

MINUTE ITEM

44. STATUS OF MAJOR LITIGATION - W.O.s - 2224, 2274.2, AND 503.324.

The attached Calendar Item 46 was presented to the Commission for information.

Attachment

Calendar Item 46 (1 page)

CALENDAR ITEM

INFORMATIVE

46.

STATUS OF MAJOR LITIGATION - W.O.s 2224, 2274.2, AND 503.324.

1. Case No. 683,824 W.O. 2224
People vs. City of Long Beach
Los Angeles County Superior Court
(Alamitos Bay quitclaim litigation)

(Resolution of question of whether title to oil and gas is vested in City or State in lands granted to City by State and subsequently quitclaimed to State by City.)

This case is at issue, and is set for trial on June 10, 1959.

2. Case No. 70717 W.O. 2274.2
County of Orange vs. State of California, et al.
Orange County Superior Court

(Claim by Orange County that a legislative grant to the County of tide and submerged lands in Newport Bay conveyed to the County all tide and submerged lands within the County (with the exception of a grant to the City of Newport Beach).)

Depositions of some Orange County supervisors have been taken. Plaintiff moved the Court for leave to file additional interrogatories, and the motion was opposed and is submitted.

3. Case No. 105-59 Y W.O. 503.324
Carl Whitson v. City of Long Beach, Long Beach Oil
Development Company, and the State of California
U.S.D.C., Southern District, Central Division
(Taxpayer's suit)

(Plaintiff's principal contention is that the City of Long Beach has succeeded to title to tide and submerged lands by reason of the Submerged Lands Act (Public Law 31, 1953), rather than through original grant from the State, and therefore the City is entitled to all tideland revenues exclusively, contrary to Chapter 29, Statutes of 1956, 1st E.S.)

On April 6 the defendants' Motion for Dismissal was argued before the Federal District Court, and subsequent thereto the Motion was granted. On April 17 plaintiff filed notice of motion to have the dismissal set aside, and to have the matter assigned to a three-man court.