative Decision/Proposed Statement of Decision against validity issued Aug. 25
- DWR's objections filed September 18, 2023
- Opponents responses to objections filed September 28, 2023
- Court extended the deadline to issue a judgment to ~~January 22, 2024~~  
~~December 18, 2023~~

#### • CEQA Case

- Sierra Club, Center for Biological Diversity, Planning and Conservation League, Restore the Delta, and Friends of Stone Lakes National Wildlife Refuge filed a



|                                                                                                                                                                                                                                                                                                                     | <p>standalone CEQA lawsuit challenging DWR's adoption of the bond resolutions</p> <ul style="list-style-type: none"> <li>• Alleges DWR violated CEQA by adopting bond resolutions before certifying a Final EIR for the Delta Conveyance Project</li> <li>• Cases ordered consolidated for all purposes</li> <li>• DWR's motion for summary judgment granted; Sierra Club's motion denied</li> <li>• Tentative Decision/Proposed Statement of Decision rejecting CEQA challenge issued Aug. 25, 2023</li> <li>• DWR's objections filed September 18, 2023</li> <li>• Opponents responses to objections filed September 28, 2023</li> <li>• Court extended the deadline to issue a judgment to <b>January 22, 2024</b><del>December 18, 2023</del></li> </ul>                                                                                                                                                          |
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| Subject                                                                                                                                                                                                                                                                                                             | Status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>SWP-CVP 2019 BiOp Cases</b></p> <p><i>Pacific Coast Fed'n of Fishermen's Ass'ns, et al. v. Raimondo, et al. (PCFFA)</i></p> <p><i>Calif. Natural Resources Agency, et al. v. Raimondo, et al. (CNRA)</i></p> <p>Federal District Court, Eastern Dist. of California, Fresno Division<br/>(Judge Thurston)</p> | <ul style="list-style-type: none"> <li>• SWC intervened in both <i>PCFFA</i> and <i>CNRA</i> cases</li> <li>• Federal defendants reinitiated consultation on Oct 1, 2021</li> <li>• <del>February 24, 2023 court approved the 2023 Interim Operations Plan proposed by federal defendants and state plaintiffs, denied all alternative proposed operations and extended the stay until December 31, 2023</del></li> <li>• Nov. 16, 2023 <del>deadline for parties to file</del> a joint status report</li> <li>• Federal defendants and state plaintiffs seek another 1-year stay and proposed a 2024 Interim Operations Plan (IOP); PCFFA seeks to extend the 2023 IOP until the court rules on the 2024 IOP</li> <li>• Briefing on stay extension and 2024 IOP concludes March 6, 2024</li> <li>• Dec. 29, 2023 order extended the stay and 2023 IOP until March 2024 or new order, whichever is earlier</li> </ul> |
| <p><b>CESA Incidental Take Permit Cases</b></p> <p><b>Coordinated Case Name <i>CDWR Water Operations Cases</i>, JCCP 5117 (Coordination Trial Judge Gevercer)</b></p>                                                                                                                                               | <ul style="list-style-type: none"> <li>• All 8 cases ordered coordinated in Sacramento County Superior Court</li> <li>• Stay on discovery issued until coordination trial judge orders otherwise</li> <li>• All four Fresno cases transferred to Sacramento to be heard with the four other coordinated cases</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |



*Metropolitan & Mojave Water Agency v. Calif. Dept. of Fish & Wildlife, et al.* (CESA/CEQA/Breach of Contract)

*State Water Contractors & Kern County Water Agency v. Calif. Dept. of Fish & Wildlife, et al.* (CESA/CEQA)

*Tehama-Colusa Canal Auth., et al. v. Calif. Dept. of Water Resources* (CEQA)

*San Bernardino Valley Municipal Water Dist. v. Calif. Dept. of Water Resources, et al.* (CEQA/CESA/ Breach of Contract/Takings)

*Sierra Club, et al. v. Calif. Dept. of Water Resources* (CEQA/Delta Reform Act/Public Trust)

*North Coast Rivers Alliance, et al. v. Calif. Dept. of Water Resources* (CEQA/Delta Reform Act/Public Trust)

*Central Delta Water Agency, et. al. v. Calif. Dept. of Water Resources* (CEQA/Delta Reform Act/Public Trust/ Delta Protection Acts/Area of Origin)

*San Francisco Baykeeper, et al. v. Calif. Dept. of Water Resources, et al.* (CEQA/CESA)

