



## Metropolitan Cases

### ***City of Rancho Cucamonga v. BTC III Etiwanda Commerce Center LP***

### ***City of Rancho Cucamonga v. Southern California Edison Company (San Bernardino County Superior Court)***

Plaintiff City of Rancho Cucamonga filed two condemnation actions against multiple defendant property owners to acquire land for a city project commonly known as the Etiwanda Grade Separation Project. This city project is intended to replace an existing at-grade railroad crossing with an elevated bridge that would allow motor vehicles to pass overhead and Metrolink trains to continue unimpeded below. The city’s condemnation actions impacted portions of the right of way for Metropolitan’s Etiwanda Pipeline and Upper Feeder Pipeline near Etiwanda Avenue between Arrow Route and Napa Street within the City of Rancho Cucamonga. Metropolitan filed answers in the case and secured interlocutory and final judgments ensuring that Metropolitan’s pipelines will be protected from the city’s proposed pile driving, heavy construction loads and other project impacts. Metropolitan’s legal defense also led to the adoption of design features ensuring the compatibility of the city’s project with Metropolitan’s pre-existing public water pipeline use and the coordination of city work with Metropolitan engineers.

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

As previously reported, in March 2025, the Riverside County Superior Court granted Metropolitan’s motion for summary judgment; in May 2025, the Superior Court entered judgment in Metropolitan’s favor; and in July 2025, plaintiff filed a notice of appeal to the California Court of Appeal. On November 17, 2025, the parties participated in a voluntary settlement conference in the California Court of Appeal. The parties agreed to settle the case and are currently completing the settlement. The Court of Appeal has scheduled a Request for Dismissal to be filed after the settlement’s completion.

### ***Dane Crawford v. Metropolitan (Riverside County Superior Court)***

As previously reported, in August 2025, the Riverside County Superior Court granted Metropolitan’s motion for summary judgment and in October 2025, the Superior Court entered final judgment in Metropolitan’s favor. On November 25, 2025, plaintiff filed a notice of appeal to the California Court of Appeal.

## Matters Received

<u>Category</u>	<u>Received</u>	<u>Description</u>
Actions in which MWD is a party	1	Complaint for: (1) Inverse Condemnation; (2) Dangerous Condition of Public Property; (3) Nuisance; and (4) Trespass – filed in San Bernardino County Superior Court, in the case <i>Nikolas Fakhoury, The Living Word Assembly of Chino v. City of Rancho Cucamonga, MWD</i> , Case No. CIVRS2509398, alleging that the failure to maintain the water systems that border Plaintiffs' properties caused leaks that damaged their properties and homes
Government Code Claims	7	(1) Five claims relating to a single motor vehicle accident involving an MWD vehicle and seven other vehicles; (2) claim arising out of Eastern Municipal Water District’s Los Alamos Hills Water System Project in Murrieta that would provide potable municipal water service to areas currently utilizing wells and the installation of fire hydrants; and (3) claim relating to a fall from tripping over a metal utility cover embedded in the sidewalk in the city of Lawndale



Subpoenas	1	Workers' Compensation subpoena for employee's personnel, wage, and medical records	
Requests Pursuant to the Public Records Act	11	<u>Requestor</u>	<u>Documents Requested</u>
		California Department of Industrial Relations, Labor Commissioner's Office, Public Works Enforcement	Contract and bid information for Landscape and Tree Trimming Services at Soto Street, Eagle Rock, and Washington Street Pressure Control Structure (PCS)
		Graduate Student at California State University, San Bernardino	Water quality data for Lake Perris and Lake Mathews
		Pinnacle Petroleum	Bid tabulation and bid submitted by Merrimac Energy for MWD's 2023 solicitation for Carb Ultra-Low Sulfur and Renewable Diesel Fuel Requirements for All MWD Fueling Facilities
		Private Citizens (7 requests, of which 6 are from the same requester)	Bid tabulations for: (1) San Diego Canal Rehabilitation - Phase 2; (2) Inland Feeder Rialto Pipeline Intertie; (3) Colorado River Aqueduct Freda Siphon Barrel No. 1 Internal Seals; (4) Eagle Mountain Pumping Plant Village Paving; (5) Skinner Water Treatment Plant Ozone Concrete Repairs Stage 2; and (6) Perris Valley Pipeline Interstate 215 Crossing
		Zodiaque Consultants	Current contract for the administration of MWD's Water Standby Program



