

**METROPOLITAN COUNCIL
390 Robert Street North, St. Paul, Minnesota 55101**

**MINUTES OF THE MEETING OF THE
LITIGATION REVIEW COMMITTEE**

**October 21, 2015
Robert Street Conference Room 5A**

Committee Members Present: Steven Chávez, Committee Chair
Harry Melander, Committee Vice Chair

Committee Members Absent: Lona Schreiber, Council Member
Gary Cunningham, Council Member

Also Present: Dave Theisen, Deputy General Counsel
Dan Abelson, Associate General Counsel
Trina Harris, Recording Secretary

CALL TO ORDER:

Committee Chair Chávez called the meeting of the Council's Litigation Review Committee to order at approximately **3:05 p.m.** on **October 21, 2015.**

APPROVAL OF AGENDA:

It was moved by **Vice Chair Melander**, seconded by **Chair Chávez**, to approve the agenda for this meeting of the Litigation Review Committee. **The motion carried.**

APPROVAL OF MINUTES:

It was moved by **Vice Chair Melander**, seconded by **Chair Chávez**, to approve the minutes of the **April 15, 2015** meeting of the Litigation Review Committee. **The motion carried.**

MOTION TO CLOSE MEETING TO THE PUBLIC:

After discussion, it was moved by **Vice Chair Melander**, seconded by **Chair Chávez**, to close this meeting to the public to discuss attorney-client privileged matters. **The motion carried.** In accordance with the motion, the meeting was closed to the public. The persons indicated above were in attendance during the closed portion of the committee meeting.

BUSINESS (in closed meeting):

- A. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Minnesota Center for Environmental Advocacy v. MPCA, Metropolitan Council*.** Deputy General Counsel Theisen and Associate General Counsel Abelson advised the committee members on the facts and issues regarding this matter and answered committee member questions.
- B. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *State of MN, et al. v. 3M*.** Associate General Counsel Abelson advised the committee members on the facts and issues regarding this matter and answered committee member questions.
- C. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Iyawe v. Potter (HRA)*.** Deputy General Counsel Theisen advised the committee members on the facts and issues regarding this matter.
- D. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *Lakes and Park Alliance of Minneapolis v. Federal Transit Administration, et al.*** Deputy General Counsel Theisen advised the committee members on the facts and issues regarding this matter.
- E. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *State Farm, et al. v. Metropolitan Council*.** Associate General Counsel Abelson advised the committee members on the facts and issues regarding this matter.
- F. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *RK Midway Shopping Center*.** Deputy General Counsel Theisen advised the committee members on the facts and issues regarding this matter.
- G. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding the Matters of the *DPPA Lawsuits*.** Associate General Counsel Abelson advised the committee members on the facts and issues regarding these matters and answered committee member questions. Committee members discussed the matters.
- H. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding the Matters of *Pending Condemnations (ES)*.** Deputy General Counsel Theisen and Associate General Counsel Abelson advised the committee members on the facts and issues regarding these matters.

MOTION TO REOPEN MEETING TO THE PUBLIC

After discussion, it was moved by **Vice Chair Melander**, seconded by **Chair Chávez**, to reopen this meeting to the public. **The motion carried.**

ADJOURNMENT:

The meeting was declared adjourned by the Committee Chair at approximately **3:29 p.m.**

Respectfully submitted,

Trina Harris
Recording Secretary