- Certified administrative records lodged March 4, 2022
- State Water Contractors et al. granted leave to intervene in *Sierra Club, North Coast Rivers Alliance, Central Delta Water Agency, and San Francisco Baykeeper* cases by stipulation
- SWC, et al. granted leave to intervene as respondents in *Tehama-Colusa Canal Auth., et al. v. Calif. Dept. of Water Resources* CEQA case
- SWC's renewed motion to augment the administrative records granted in part; a court-appointed referee will review withheld records to determine if the deliberative process privilege applies
- Sept. 8, 2023 hearing on DWR's and CDFW's motion to modify the referral to exclude certain withheld records
- CDFW's motion denied, DWR's motion subject to the Court's in camera review of records proposed for exclusion
- Referee's recommendation is to grant in part, deny in part SWC parties' motion to augment the administrative records
- Oct. 13, 2023 objections or responses to Referee's recommendation due
- Oct. 27, 2023 court's ruling granting in part, and denying in part, the SWC parties' motion to augment DWR's and CDFW's administrative records became final
- Parties are conferring on a merits briefing schedule



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| <p><b>CDWR Environmental Impact Cases</b><br/><b>Sacramento Superior Ct. Case No. JCCP 4942,</b><br/><b>3d DCA Case No. C091771</b><br/><b>(20 Coordinated Cases)</b></p> <p>Validation Action<br/><i>DWR v. All Persons Interested</i></p> <p>CEQA<br/>17 cases</p> <p>CESA/Incidental Take Permit<br/>2 cases</p> <p>(Judge Arguelles)</p> | <ul style="list-style-type: none"><li>• Cases dismissed after DWR rescinded project approval, bond resolutions, decertified the EIR, and CDFW rescinded the CESA incidental take permit</li><li>• January 10, 2020 – Nine motions for attorneys’ fees and costs denied in their entirety</li><li>• Parties have appealed attorneys’ fees and costs rulings</li><li>• May 11, 2022, court of appeal reversed the trial court’s denial of attorney fees and costs in an unpublished opinion</li><li>• Opinion ordered published</li><li>• Coordinated cases remitted to trial court for re-hearing of fee motions consistent with the court of appeal’s opinion</li><li>• Sept.15, 2023 re-hearing on fee motions</li><li>• Dec. 26, 2023 order denying fee motions</li><li>• Jan. 11, 2024 deadline to file motion for reconsideration</li><li>• Feb. 26, 2024 deadline to file notice of appeal</li></ul> |
| <p><b>COA Addendum/<br/>No-Harm Agreement</b></p> <p><i>North Coast Rivers Alliance v. DWR</i><br/>Sacramento County Superior Ct.<br/>(Judge Rockwell)</p>                                                                                                                                                                                   | <ul style="list-style-type: none"><li>• Plaintiffs allege violations of CEQA, Delta Reform Act &amp; public trust doctrine</li><li>• USBR Statement of Non-Waiver of Sovereign Immunity filed September 2019</li><li>• Westlands Water District and North Delta Water Agency granted leave to intervene</li><li>• Metropolitan &amp; SWC monitoring</li><li>• Deadline to prepare administrative record last extended to Nov. 18, 2022</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |



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| <p><b>SWP Contract Extension Validation Action</b><br/>Court of Appeal for the Third App. Dist. Case No. C096316</p> <p><i>DWR v. All Persons Interested in the Matter, etc.</i></p>                                                               | <ul style="list-style-type: none"><li>• DWR seeks a judgment that the Contract Extension amendments to the State Water Contracts are lawful</li><li>• Metropolitan and 7 other SWCs filed answers in support of validity to become parties</li><li>• Jan. 5-7, 2022 Hearing on the merits held with CEQA cases, below</li><li>• Final statement of decision in DWR's favor filed March 9, 2022</li><li>• Final judgment entered and served</li><li>• C-WIN et al., County of San Joaquin et al. and North Coast Rivers Alliance et al. filed notices of appeal</li><li>• Validation and CEQA cases consolidated on appeal</li><li>• Briefing completed May 30, 2023</li><li>• Oral argument <del>held</del> <b>recalendared for</b> November 15, 2023; <del>30 minutes per side</del></li></ul>                          |
| <p><b>SWP Contract Extension CEQA Cases</b><br/>Court of Appeal for the Third App. Dist. Case Nos. C096384 &amp; C096304</p> <p><i>North Coast Rivers Alliance, et al. v. DWR</i><br/><i>Planning &amp; Conservation League, et al. v. DWR</i></p> | <ul style="list-style-type: none"><li>• Petitions for writ of mandate alleging CEQA and Delta Reform Act violations filed on January 8 &amp; 10, 2019</li><li>• Deemed related to DWR's Contract Extension Validation Action and assigned to Judge Culhane</li><li>• Administrative Record completed</li><li>• DWR filed its answers on September 28, 2020</li><li>• Metropolitan, Kern County Water Agency and Coachella Valley Water District have intervened and filed answers in the two CEQA cases</li><li>• Final statement of decision in DWR's favor denying the writs of mandate filed March 9, 2022</li><li>• Final judgments entered and served</li><li>• North Coast Rivers Alliance et al. and PCL et al. filed notices of appeal</li><li>• Appeals consolidated with the validation action above</li></ul> |



