

MINUTE ITEM

24. STATUS OF MAJOR LITIGATION - W.O.s 3019, 2224, 2274.2, AND 3375.

The attached Calendar Item 26 was presented to the Commission for information.

Attachment

Calendar Item 26 (2 pages)

CALENDAR ITEM

INFORMATIVE

26.

STATUS OF MAJOR LITIGATION - W.O.s 3019, 2224, 2274.2, AND 3375.

The following information is current as of January 6, 1960:

1. Case No. 800-58 WM Civil W.O. 3019
U.S. vs. Anchor Oil Corporation, et al.
U.S.D.C., Southern District, Los Angeles County
(Long Beach Subsidence Matter)

(Request by U.S. for court order to shut down Wilmington Field if satisfactory subsurface repressuring programs for land-surface-subsidence alleviation are not put into operation.)

No change in status since reports given at meetings of October 29, November 18, and December 17; i.e., a copy of the plaintiff United States' reply to the State's Counterclaim was received August 12, 1959. Discovery proceedings have commenced. Plaintiff United States has served written interrogatories on various codefendants but not on defendant State of California. It is anticipated that defendants will serve written interrogatories on the Federal Government.

2. 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.)

Trial commenced November 24, 1959, at which time evidence was offered and received and trial briefs filed by both litigants. No issues of fact remain to be tried. Closing briefs are to be filed by the parties.

3. 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).)

Private counsel employed by the County has resigned. The County Counsel probably will resign by mid-January, and a successor probably will be appointed when the vacancy occurs. The Office

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of the Attorney General is not advised at this time as to whether the County has determined to proceed with the litigation, but assumes that the County officials will want to confer with their counsel when a new County Counsel is appointed. The Office of the Attorney General is continuing preparation of the case, in the event the County desires to prosecute the action.

4. Case No. 23425, 2d Civil
Abbot Kinney Company, et al. vs. City of Los Angeles
Los Angeles No. 25166
Supreme Court of the State of California

W.O. 3375

(Involves title to artificially caused accretions, and also involves interpretation of Section 6308 of the Public Resources Code, which makes the State a necessary party to any action involving the title to or boundaries of tide or submerged lands granted by the Legislature in trust to cities, counties, and other political subdivisions.)

The Office of the Attorney General will advise as soon as notice is received that the State has been joined in the pleadings, which should be in about one month.