

MINUTE ITEM

37. STATUS OF MAJOR LITIGATION - W.O.s 3019, 2224, 2716, AND 3863.

The attached Calendar Item 29 was presented to the Commission for information.

Attachment
Calendar Item 29 (2 pages)

CALENDAR ITEM

INFORMATIVE

29.

STATUS OF MAJOR LITIGATION - W.O.s 3019, 2224, 2716, AND 3863.

The following information is current as of July 11, 1961:

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 substantial change in status since report given at meeting of October 29, 1959; i.e., a copy of the plaintiff United States' reply to State's counterclaim was received on August 12, 1959. Discovery proceedings have commenced. Plaintiff United States has served written interrogatories on various co-defendants, but not on defendant State of California. It is anticipated that defendants will serve written interrogatories on the Federal Government. On February 28, 1961, the Motion of the United States to dismiss approximately 120 private defendants was granted. Plaintiff has taken deposition of L. W. Brock, Principal Petroleum Engineer, Petroleum Division, Long Beach Harbor Department, on June 7 and June 14, 1961.

2. Case No. 683824 W.O. 2224
People vs. City of Long Beach
Los Angeles County Superior Court
(Alamitos Bay Quitclaim Litigation)

(Settlement of question as to 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.)

Record on Appeal has been filed. Appellant State's opening brief was filed May 5, 1961. Respondent City's Reply Brief was filed July 11, 1961.

3. Case No. 747562 (now consolidated with Case No. 646466) W.O. 2716
People vs. City of Long Beach, et al.
Los Angeles County Superior Court
(Long Beach Boundary Determination, Chapter 2000/57)

On May 15, 1961, the City filed a General and Special Demurrer, with Points and Authorities in Support Thereof, to the State's Complaint. The State's Points and Authorities in opposition to the City's Demurrer were filed on June 23, 1961, and the Closing Points and Authorities of the City are expected within the next week or so. The hearing before Judge Kincaid on the Demurrer will probably take place during the month of August.

INFORMATIVE CALENDAR ITEM 29. (CONTD.)

4. Case No. 75730

W.O. 3863

City of Hermosa Beach vs. State of California,
State Lands Commission, et al.

Los Angeles County Superior Court

(An action filed by the City for declaratory relief and
for instructions to Trustee.)

The State filed a Special Demurrer, seeking clarification of the City's Complaint, which was heard by Judge Praeger on June 5, 1961, at which time the Demurrer was sustained in part and overruled in part. The City has filed its Amended Complaint, and the State has filed an Answer and Cross-Complaint, raising an issue as to the validity of the City's anti-drilling ordinance as applied to tide and submerged lands held in trust for the State. The City has requested an extension to and including July 24, 1961, in order to plead in response to the Cross-Complaint. The Shell and Continental Oil Companies, which presently have a drilling and operating contract with the City, have indicated an intention to withdraw from this contract.