**Delta Conveyance Project Soil Exploration Cases**

*Central Delta Water Agency, et al. v. DWR*  
Sacramento County Superior Ct.  
(Judge Chang)

*Central Delta Water Agency, et al. v. DWR (II)*,  
Sacramento County Super. Ct.  
(Judge Acquisto)

- Original case filed August 10, 2020; new case challenging the second addendum to the CEQA document filed Aug. 1, 2022
- Plaintiffs Central Delta Water Agency, South Delta Water Agency and Local Agencies of the North Delta
- One cause of action alleging that DWR's adoption of an Initial Study/Mitigated Negative Declaration (IS/MND) for soil explorations needed for the Delta Conveyance Project violates CEQA
- March 24, 2021 Second Amended Petition filed to add allegation that DWR's addendum re changes in locations and depths of certain borings violates CEQA
- DWR's petition to add the 2020 CEQA case to the *Department of Water Resources Cases*, JCCP 4594, San Joaquin County Superior Court denied
- Hearing on the merits held Oct.13, 2022
- Dec. 2, 2022 ruling on the merits granting the petition with respect to two mitigation measures and denying on all other grounds
- Dec. 23, 2022 court order directing DWR to address the two mitigation measures within 60 days while declining to order DWR to vacate the IS/MND
- March 27, 2023 court entered judgment and issued a writ after ordering and considering supplemental briefing
- May 5, 2023 court granted DWR's motion to discharge the writ and dismiss the case
- May 18, 2023 Notice of Appeal filed
- Hearing on motion for attorneys' fees continued to February 29, 2024

**Water Management Tools Contract Amendment**

*California Water Impact Network et al. v. DWR*  
Sacramento County Superior Ct.  
(Judge Aquisto)

*North Coast Rivers Alliance, et al. v. DWR*  
Sacramento County Super. Ct.  
(Judge Aquisto)

- Filed September 28, 2020
- CWIN and Aqualliance allege one cause of action for violation of CEQA
- NCRA et al. allege four causes of action for violations of CEQA, the Delta Reform Act, Public Trust Doctrine and seeking declaratory relief
- SWC motion to intervene in both cases granted
- Dec. 20, 2022 DWR filed notice of certification of the administrative record and filed answers in both cases



| <b><i>San Diego County Water Authority v. Metropolitan, et al.</i></b> |                |                                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Cases</b>                                                           | <b>Date</b>    | <b>Status</b>                                                                                                                                                                                                                                                                                                                                                                         |
| <b>2014, 2016</b>                                                      | Aug. 28, 2020  | SDCWA served first amended (2014) and second amended (2016) petitions/complaints.                                                                                                                                                                                                                                                                                                     |
|                                                                        | Sept. 28       | Metropolitan filed demurrers and motions to strike portions of the amended petitions/complaints.                                                                                                                                                                                                                                                                                      |
|                                                                        | Sept. 28-29    | Member agencies City of Torrance, Eastern Municipal Water District, Foothill Municipal Water District, Las Virgenes Municipal Water District, Three Valleys Municipal Water District, Municipal Water District of Orange County, West Basin Municipal Water District, and Western Municipal Water District filed joinders to the demurrers and motions to strike.                     |
|                                                                        | Feb. 16, 2021  | Court issued order denying Metropolitan's demurrers and motions to strike, allowing SDCWA to retain contested allegations in amended petitions/complaints.                                                                                                                                                                                                                            |
|                                                                        | March 22       | Metropolitan filed answers to the amended petitions/complaints and cross-complaints against SDCWA for declaratory relief and reformation, in the 2014, 2016 cases.                                                                                                                                                                                                                    |
|                                                                        | March 22-23    | Member agencies City of Torrance, Eastern Municipal Water District, Foothill Municipal Water District, Las Virgenes Municipal Water District, Three Valleys Municipal Water District, Municipal Water District of Orange County, West Basin Municipal Water District, and Western Municipal Water District filed answers to the amended petitions/complaints in the 2014, 2016 cases. |
|                                                                        | April 23       | SDCWA filed answers to Metropolitan's cross-complaints.                                                                                                                                                                                                                                                                                                                               |
|                                                                        | Sept. 30       | Based on the Court of Appeal's Sept. 21 opinion (described above), and the Board's Sept. 28 authorization, Metropolitan paid \$35,871,153.70 to SDCWA for 2015-2017 Water Stewardship Rate charges under the Exchange Agreement and statutory interest.                                                                                                                               |
| <b>2017</b>                                                            | July 23, 2020  | Dismissal without prejudice entered.                                                                                                                                                                                                                                                                                                                                                  |
| <b>2018</b>                                                            | July 28, 2020  | Parties filed a stipulation and application to designate the case complex and related to the 2010-2017 cases, and to assign the case to Judge Massullo's court.                                                                                                                                                                                                                       |
|                                                                        | Nov. 13        | Court ordered case complex and assigned to Judge Massullo's court.                                                                                                                                                                                                                                                                                                                    |
|                                                                        | April 21, 2021 | SDCWA filed second amended petition/complaint.                                                                                                                                                                                                                                                                                                                                        |
|                                                                        | May 25         | Metropolitan filed motion to strike portions of the second amended petition/complaint.                                                                                                                                                                                                                                                                                                |