**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
<p><b>Delta Conveyance Project CEQA Cases</b></p> <p><i>Tulare Lake Basin Water Storage District v. California Department of Water Resources</i> (case name for the consolidated cases)</p> <p><i>City of Stockton v. California Department of Water Resources</i></p> <p><i>County of Butte v. California Department of Water Resources</i></p> <p><i>County of Sacramento v. California Department of Water Resources</i></p> <p><i>County of San Joaquin et al. v. California Department of Water Resources</i></p> <p><i>Sacramento Area Sewer District v. California Department of Water Resources</i></p> <p><i>San Francisco Baykeeper, et al. v. California Department of Water Resources</i></p> <p><i>Sierra Club, et al. v. California Department of Water Resources</i></p> <p><i>South Delta Water Agency and Rudy Mussi Investment L.P. v. California Department of Water Resources</i></p> <p><i>Sacramento County Superior Ct.</i> (Judge Acquisto)</p> <p>3d District Court of Appeal Case No. C101878</p>	<ul style="list-style-type: none"> <li>• DWR is the only named respondent/defendant</li> <li>• All alleged CEQA violations</li> <li>• Most allege violations of the Delta Reform Act, Public Trust Doctrine and Delta and Watershed Protection Acts</li> <li>• Two allege violations of the fully protected bird statute</li> <li>• One alleges violations of Proposition 9 (1982) and the Central Valley Project Act</li> <li>• Deadline for DWR to prepare the administrative record extended to March 2, 2026</li> <li>• Aug. 19, 2024 DWR appealed the injunction</li> <li>• Oct. 24, 2024 cases ordered consolidated for all purposes under <i>Tulare Lake Basin Water Storage District v. California Department of Water Resources</i></li> <li>• Feb. 6, 2026 next case management conference</li> <li>• Oct. 17, 2025, court of appeal reversed the trial court’s grant of an injunction halting preconstruction geotechnical soil testing</li> <li>• Nov. 14, 2025 petition for rehearing denied</li> <li>• Nov. 26, 2025 plaintiffs filed a petition for review in the California Supreme Court</li> </ul>
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<p><b><i>Sierra Club et al. v. California Department of Water Resources</i></b></p> <p>Sacramento County Super. Ct. (Judge Stephen P. Acquisto)</p>	<ul style="list-style-type: none"> <li>• Filed July 18, 2025</li> <li>• 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 existing State Water Project water right permits</li> <li>• 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</li> </ul>



	<ul style="list-style-type: none"> <li>December 5, 2025 hearing on DWR's demurrer (motion to dismiss)</li> </ul>
<p><b>Consolidated DCP Revenue Bond Validation Action and CEQA Case</b></p> <p><i>Sierra Club, et al. v. California Department of Water Resources</i> (CEQA, designated as lead case)</p> <p><i>DWR v. All Persons Interested</i> (Validation)</p> <p>Sacramento County Superior Ct. (Judge Kenneth C. Mennemeier)</p> <p>3d District Court of Appeal Case No. C100552</p>	<ul style="list-style-type: none"> <li><b>Validation Action</b></li> <li>Final Judgment and Final Statement of Decision issued January 16, 2024 ruling the bonds are not valid</li> <li>DWR, Metropolitan and other supporting public water agencies filed Notices of Appeal on or before the February 16, 2024 deadline</li> <li>Eight opposing groups filed Notices of Cross Appeals by March 27, 2024</li> <li>Appeals and cross-appeals fully briefed as of May 12, 2025</li> <li>November 19, 2025 oral argument</li> </ul>
<p><b>2025 Delta Conveyance Program Revenue Bond Validation</b></p> <p><i>Department of Water Resources v. All Persons Interested, etc.</i></p> <p>Sacramento County Superior Court (Judge Kenneth C. Mennemeier)</p>	<ul style="list-style-type: none"> <li>Jan. 6, 2025, the Department of Water Resources (DWR) adopted a new bond resolution</li> <li>Jan. 7, DWR filed a complaint seeking a judgment validating its authority to issue the bonds under the CVP Act</li> <li>15 answers filed, 10 in opposition and 5 in support</li> <li>June 12, 2025 two motions to dismiss denied</li> <li>Aug. 15, 2025 case assigned to Judge Mennemeier for all purposes</li> <li>Sept.23, 2025 Case Management Conference</li> <li>Dec. 5, 2025 opening trial briefs</li> <li>Jan. 30, 2026 opposition briefs due</li> <li>Feb. 20, 2026 reply briefs due</li> <li>March 16-20, 2026 trial on the merits</li> </ul>
<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.</i> (PCFFA)</p> <p><i>Calif. Natural Resources Agency, et al. v. Raimondo, et al.</i> (CNRA)</p> <p>Federal District Court, Eastern Dist. of California, Fresno Division (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 and new BiOps issued in fall/winter 2024</li> <li>Cases stayed until further notice in light of new BiOps and new administration</li> <li>Aug. 15, 2025 Federal Defendants' motions to dismiss cases as moot due</li> <li>Aug. 29, 2025 Defendant-Intervenors' briefs due</li> <li>Oct. 29, 2025 Plaintiffs' opposition briefs due</li> <li>Nov. 26, 2025 Federal Defendants' reply briefs due</li> </ul>
	<ul style="list-style-type: none"> <li></li> </ul>
<p><b>2024 CESA Incidental Take Permit Consolidated Cases</b></p>	<p>Cases challenge DWR's Final EIR and the California Department of Fish and Wildlife's</p>



