



Office of the General Counsel
Monthly Activity Report – February 2026



Matters Concluded and/or Terminated

Ryan Tiegs v. Metropolitan
(California Court of Appeal; Riverside County Superior Court)

As previously reported, in November 2025, the parties agreed to settle this case following plaintiff's

appeal of the Riverside County Superior Court's grant of summary judgment in Metropolitan's favor. The parties completed the settlement and on February 3, 2026, the Court of Appeal issued its order dismissing the appeal.

Matters Received

<u>Category</u>	<u>Received</u>	<u>Description</u>	
Government Code Claims	2	Claims relating to: (1) Subrogation claim relating to an accident involving an MWD vehicle; and (2) Indemnity claim relating to structure damage to homes caused by sinking of the properties from potential leak in the pipe.	
Subpoenas	1	Workers' Compensation subpoena for employee's personnel, wage, medical, schedule and workers' comp records	
Requests Pursuant to the Public Records Act	37	<u>Requestor</u>	<u>Documents Requested</u>
		22nd Century Technologies	Vendor spending for Skilled/Technical Staffing contract for Skilled/Technical Staffing
		Center for Contract Compliance (5 requests)	Contract/bid information for: (1) Landscape Maintenance Tree Maintenance at Yorba Linda; (2) Landscape Maintenance and Tree Maintenance Services; (3) Diemer reinforcing steel install project; and Certified payroll records for work by: (1) Priority Landscape Services for work on Mills Plant Tree Clean Up Services; and (2) Legacy Tree Care and Landscape Inc for work on Eagle Rock Tree Maintenance Services
		City of Los Angeles	Real estate ownership information (APN 4324019013)
		Clearlake Plaza	MWDH's policies for turning on water to existing residences after the water has been turned off
		Deltek, Inc.	Specifications for Analytical Laboratory Services



<u>Requestor</u>	<u>Documents Requested</u>
Executive Facility Services, Inc.	Winning proposal and evaluation matrix for Janitorial Services at Lake Mathews Reservoir
Sewerage & Water Board of New Orleans	Reference for work done by Abacus Service Corporation and 22nd Century Technologies, Inc. regarding skilled and unskilled labor
Graduate Student at California State University, San Bernardino (3 requests)	Water quality data for: (1) Lake Mathews and Diamond Valley Lake; (2) indicators for the time period between January 2023 to December 2023; and (3) rough coordinates of East Basin Center, West Basin Center, and Constriction for Diamond Valley Lake, and Outlet Sample Tap - Tower #2, Outlet Structure, Drain Plug, and Inlet for Lake Matthews
LA Regional Water Control Board	MWD's Service Agreement with Las Virgenes Water District
Labor Management Compliance Council (3 requests)	(1) Notice of Recorded Completion; (2) daily logs; and (3) certified payroll records (March 23, 2025 - current) for work on Wadsworth Pumping Plant Eastside Pipeline Intertie
MWD Supervisors Association	Communications between HR and chain of commands for the C&D Team Manager IV, Water Treatment O&M Team Manager VI, and O&M Supervisors regarding classification and compensation job descriptions
NCS Credit	Job information and payment bonds relating to Project No. 0527-767357/3
Nextera Energy Resources	Vendor list for RFP notifications for competitive solicitations for new capacity, renewables or energy resources



<u>Requestor</u>	<u>Documents Requested</u>
Private Citizens (7 requests)	(1) Any and all proposals submitted by any contractor including TCS Risk Management (Agreement No. 230035); (2) GC Quarterly Report December 31, 2025; (3) information pertaining to the use restrictions for the reservoirs and lakes that led to the "no-body contact rules"; (4) MWD historical population from 1970 to 2025 and water demand data; (5) clarification regarding regional fluoridation operations; (6) information re Iron Mountain landing strip; (7) bid tabulation for Riverside County Fencing and Site Clean Up
San Diego County Water Authority	MWD testing positive for PFAS in the supply source for our region
SJV Water	Update on status of MWD's groundwater banking programs in the San Joaquin Valley, and 1, 2, 3 - TCP impacts
SoCal Title	Perris property boundaries in relation to the MWD area
Tryfacta (4 requests)	Proposal and contract documents related to: (1) Skilled/Technical Temp Labor Staffing; (2) Temporary Labor Services - Professional/Administrative, Scientific and Technical; (3) MWD Information Technology Cybersecurity Services; and (4) MWD Information Technology (IT) Application Support Services
Visual Edge IT, Inc.	Bid and contract documents for district-wide copiers and printers
Zenith Engineers	Subcontract awards of the Contracts Disclosure Statement for Eagle Mountain and Julian Hinds Pumping Plants Utility Replacement Project on August 26, 2025