| Cases                   | Date           | Status                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2018 (cont.)</b>     | May 25-26      | Member agencies City of Torrance, Eastern Municipal Water District, Foothill Municipal Water District, Las Virgenes Municipal Water District, Three Valleys Municipal Water District, Municipal Water District of Orange County, West Basin Municipal Water District, and Western Municipal Water District filed joinders to the motion to strike.                 |
|                         | July 19        | Court issued order denying Metropolitan's motion to strike portions of the second amended petition/complaint.                                                                                                                                                                                                                                                      |
|                         | July 29        | Metropolitan filed answer to the second amended petition/complaint and cross-complaint against SDCWA for declaratory relief and reformation.                                                                                                                                                                                                                       |
|                         | July 29        | Member agencies City of Torrance, Eastern Municipal Water District, Foothill Municipal Water District, Las Virgenes Municipal Water District, Three Valleys Municipal Water District, Municipal Water District of Orange County, West Basin Municipal Water District, and Western Municipal Water District filed answers to the second amended petition/complaint. |
|                         | Aug. 31        | SDCWA filed answer to Metropolitan's cross-complaint.                                                                                                                                                                                                                                                                                                              |
|                         | April 11, 2022 | Court entered order of voluntary dismissal of parties' WaterFix claims and cross-claims.                                                                                                                                                                                                                                                                           |
| <b>2014, 2016, 2018</b> | June 11, 2021  | Deposition of non-party witness.                                                                                                                                                                                                                                                                                                                                   |
|                         | Aug. 25        | Hearing on Metropolitan's motion for further protective order regarding deposition of non-party witness.                                                                                                                                                                                                                                                           |
|                         | Aug. 25        | Court issued order consolidating the 2014, 2016, and 2018 cases for all purposes, including trial.                                                                                                                                                                                                                                                                 |
|                         | Aug. 30        | Court issued order granting Metropolitan's motion for a further protective order regarding deposition of non-party witness.                                                                                                                                                                                                                                        |
|                         | Aug. 31        | SDCWA filed consolidated answer to Metropolitan's cross-complaints in the 2014, 2016, and 2018 cases.                                                                                                                                                                                                                                                              |
|                         | Oct. 27        | Parties submitted to the court a joint stipulation and proposed order staying discovery through Dec. 8 and resetting pre-trial deadlines.                                                                                                                                                                                                                          |
|                         | Oct. 29        | Court issued order staying discovery through Dec. 8 and resetting pre-trial deadlines, while the parties discuss the prospect of settling some or all remaining claims and crossclaims.                                                                                                                                                                            |
|                         | Jan. 12, 2022  | Case Management Conference. Court ordered a 35-day case stay to allow the parties to focus on settlement negotiations, with weekly written check-ins with the court; and directed the parties to meet and confer regarding discovery and deadlines.                                                                                                                |



