

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

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

**April 16, 2014**  
**Robert Street Conference Room 5A**

Committee Members Present: Steven Chávez, Committee Chair  
Harry Melander, Committee Vice Chair  
Lona Schreiber, Council Member  
Gary Cunningham, Council Member

Also Present: Don Muetting, General Counsel  
Dan Abelson, Associate General Counsel  
Phil Walljasper, Risk  
Trina Harris, Recording Secretary

**CALL TO ORDER:**

**Committee Chair Chávez** called the meeting of the Council's Litigation Review Committee to order at approximately **3:00 p.m.** on **April 16, 2014.**

**APPROVAL OF AGENDA:**

It was moved by **Council Member Cunningham**, seconded by **Council Member Melander**, to approve the agenda for this meeting of the Litigation Review Committee. **The motion carried.**

**APPROVAL OF MINUTES:**

It was moved by **Council Member Schreiber**, seconded by **Council Member Cunningham**, to approve the minutes of the April 17, 2013 meeting of the Litigation Review Committee. **The motion carried.**

**DECISION TO CLOSE MEETING TO THE PUBLIC:**

After discussion, it was moved by **Council Member Schreiber**, seconded by **Council Member Cunningham**, 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 except Mr. Walljasper was present for only the discussion relating to no-fault litigation.

**BUSINESS (in closed meeting):**

- A. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding the *No-Fault Litigation Matters*.** Associate General Counsel Dan Abelson and Director of Risk Management and Claims Phil Walljasper advised the committee members on the facts and issues regarding these matters and answered committee member questions. Committee members discussed the matters.
- B. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled *State of Minnesota v. 3M Corporation*.** Associate General Counsel Dan Abelson advised the committee members on the facts and issues regarding this matter and answered committee member questions. Committee members discussed the matter.
- C. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding the Employment Matters Entitled *Brown v. Council, Flowers v. Council, Greer v. Council, et al., and Peterson v. Kopp, et al.*** General Counsel Don Mueting advised the committee members on the facts and issues regarding these matters and answered committee member questions. Committee members discussed the matters.
- D. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding the Condemnation Matters Entitled *Council v. Rasior, et al. and Council v. VC Park LLC, et al.*** General Counsel Don Mueting advised the committee members on the facts and issue regarding these matters and answered committee member questions. Committee members discussed the matters.
- E. Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding the DVS Data Access Claims.** General Counsel Don Mueting and Associate General Counsel Dan Abelson advised the committee members on the facts and issues regarding these matters and answered committee member questions. Committee members discussed the matters.

**DECISION TO REOPEN MEETING TO THE PUBLIC:**

It was moved by **Council Member Schreiber**, seconded by **Council Member Cunningham**, to reopen this meeting to the public.

**ADJOURNMENT:**

The meeting was declared adjourned by the Committee Chair at approximately **4:00 p.m.**

Respectfully submitted,

Trina Harris  
Recording Secretary