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

Subject	Status
Delta Conveyance Project CEQA Cases	- DWR is the only named respondent/defendant - All alleged CEQA violations - Most allege violations of the Delta Reform Act, Public Trust Doctrine and Delta and Watershed Protection Acts - Two allege violations of the fully protected bird statute - One alleges violations of Proposition 9 (1982) and the Central Valley Project Act - Deadline for DWR to prepare the administrative record extended to March 2, 2026 - Aug. 19, 2024 DWR appealed the injunction - Oct. 24, 2024 cases ordered consolidated for all purposes under <i>Tulare Lake Basin Water Storage District v. California Department of Water Resources</i> - Oct. 17, 2025, court of appeal reversed the trial court's grant of an injunction halting preconstruction geotechnical soil testing - Nov. 14, 2025 petition for rehearing denied - Nov. 26, 2025 plaintiffs filed a petition for review in the California Supreme Court - Jan. 16, 2025 hearing on State Water Contractors' and certain members' motion to intervene - Jan. 28, 2026 petition for Supreme Court review and request for depublication of the opinion overturning the preconstruction soil testing injunction denied Feb. 6, 2026 next case management conference <u>Feb. 9, 2026 order imposing a limited stay until March 27, 2026</u> <u>March 20, 2026 hearing on DWR's motion to disqualify Somach, Simmons & Dunn law firm</u> <u>Deadline for DWR to prepare the administrative record stayed to March 27, 2026</u>
<i>Tulare Lake Basin Water Storage District v. California Department of Water Resources</i> (case name for the consolidated cases)	
<i>City of Stockton v. California Department of Water Resources</i>	
<i>County of Butte v. California Department of Water Resources</i>	
<i>County of Sacramento v. California Department of Water Resources</i>	
<i>County of San Joaquin et al. v. California Department of Water Resources</i>	
<i>Sacramento Area Sewer District v. California Department of Water Resources</i>	
<i>San Francisco Baykeeper, et al. v. California Department of Water Resources</i>	
<i>Sierra Club, et al. v. California Department of Water Resources</i>	
<i>South Delta Water Agency and Rudy Mussi Investment L.P. v. California Department of Water Resources</i>	
<i>Sacramento County Superior Ct. (Judge Acquisto)</i>	
3d District Court of Appeal Case No. C101878	
Supreme Court Case No. S294127	
<i>Sierra Club et al. v. California Department of Water Resources</i>	- Filed July 18, 2025 - Alleges DWR unlawfully "piecemealed" CEQA review of the Delta Conveyance Project and its petition to the State Water Resources Control Board for a time extension of its
<i>Sacramento County Super. Ct. (Judge Stephen P. Acquisto)</i>	



	existing State Water Project water right permits • Seeks an order requiring DWR to withdraw its time extension petition, decertify the DCP EIR, rescind the CEQA findings and project approval, prepare a subsequent EIR for the DCP, and prohibiting DWR from issuing revenue bonds until it has certified a subsequent EIR • <u>Jan. 5, 2026 judgment sustaining DWR's demurrer without leave to amend, resulting in dismissal with prejudice</u> • <u>March 6, 2026 deadline to file Notice of Appeal</u>
Consolidated DCP Revenue Bond Validation Action and CEQA Case <i>Sierra Club, et al. v. California Department of Water Resources</i> (CEQA, designated as lead case) <i>DWR v. All Persons Interested</i> (Validation) Sacramento County Superior Ct. (Judge Kenneth C. Mennemeier) 3d District Court of Appeal Case No. C100552	• Validation Action • Final Judgment and Final Statement of Decision issued January 16, 2024 ruling the bonds are not valid • DWR, Metropolitan and other supporting public water agencies filed Notices of Appeal on or before the February 16, 2024 deadline • Eight opposing groups filed Notices of Cross Appeals by March 27, 2024 • Appeals and cross-appeals fully briefed as of May 12, 2025 • November 19, 2025 oral argument • Dec. 31, 2025 Court of Appeal opinion filed upholding trial court ruling the bonds are not valid • Jan. 15, 2026 DWR filed a petition for rehearing • <u>Jan. 28, 2026 petition for rehearing denied, opinion modified to correct factual errors and add citations without changing the judgment</u> • <u>Feb. 9, 2026 DWR and supporting SWP contractors filed a petition for California Supreme Court review and request to depublish the Dec. 31, 2025 opinion</u> • <u>March 2, 2026 deadline to file an answer to the petition for review</u> • <u>March 12, 2026 deadline to file a reply in support of petition for review</u> • <u>April 10, 2026 deadline for Supreme Court to act on petition for review unless extended up to an additional 30 days</u>
2025 Delta Conveyance Program Revenue Bond Validation	• Jan. 6, 2025, the Department of Water Resources (DWR) adopted a new bond resolution