| Cases                           | Date      | Status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2014, 2016, 2018 (cont.)</b> | Feb. 22   | Court issued order resetting pre-trial deadlines as proposed by the parties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                 | Feb. 22   | Metropolitan and SDCWA each filed motions for summary adjudication.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                 | April 13  | Hearing on Metropolitan's and SDCWA's motions for summary adjudication.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                 | April 18  | Parties filed supplemental briefs regarding their respective motions for summary adjudication, as directed by the court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                 | April 18  | Court issued order resetting pre-trial deadlines as proposed by the parties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                 | April 29  | Parties filed pre-trial briefs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                 | April 29  | Metropolitan filed motions in limine.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                 | May 4     | Court issued order granting Metropolitan's motion for summary adjudication on cross-claim for declaratory relief that the conveyance facility owner, Metropolitan, determines fair compensation, including any offsetting benefits; and denying its motion on certain other cross-claims and an affirmative defense.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                 | May 11    | Court issued order granting SDCWA's motion for summary adjudication on cross-claim for declaratory relief in the 2018 case regarding lawfulness of the Water Stewardship Rate's inclusion in the wheeling rate and transportation rates in 2019-2020; certain cross-claims and affirmative defenses on the ground that Metropolitan has a duty to charge no more than fair compensation, which includes reasonable credit for any offsetting benefits, with the court also stating that whether that duty arose and whether Metropolitan breached that duty are issues to be resolved at trial; affirmative defenses that SDCWA's claims are untimely and SDCWA has not satisfied claims presentation requirements; affirmative defense in the 2018 case that SDCWA has not satisfied contract dispute resolution requirements; claim, cross-claims, and affirmative defenses regarding applicability of Proposition 26, finding that Proposition 26 applies to Metropolitan's rates and charges, with the court also stating that whether Metropolitan violated Proposition 26 is a separate issue; and cross-claims and affirmative defenses regarding applicability of Government Code section 54999.7, finding that section 54999.7 applies to Metropolitan's rates. Court denied SDCWA's motion on certain other cross-claims and affirmative defenses. |
|                                 | May 13    | Pre-trial conference; court denied Metropolitan's motions in limine.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                 | May 16    | Court issued order setting post-trial brief deadline and closing arguments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                 | May 16-27 | Trial occurred but did not conclude.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



| Cases                           | Date                    | Status                                                                                                                                                                                                                                                                                                                                                     |
|---------------------------------|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2014, 2016, 2018 (cont.)</b> | May 23, June 21         | SDCWA filed motions in limine.                                                                                                                                                                                                                                                                                                                             |
|                                 | May 26, June 24         | Court denied SDCWA's motions in limine.                                                                                                                                                                                                                                                                                                                    |
|                                 | June 3, June 24, July 1 | Trial continued, concluding on July 1.                                                                                                                                                                                                                                                                                                                     |
|                                 | June 24                 | SDCWA filed motion for partial judgment.                                                                                                                                                                                                                                                                                                                   |
|                                 | July 15                 | Metropolitan filed opposition to motion for partial judgment.                                                                                                                                                                                                                                                                                              |
|                                 | Aug. 19                 | Post-trial briefs filed.                                                                                                                                                                                                                                                                                                                                   |
|                                 | Sept. 14                | Court issued order granting in part and denying in part SDCWA's motion for partial judgment (granting motion as to Metropolitan's dispute resolution, waiver, and consent defenses; denying motion as to Metropolitan's reformation cross-claims and mistake of fact and law defenses; and deferring ruling on Metropolitan's cost causation cross-claim). |
|                                 | Sept. 21                | Metropolitan filed response to order granting in part and denying in part SDCWA's motion for partial judgment (requesting deletion of Background section portion relying on pleading allegations).                                                                                                                                                         |
|                                 | Sept. 22                | SDCWA filed objection to Metropolitan's response to order granting in part and denying in part SDCWA's motion for partial judgment.                                                                                                                                                                                                                        |
|                                 | Sept. 27                | Post-trial closing arguments.                                                                                                                                                                                                                                                                                                                              |
|                                 | Oct. 20                 | Court issued order that it will rule on SDCWA's motion for partial judgment as to Metropolitan's cost causation cross-claim simultaneously with the trial statement of decision.                                                                                                                                                                           |
|                                 | Dec. 16                 | The parties' filed proposed trial statements of decision.                                                                                                                                                                                                                                                                                                  |
|                                 | Dec. 21                 | SDCWA filed the parties' stipulation and proposed order for judgment on Water Stewardship Rate claims for 2015-2020.                                                                                                                                                                                                                                       |
|                                 | Dec. 27                 | Court entered order for judgment on Water Stewardship Rate claims for 2015-2020 as proposed by the parties.                                                                                                                                                                                                                                                |
|                                 | March 14, 2023          | Court issued tentative statement of decision (tentatively ruling in Metropolitan's favor on all claims litigated at trial, except for those ruled to be moot based on the rulings in Metropolitan's favor)                                                                                                                                                 |
|                                 | March 14                | Court issued amended order granting in part and denying in part SDCWA's motion for partial judgment (ruling that Metropolitan's claims for declaratory relief regarding cost causation are not subject to court review).                                                                                                                                   |