<p><i>California Sportfishing Protection Alliance, et al. v. California Department of Water Resources, et al.</i> (CEQA, CESA, Delta Reform Act, Public Trust Doctrine)</p> <p>Sacramento County Superior Ct. Case No. 24WM000181 (Judge Arguelles) (Designated lead case for the consolidated cases)</p>	<p>California Endangered Species Act Incidental Take Permit for the updated Long Term Operations plan for the State Water Project</p> <ul style="list-style-type: none"> <li>• Oct. 8, 2025 minute order consolidating cases under the <i>California Sportfishing Protection Alliance</i> case name</li> <li>• Dec. 12, 2025, case management conference in the consolidated cases</li> </ul>
<p><i>San Francisco Baykeeper, et al. v. California Department of Water Resources</i> (CEQA, Delta Reform Act, Public Trust Doctrine)</p>	
<p><i>Tehama-Colusa Canal Authority, et al. v. California Department of Water Resources, et al.</i> (CEQA)</p>	
<p><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)</p>	
<p><b>CDWR Environmental Impact Cases</b> <b>Sacramento Superior Ct. Case No. JCCP 4942, 3d DCA Case No. C100302</b> <b>(20 Coordinated Cases)</b></p> <p>Validation Action <i>DWR v. All Persons Interested</i></p> <p>CEQA 17 cases</p> <p>CESA/Incidental Take Permit 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>• May 11, 2022, court of appeal reversed the trial court’s denial of attorney fees and costs</li> <li>• Coordinated cases remitted to trial court for re-hearing of fee motions consistent with the court of appeal’s opinion</li> <li>• Dec. 26, 2023 order denying fee motions</li> <li>• Six notices of appeal filed</li> <li>• Appeals fully briefed as of June 6, 2025</li> <li>• Nov. 21, 2025 oral argument</li> </ul>
<p><b>Water Management Tools Contract Amendment</b></p> <p><i>California Water Impact Network et al. v. DWR</i> Sacramento County Superior Ct. (Judge Acquisto)</p> <p><i>North Coast Rivers Alliance, et al. v. DWR</i> Sacramento County Super. Ct. (Judge Acquisto)</p>	<ul style="list-style-type: none"> <li>• Filed September 28, 2020</li> <li>• CWIN and Aqualliance allege one cause of action for violation of CEQA</li> <li>• NCRA et al. allege four causes of action for violations of CEQA, the Delta Reform Act, Public Trust Doctrine and seeking declaratory relief</li> <li>• SWC motion to intervene in both cases granted</li> <li>• Dec. 20, 2022 DWR filed notice of certification of the administrative record and filed answers in both cases</li> </ul>



<b>Outside Counsel Agreements</b>				
<b>Firm Name</b>	<b>Matter Name</b>	<b>Agreement No.</b>	<b>Effective Date</b>	<b>Contract Maximum</b>
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
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	\$250,000
	Progressive Design Build	216053	04/24	\$250,000
	Pure Water – SB 149 CEQA Record Preparation	222526	02/25	\$150,000



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
	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
Buchalter, a Professional Corp.	Union Pacific Industry Track Agreement	193464	12/07/20	\$50,000
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	\$100,000
	Foothill Pump Station Condemnation	226522	06/25	\$100,000
Law Office of Alexis S.M. Chiu*	Bond Counsel	220409	07/24	N/A
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



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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
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



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
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	\$100,000
	Perris Valley Pipeline Project	220415	07/24	\$100,000
	PFAS-Related Issues (General)	220413	10/24	\$50,000
Meyers Nave Riback Silver & Wilson	Pure Water Southern California	207967	11/22	\$100,000
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
Nixon Peabody LLP*	Special Finance Project	207960	10/22	\$50,000
	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



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
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	ACE v. MWD (PERB Case No. LA-CE-1611-M)	207962	10/22	\$50,000
	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
	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
Melanie Ross Law P.C.	Tiegs v. MWD	222535	01/25	\$25,000



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
Ryan & Associates	Leasing Issues	43714	06/01	\$200,000
	Oswalt v. MWD	211925	05/23	\$250,000
	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
	Zarate v. MWD	216044	01/24	\$750,000
Sheppard Mullin Richter & Hampton LLP	Lorentzen v. MWD	216036	09/23	\$600,000
	Iverson v. MWD	222532	12/24	\$200,000
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

\*Expenditures paid by Bond Proceeds/Finance

\*\*Expenditures paid by another group