<i>Department of Water Resources v. All Persons Interested, etc.</i> Sacramento County Superior Court (Judge Kenneth C. Mennemeier)	- Jan. 7, DWR filed a complaint seeking a judgment validating its authority to issue the bonds under the CVP Act 15 answers filed, 10 in opposition and 5 in support - June 12, 2025 two motions to dismiss denied - Aug. 15, 2025 case assigned to Judge Mennemeier for all purposes - Sept.23, 2025 Case Management Conference - Dec. 5, 2025 opening trial briefs - Jan. 14, 2026 DWR filed a motion to stay the case pending exhaustion of appellate remedies in the 2020 bond validation case - Jan. 21, 2026 hearing on motion for stay and stay granted pending formal order
2024 CESA Incidental Take Permit Consolidated Cases <i>California Sportfishing Protection Alliance, et al. v. California Department of Water Resources, et al.</i> (CEQA, CESA, Delta Reform Act, Public Trust Doctrine) Sacramento County Superior Ct. Case No. 24WM000181 (Judge Arguelles) (Designated lead case for the consolidated cases) <i>San Francisco Baykeeper, et al. v. California Department of Water Resources</i> (CEQA, Delta Reform Act, Public Trust Doctrine) <i>Tehama-Colusa Canal Authority, et al. v. California Department of Water Resources, et al.</i> (CEQA) <i>Central Delta Water Agency and South Delta Water Agency v. California Department of Water Resources</i> (CEQA, Delta Reform Act, Watershed Protection Acts, Public Trust Doctrine)	Cases challenge DWR's Final EIR and the California Department of Fish and Wildlife's California Endangered Species Act Incidental Take Permit for the updated Long Term Operations plan for the State Water Project - Oct. 8, 2025 minute order consolidating cases under the <i>California Sportfishing Protection Alliance</i> case name - Dec. 12, 2025, case management conference in the consolidated cases - June 12, 2026 case management conference
CDWR Environmental Impact Cases Sacramento Superior Ct. Case No. JCCP 4942, 3d DCA Case No. C100302 (20 Coordinated Cases) Validation Action <i>DWR v. All Persons Interested</i> CEQA 17 cases CESA/Incidental Take Permit 2 cases	- Cases dismissed after DWR rescinded project approval, bond resolutions, decertified the EIR, and CDFW rescinded the CESA incidental take permit - January 10, 2020 – Nine motions for attorneys' fees and costs denied in their entirety - May 11, 2022, court of appeal reversed the trial court's denial of attorney fees and costs



(Judge Arguelles)

- Coordinated cases remitted to trial court for rehearing of fee motions consistent with the court of appeal's opinion
- Dec. 26, 2023 order denying fee motions
- Six notices of appeal filed
- Appeals fully briefed as of June 6, 2025
- Nov. 21, 2025 oral argument
- Dec. 9, 2025 Court of Appeal decision upholding trial court denial of attorney fee motions
- Dec. 24, 2025 three petitions for rehearing filed by losing appellants
- Jan. 07, 2026 petition for rehearing denied, opinion modified with no change in judgment
- Jan. 20, 2026 losing appellants filed three petitions for review in the California Supreme Court
- March 22, 2026 deadline for Supreme Court to grant or deny review