|                  |                |                                                                                                                                                                                                            |
|------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                  | March 29       | SDCWA filed objections to tentative statement of decision                                                                                                                                                  |
|                  | April 3        | Metropolitan filed response to amended order granting in part and denying in part SDCWA's motion for partial judgment (requesting deletion of Background section portion relying on pleading allegations). |
|                  | April 25       | Court issued statement of decision (ruling in Metropolitan's favor on all claims litigated at trial, except for those ruled to be moot based on the rulings in Metropolitan's favor)                       |
| <b>All Cases</b> | April 15, 2021 | Case Management Conference on 2010-2018 cases. Court set trial in 2014, 2016, and 2018 cases on May 16-27, 2022.                                                                                           |
|                  | April 27       | SDCWA served notice of deposition of non-party witness.                                                                                                                                                    |
|                  | May 13-14      | Metropolitan filed motions to quash and for protective order regarding deposition of non-party witness.                                                                                                    |
|                  | June 4         | Ruling on motions to quash and for protective order.                                                                                                                                                       |



| Outside Counsel Agreements                              |                                                                                      |               |                |                  |
|---------------------------------------------------------|--------------------------------------------------------------------------------------|---------------|----------------|------------------|
| Firm Name                                               | Matter Name                                                                          | Agreement No. | Effective Date | Contract Maximum |
| Albright, Yee & Schmit, APC                             | Employment Matter                                                                    | 211923        | 05/23          | \$60,000         |
| Andrade Gonzalez LLP                                    | MWD v. DWR, CDFW and CDNR Incidental Take Permit (ITP) CESA/CEQA/Contract Litigation | 185894        | 07/20          | \$250,000        |
| Aleshire & Wynder                                       | Oil, Mineral and Gas Leasing                                                         | 174613        | 08/18          | \$50,000         |
| Atkinson Andelson Loya Ruud & Romo                      | Employee Relations                                                                   | 59302         | 04/04          | \$1,277,187      |
|                                                         | Delta Conveyance Project Bond Validation-CEQA Litigation                             | 185899        | 09/21          | \$250,000        |
|                                                         | MWD Drone and Airspace Issues                                                        | 193452        | 08/20          | \$50,000         |
|                                                         | AFSCME Local 1902 in Grievance No. 1906G020 (CSU Meal Period)                        | 201883        | 07/12/21       | \$30,000         |
|                                                         | AFSCME Local 1902 v. MWD, PERB Case No. LA-CE-1438-M                                 | 201889        | 09/15/21       | \$20,000         |
|                                                         | MWD MOU Negotiations**                                                               | 201893        | 10/05/21       | \$100,000        |
| Best, Best & Krieger                                    | Bay-Delta Conservation Plan/Delta Conveyance Project (with SWCs)                     | 170697        | 08/17          | \$500,000        |
|                                                         | Environmental Compliance Issues                                                      | 185888        | 05/20          | \$100,000        |
|                                                         | Grant Compliance Issues                                                              | 211921        | 05/23          | \$75,000         |
|                                                         | Pure Water Southern California                                                       | 207966        | 11/22          | \$100,000        |
| Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP | FCC and Communications Matters                                                       | 110227        | 11/10          | \$100,000        |
| Buchalter, a Professional Corp.                         | Union Pacific Industry Track Agreement                                               | 193464        | 12/07/20       | \$50,000         |



| Firm Name                                     | Matter Name                                                      | Agreement No. | Effective Date | Contract Maximum |
|-----------------------------------------------|------------------------------------------------------------------|---------------|----------------|------------------|
| Burke, Williams & Sorensen, LLP               | Real Property – General                                          | 180192        | 01/19          | \$100,000        |
|                                               | Labor and Employment Matters                                     | 180207        | 04/19          | \$75,000         |
|                                               | General Real Estate Matters                                      | 180209        | 08/19          | \$200,000        |
|                                               | Rancho Cucamonga Condemnation Actions (Grade Separation Project) | 207970        | 05/22          | \$100,000        |
| Law Office of Alexis S.M. Chiu*               | Bond Counsel                                                     | 200468        | 07/21          | N/A              |
| Cislo & Thomas LLP                            | Intellectual Property                                            | 170703        | 08/17          | \$100,000        |
| Curls Bartling P.C.*                          | Bond Counsel                                                     | 200470        | 07/21          | N/A              |
| Duane Morris LLP                              | SWRCB Curtailment Process                                        | 138005        | 09/14          | \$615,422        |
| Duncan, Weinberg, Genzer & Pembroke           | Power Issues                                                     | 6255          | 09/95          | \$3,175,000      |
| Ellison, Schneider, Harris & Donlan           | Colorado River Issues                                            | 69374         | 09/05          | \$175,000        |
|                                               | Issues re SWRCB                                                  | 84457         | 06/07          | \$200,000        |
| Erin Joyce Law, PC                            | Employment Matter                                                | 216039        | 11/23          | \$100,000        |
| Greines, Martin, Stein & Richland LLP         | SDCWA v. MWD                                                     | 207958        | 10/22          | \$100,000        |
|                                               | Colorado River Matters                                           | 207965        | 11/22          | \$100,000        |
| Haden Law Office                              | Real Property Matters re Agricultural Land                       | 180194        | 01/19          | \$50,000         |
| Hanna, Brophy, MacLean, McAleer & Jensen, LLP | Workers' Compensation                                            | 211926        | 06/23          | \$100,000        |
| Hanson Bridgett LLP                           | SDCWA v. MWD                                                     | 124103        | 03/12          | \$1,100,000      |



