

MINUTE ITEM

23. STATUS OF MAJOR LITIGATION - W.O.s 3019, 2716, 3863, 4564, AND 4600.

The attached Calendar Item 22 was presented to the Commission for information only, no Commission action being required.

Attachment
Calendar Item 22 (2 pages)

CALENDAR ITEM

INFORMATIVE

22.

STATUS OF MAJOR LITIGATION - W.O.s 3019, 2716, 3863, 4564, AND 4600.

The following information is current as of January 11, 1963:

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. This case also seeks multimillion dollar damages for alleged injury to Federal installations, principally the Long Beach Naval Shipyard.)

Trial on issues other than causation was held on October 2, 1962. Oral argument on such issues was continued to April 1, 1963.

2. 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)

No change since report of February 13, 1962; i.e., "The City filed its Answer about January 19, 1962. It is anticipated that the matter will go to trial."

3. Case No. 757030 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.)

No change since report of February 13, 1962; i.e., "The case is being prepared for trial."

INFORMATIVE CALENDAR ITEM 22 (CONTD.)

4. Case No. 62-1344-TC Civil W.O. 4564
Lewis W. Twombly vs. City of Long Beach,
State of California, et al.
U.S.D.C., Southern District, Central Division
(Long Beach Oil Revenues)

(To enjoin the City Auditor of the City of Long Beach and the City of Long Beach from paying oil revenues to the State. Plaintiff seeking determination that the State of California has no interest in the Long Beach tide and submerged lands, and, thus, no interest in the Long Beach oil revenues.)

The Federal District Court granted the Motion of the State and the City for Dismissal of the Complaint. Findings of Fact and Conclusions of Law and a Judgment are presently being prepared by the Office of the Attorney General.

5. Case No. 805548 Civil W.O. 4600
Carl Whitson vs. City Manager, City Auditor, City of Long
Beach; State Lands Commission; State of California
Los Angeles County Superior Court
(Long Beach Unit and Long Beach Oil Revenues)

(Complaint for Injunction and Declaratory Relief, praying that City Manager be enjoined from signing the proposed Long Beach Unit Agreement; that the City of Long Beach be enjoined from paying any oil or gas funds to the State of California; that it be declared that the private owners of Town Lots in the City of Long Beach are not bound by the Unit Agreement.)

(State has not yet been served; however, the City Auditor of the City of Long Beach has been served.)

6. Case No. 528,114 W.O. 503.417
City of Coronado and R. J. Townsend vs.
San Diego Unified Port District, et al.
San Francisco County Superior Court

(Complaint for injunction and declaratory relief filed in San Francisco together with order to show cause returnable January 29, 1963, making allegations as to defective election procedures for formation of the Port District, unconstitutionality of the implementing legislation and that State is without power to revoke prior grant of tide-lands. City of Coronado alleges irreparable damage, a cloud on its right to the land granted in trust for the benefit of "its inhabitants", and alteration of its tax structure.)