Water Management Tools Contract Amendment

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

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

- 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



Outside Counsel Agreements				
Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
Aleshire & Wynder	Oil, Mineral and Gas Leasing	174613	08/18	\$50,000
Anzel Galvan LLP	Bond Issues	220411	07/24	N/A
Atkinson Andelson Loya Ruud & Romo	Employee Relations	59302	04/04	\$1,316,937
	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
	MWD MOU Negotiations**	201893	10/05/21	\$100,000
	Ethics and EEO Investigation	222534	01/25	\$50,000
	PRA Issues	222539	02/25	\$110,000
	Sanchez Job Audit Appeal	222551	03/25	\$50,000
	Gutierrez Job Audit Appeal	222552	03/25	\$50,000
	RFIs by AFSCME Local 1902	222554	03/25	\$20,000
	EEO Investigation	226516	05/25	\$25,000
	Advice and Counsel – AB399 Issues	226533	01/26	\$50,000
	Employment Matter	226534	01/26	\$50,000
	<u>Team Manager Leave Premiums Denial HO Appeal</u>	<u>226539</u>	<u>01/26</u>	<u>\$50,000</u>
	<u>Temporary Upgrade Assignment Denial HO Appeal</u>	<u>226540</u>	<u>01/26</u>	<u>\$50,000</u>
	<u>Temporary Upgrade Assignment Standby Denial HO Appeal</u>	<u>231484</u>	<u>01/26</u>	<u>\$50,000</u>
	<u>Desert Medical Credit HO Appeal</u>	<u>231487</u>	<u>01/26</u>	<u>\$50,000</u>



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
BDG Law Group, APLC	Gutierrez v. MWD	216054	03/24	\$250,000
	Hagekhalil Defense in Kasaine Litigation	222547	03/25	\$250,000
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	\$250,000
	Pure Water Southern California	207966	11/22	\$350,000
	Progressive Design Build	216053	04/24	\$250,000
	Pure Water – SB 149 CEQA Record Preparation	222526	02/25	\$150,000
	Rates and Taxes Advice	226517	05/25	\$50,000
	PWSC Construction Contracting Issues	226524	07/25	\$125,000
Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP	FCC and Communications Matters	110227	11/10	\$100,000
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	\$150,000
	Foothill Pump Station Condemnation	226522	06/25	\$100,000
	Fakhoury, et al. v. City of Rancho Cucamonga, et al.	226528	12/25	\$100,000
	<u>Ethics Office Investigations</u>	<u>226537</u>	<u>01/26</u>	<u>\$75,000</u>
Law Office of Alexis S.M. Chiu*	Bond Counsel	220409	07/24	N/A



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
Castañeda + Heidelman LLP	Employment Matter	216055	04/24	\$100,000
	Employment Matter	222530	11/24	\$100,000
Cislo & Thomas LLP	Intellectual Property	170703	08/17	\$100,000
Davis Wright Tremaine, LLP	Advice and Representation re Potential Litigation	220424	10/24	\$250,000
	Kasaine v. MWD	222543	03/25	\$250,000
	Advice and Representation re Employment -Related Claims	226526	08/25	\$200,000
Erin Joyce Law, PC	Ethics Advice	216058	05/24	\$100,000
Hackler Flynn & Associates	Government Code Claim Advice	216059	5/24	\$250,000
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	\$500,000
Hanson Bridgett LLP	Finance Advice	158024	12/16	\$100,000
	Deferred Compensation/HR	170706	10/17	\$600,000
	Alternative Project Delivery (ADP)	207961	10/22	\$250,000
Hausman & Sosa, LLP	Jones v. MWD	216056	05/24	\$250,000
	Villavicencio v. MWD	220426	10/24	\$100,000
	Jensen Operator Standby Removal	222522	10/24	\$100,000
	Villa NOIS Appeal	222553	03/25	\$50,000
	Alberto NOID Appeal	226523	06/25	\$100,000
Hawkins Delafield & Wood LLP*	Bond Counsel	220405	07/24	N/A