| Firm Name                            | Matter Name                                                   | Agreement No. | Effective Date | Contract Maximum                  |
|--------------------------------------|---------------------------------------------------------------|---------------|----------------|-----------------------------------|
|                                      | Finance Advice                                                | 158024        | 12/16          | \$100,000                         |
|                                      | Deferred Compensation/HR                                      | 170706        | 10/17          | \$500,000                         |
|                                      | Tax Issues                                                    | 180200        | 04/19          | \$50,000                          |
|                                      | Alternative Project Delivery (ADP)                            | 207961        | 10/22          | \$250,000                         |
|                                      | Ad Valorem Property Taxes                                     | 216042        | 11/23          | \$100,000                         |
| Hausman & Sosa, LLP                  | MOU Hearing Officer Appeal                                    | 201892        | 09/21          | \$95,000                          |
|                                      | MOU Hearing Officer Appeal                                    | 207949        | 07/22          | \$25,000                          |
| Hawkins Delafield & Wood LLP*        | Bond Counsel                                                  | 193469        | 07/21          | N/A                               |
| Hemming Morse, LLP                   | Baker Electric v. MWD                                         | 211933        | 08/23          | \$100,000                         |
| Horvitz & Levy                       | SDCWA v. MWD                                                  | 124100        | 02/12          | \$1,250,000                       |
|                                      | General Appellate Advice                                      | 146616        | 12/15          | <del>\$100,000</del><br>\$200,000 |
|                                      | Colorado River                                                | 203464        | 04/22          | \$100,000                         |
| Innovative Legal Services, P.C.      | Employment Matter                                             | 211915        | 01/19/23       | \$100,000                         |
| Internet Law Center                  | Cybersecurity and Privacy Advice and Representation           | 200478        | 04/13/21       | \$100,000                         |
|                                      | Systems Integrated, LLC v. MWD                                | 201875        | 05/17/21       | \$100,000                         |
| Amira Jackmon, Attorney at Law*      | Bond Counsel                                                  | 200464        | 07/21          | N/A                               |
| Jackson Lewis P.C.                   | Employment: Department of Labor Office of Contract Compliance | 137992        | 02/14          | \$45,000                          |
| Jones Hall, A Professional Law Corp* | Bond Counsel                                                  | 200465        | 07/21          | N/A                               |
| Kronenberger Rosenfeld, LLP          | Systems Integrated, LLC v. MWD                                | 211920        | 04/23          | \$250,000                         |
| Kutak Rock LLP                       | Delta Islands Land Management                                 | 207959        | 10/22          | \$10,000                          |



| Firm Name                          | Matter Name                                                                                                                                             | Agreement No.     | Effective Date | Contract Maximum                                                        |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------|-------------------------------------------------------------------------|
| Liebert Cassidy Whitmore           | Labor and Employment                                                                                                                                    | 158032            | 02/17          | \$229,724                                                               |
|                                    | FLSA Audit                                                                                                                                              | 180199            | 02/19          | \$50,000                                                                |
| Manatt, Phelps & Phillips          | SDCWA v. MWD rate litigation                                                                                                                            | 146627            | 06/16          | \$4,400,000                                                             |
|                                    | Raftelis-Subcontractor of Manatt, Agr. #146627: Per 5/2/22 Engagement Letter between Manatt and Raftelis, MWD paid Raftelis Financial Consultants, Inc. | Invoice No. 23949 |                | \$56,376.64 for expert services & reimbursable expenses in SDCWA v. MWD |
| Marten Law LLP                     | PFAS Multi-District Litigation                                                                                                                          | 216034            | 09/23          | <del>\$400,000</del><br>\$100,000                                       |
| Martenson, Hasbrouck & Simon LLP   | Employment Matter                                                                                                                                       | 211932            | 08/23          | \$50,000                                                                |
| Meyers Nave Riback Silver & Wilson | Pure Water Southern California                                                                                                                          | 207967            | 11/22          | \$100,000                                                               |
|                                    | PFAS Compliance Issues                                                                                                                                  | 207968            | 11/14/22       | \$100,000                                                               |
| Miller Barondess, LLP              | SDCWA v. MWD                                                                                                                                            | 138006            | 12/14          | \$600,000                                                               |
| Morgan, Lewis & Bockius            | SDCWA v. MWD                                                                                                                                            | 110226            | 07/10          | \$8,750,000                                                             |
|                                    | Project Labor Agreements                                                                                                                                | 200476            | 04/21          | \$100,000                                                               |
| Musick, Peeler & Garrett LLP       | Colorado River Aqueduct Electric Cables Repair/Contractor Claims                                                                                        | 193461            | 11/20          | \$2,500,000                                                             |
|                                    | Arvin-Edison v. Dow Chemical                                                                                                                            | 203452            | 01/22          | \$100,000                                                               |
|                                    | Semitropic TCP Litigation                                                                                                                               | 207954            | 09/22          | \$75,000                                                                |
| Nixon Peabody LLP*                 | Bond Counsel [re-opened]                                                                                                                                | 193473            | 07/21          | \$100,000                                                               |
|                                    | Special Finance Project                                                                                                                                 | 207960            | 10/22          | \$50,000                                                                |
| Norton Rose Fulbright US LLP*      | Bond Counsel                                                                                                                                            | 200466            | 07/21          | N/A                                                                     |



