

MINUTE ITEM

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

The attached calendar item 23 was presented to the Commission for information only, no Commission action being required.

Attachment

Calendar Item 23 (2 pages)

CALENDAR ITEM

INFORMATIVE

23.

STATUS OF MAJOR LITIGATION - W.O.s 3019, 2224, 2715, AND 3063.

The following information is current as of January 9, 1962:

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 multi-million dollar damages for alleged injury to federal installations, principally the Long Beach Naval Shipyard.)

No change since report for meeting of December 21, 1961; i.e., since the last status report on August 28, 1961, the Plaintiff United States has served additional written interrogatories on major defendants, together with a Request for Admissions. The State, the City of Long Beach, and other defendants filed written objections to the Request for Admissions. The Court first set a pretrial conference date on November 1, 1961, which Order was vacated by the Court on October 3, 1961. Pursuant to Court Order, all parties filed Statements of Issues on or prior to October 25, 1961. On November 1, 1961, Defendants' Objections to Plaintiff's Request for Admissions were sustained. The Court has ordered all parties to file opening briefs on legal issues on or before February 1, 1962, and closing briefs, on or before March 1, 1962. At present no pretrial conference date nor trial date is set.

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. State has appealed from an adverse judgment in the Superior Court.)

Case is pending on appeal. All briefs have been filed in the District Court of Appeal. Case was orally argued January 4, 1962. Awaiting decision.

INFORMATIVE CALENDAR ITEM 23. (CONTD.)

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)

As previously reported to the Commission, Judge Kincaid, on November 30, 1961, overruled the City's Demurrer and Motion to Strike, and the City will be required to file its Answer on or before January 12, 1962.

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.)

No change in status since report given at meeting of August 29, 1961; i.e., 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 validity of the City's antidrilling ordinance as applied to tide and submerged lands held in trust for the State. The City filed its Answer to the State's Cross-Complaint on July 24, 1961. The Shell and Continental Oil Companies gave notice to the City, exercising their option to withdraw from the Drilling and Operating Contract with the City of Hermosa Beach. The case is being prepared for trial.