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
Horvitz & Levy	General Appellate Advice	146616	12/15	\$200,000
	Colorado River	203464	04/22	\$100,000
	Delta Conveyance Bond Validation Appeal	216047	03/24	\$25,000
	PFAS Multi-District Litigation – Appeal	216050	03/24	\$200,000
Internet Law Center	Cybersecurity and Privacy Advice and Representation	200478	04/13/21	\$100,000
	Systems Integrated, LLC v. MWD	201875	05/17/21	\$500,000
	General Advice and Counsel	222544	02/25	\$25,000
Jackson Lewis P.C.	Employment: Department of Labor Office of Contract Compliance	137992	02/14	\$45,000
Katten Muchin Rosenman LLP	Bond Counsel	220412	07/24	N/A
Kronenberger Rosenfeld, LLP	Systems Integrated, LLC v. MWD	211920	04/23	\$500,000
Kutak Rock LLP	Delta Islands Land Management	207959	10/22	\$160,000
Lesnick Prince Pappas & Alverson LLP	Kidde-Fenwal Bankruptcy	216061	06/24	\$50,000
Liebert Cassidy Whitmore	Labor and Employment	158032	02/17	\$244,741
	FLSA Audit	180199	02/19	\$50,000
	EEO Advice	216041	12/23	\$450,000
Lieff Cabraser Heimann & Bernstein, LLP	PFAS Multi-District Litigation	216048	03/24	\$200,000
Marten Law LLP	PFAS Multi-District Litigation	216034	09/23	\$550,000
	PFAS-Related Issues (PWSC)	220414	08/24	\$150,000
	Perris Valley Pipeline Project	220415	07/24	\$100,000
	PFAS-Related Issues (General)	220413	10/24	\$50,000



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
Morgan, Lewis & Bockius	Project Labor Agreements	200476	04/21	\$100,000
Musick, Peeler & Garrett LLP	Arvin-Edison v. Dow Chemical	203452	01/22	\$150,000
	Semitropic TCP Litigation	207954	09/22	\$75,000
	Employment Matter	220417	08/24	\$100,000
	Employment Matter	226535	01/26	\$50,000
Nixon Peabody LLP*	Bond Counsel	220404	07/24	N/A
Norton Rose Fulbright US LLP*	Bond Counsel	220407	7/24	N/A
	Pure Water Special Project Finance	226513	05/25	\$200,000
Olson Remcho LLP	Government Law	131968	07/14	\$600,000
	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
Redwood Public Law, LLP	PRA and Conflicts Issues	222540	02/25	\$150,000
Renne Public Law Group, LLP	Employee Relations and Personnel Matters	216045	01/24	\$50,000
	ACE v. MWD (PERB Case No. LA CE 1729 M)	220421	09/24	\$70,000
	AFSCME v. MWD (PERB Case No. LA-CE-1733-M)	220422	09/24	\$35,000
	AFSCME v. MWD (PERB Case No. LA-CE-1746-M)	222528	11/24	\$35,000
	AFSCME v. MWD (PERB Case No. LA-CE-1774-M)	226515	05/25	\$35,000
	AFSCME v. MWD (PERB Case No. LA-CE-1772-M)	226518	05/25	\$35,000
	AFSCME v. MWD (PERB Case No. LA-CE-1775-M)	226519	05/25	\$35,000



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
	AFSCME v. MWD (PERB Case No. LA-CE-1776-M)	226520	05/25	\$35,000
	AFSCME v. MWD (PERB Case No. LA-CE-1785-M)	226527	10/25	\$50,000
Ryan & Associates	Leasing Issues	43714	06/01	\$200,000
	Unlawful Encroachment on Metropolitan Rights-of-Way	216065	06/24	\$100,000
Seyfarth Shaw LLP	Phan v. MWD	201897	11/04/21	\$700,000
	Claim (Contract #203436)	203436	11/15/21	\$1,000,000
	General Labor/Employment Advice	211917	3/23	\$250,000
	Crawford v. MWD	216035	09/23	\$1,200,000
	Tiegs v. MWD	216043	12/23	\$1,075,000
Sheppard Mullin Richter & Hampton LLP	Iverson v. MWD	222532	12/24	\$250,000 <u>\$500,000</u>
Snell & Wilmer LLP	Public Records Act Requests	226531	12/25	\$150,000
Stradling Yocca Carlson & Rauth*	Bond Counsel	220408	7/24	N/A
Theodora Oringher PC	Construction Contracts - General Conditions Update	185896	07/20	\$100,000
	Santa Monica Feeder Incident	226526	08/25	\$150,000
Thompson Coburn LLP	NERC Energy Reliability Standards	193451	08/20	\$600,000
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	\$250,000
	Cajalco Road Widening Project	226509	04/25	\$50,000



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
Wesierski & Zurek LLP	Eight-Vehicle Pile-Up Claims, Rancho Cucamonga	226529	12/25	\$150,000
	General Tort Claims and Litigation Defense Advice	226530	12/25	\$150,000

*Expenditures paid by Bond Proceeds/Finance

**Expenditures paid by another group