

## ITEM 22

### CHIEF LEGAL COUNSEL'S REPORT New Filings, Recent Decisions, Litigation Calendar

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This public session report is intended only as an information item for the public.<sup>1</sup> Commission communications with legal counsel about pending litigation or potential litigation are reserved for Closed Executive Session, per the Notice and Agenda.

#### New Filings

*Yuba City Unified School District v. State of California, et al.*, Sacramento Superior Court Case No. 05CS01237, CSM Case No. 05-L-01 [*Graduation Requirements IRC*].

Filed: August 24, 2005

*John Swett Unified School District v. Commission on State Mandates, et al.*, Sacramento Superior Court Case No. 05CS1262, CSM Case No. 05-L-02 [*Graduation Requirements IRC*].

Filed: August 29, 2005

*West Contra Costa Unified School District, et al. v. Commission on State Mandates, et al.*, Sacramento Superior Court Case No. 05CS1253, CSM Case No. 05-L-03 [*Graduation Requirements IRC*][*filed on behalf of 12 school districts*].

Filed: August 26, 2005

#### Recent Decisions

*San Diego Unified School District v. Commission on State Mandates, et al.*, Sacramento Superior Court Case No. 03CS01401 [and related cases], CSM Case Nos. 03-L-03, -04, -05, -06, -09, and 10 [*Graduation Requirements IRC*]

After hearing on August 5, 2005, the court ordered attorney's fees and costs against the Commission and the Office of the State Controller.

#### Litigation Calendar

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<sup>1</sup> Based on information available as of September 13, 2005. Release of this litigation report shall not be deemed to be a waiver of any privileged communication or act, including, but not limited to, the attorney-client privilege and the attorney work product doctrine.

<b>Case Reference</b>	<b>Hearing Date</b>
<i>CSAC Excess Insurance Authority v. Commission on State Mandates, et al.</i> , Los Angeles Superior Court Case No. BS092146, CSM Case No. 04-L-01 [ <i>Cancer Presumption for Law Enforcement and Firefighters and Lower Back Injury Presumption for Law Enforcement</i> ], consolidated with <i>City of Newport Beach v. Commission on State Mandates, et al.</i> , Los Angeles Superior Court Case No. BS095456, CSM Case No. 04-L-02 [ <i>Skin Cancer Presumption for Lifeguards</i> ]	September 28, 2005, Trial on consolidated cases (continued from September 12, 2005)
<i>Southern California Association of Governments, et al. v. Commission on State Mandates</i> , Sacramento Superior Court Case No. 05CS00956, CSM Case No. 04-L-04 [ <i>Regional Housing Needs Determination-Councils of Government</i> ].	November 18, 2005, Trial
<i>Yuba City Unified School District v. State of California, et al.</i> , Sacramento Superior Court Case No. 05CS01237, CSM Case No. 05-L-01 [ <i>Graduation Requirements IRC</i> ].	December 9, 2005, Trial