| Firm Name                                 | Matter Name                                         | Agreement No. | Effective Date | Contract Maximum |
|-------------------------------------------|-----------------------------------------------------|---------------|----------------|------------------|
| Olson Remcho LLP                          | Government Law                                      | 131968        | 07/14          | \$400,000        |
|                                           | Executive Committee/Ad Hoc Committees Advice        | 207947        | 08/22          | \$60,000         |
|                                           | Public Records Act                                  | 207950        | 08/22          | \$45,000         |
|                                           | Advice/Assistance re Proposition 26/Election Issues | 211922        | 05/23          | \$100,000        |
| Pearlman, Brown & Wax, L.L.P.             | Workers' Compensation                               | 216037        | 10/23          | \$100,000        |
| Rains Lucia Stern St. Phalle & Silver, PC | Employment Matter                                   | 211919        | 4/23           | \$60,000         |
| Renne Public Law Group, LLP               | ACE v. MWD (PERB Case No. LA-CE-1574-M)             | 203466        | 05/22          | \$100,000        |
|                                           | ACE v. MWD (PERB Case No. LA-CE-1611-M)             | 207962        | 10/22          | \$50,000         |
| Ryan & Associates                         | Leasing Issues                                      | 43714         | 06/01          | \$200,000        |
|                                           | Oswalt v. MWD                                       | 211925        | 05/23          | \$100,000        |
| Seyfarth Shaw LLP                         | Claim (Contract #201897)                            | 201897        | 11/04/21       | \$350,000        |
|                                           | Claim (Contract #203436)                            | 203436        | 11/15/21       | \$350,000        |
|                                           | Claim (Contract #203454)                            | 203454        | 01/22          | \$210,000        |
|                                           | Reese v. MWD                                        | 207952        | 11/22          | \$750,000        |
|                                           | General Labor/Employment Advice                     | 211917        | 3/23           | \$100,000        |
|                                           | Civil Rights Department Complaint                   | 211931        | 07/23          | \$100,000        |
|                                           | Crawford v. MWD                                     | 216035        | 09/23          | \$100,000        |
| Sheppard Mullin Richter & Hampton         | Rivers v. MWD                                       | 207946        | 07/22          | \$250,000        |
|                                           | Lorentzen v. MWD                                    | 216036        | 09/23          | \$100,000        |
| Stradling Yocca Carlson & Rauth*          | Bond Counsel                                        | 200471        | 07/21          | N/A              |
| Theodora Oringher PC                      | Construction Contracts - General Conditions Update  | 185896        | 07/20          | \$100,000        |



| Firm Name             | Matter Name                                                | Agreement No. | Effective Date | Contract Maximum |
|-----------------------|------------------------------------------------------------|---------------|----------------|------------------|
| Thompson Coburn LLP   | NERC Energy Reliability Standards                          | 193451        | 08/20          | \$300,000        |
| Van Ness Feldman, LLP | General Litigation                                         | 170704        | 07/18          | \$50,000         |
|                       | Colorado River MSHCP                                       | 180191        | 01/19          | \$50,000         |
|                       | Bay-Delta and State Water Project Environmental Compliance | 193457        | 10/15/20       | \$50,000         |
|                       | Colorado River Issues                                      | 211924        | 05/23          | \$100,000        |

\*Expenditures paid by Bond Proceeds/Finance

\*\*Expenditures paid by another group