**METROPOLITAN COUNCIL**

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

**MINUTES OF THE MEETING OF THE**

**LITIGATION REVIEW COMMITTEE**

**April 17, 2013**

Committee Members Present: Steven Chávez, Committee Chair

Harry Melander, Committee Vice Chair

Lona Schreiber, Council Member

Gary Cunningham, Council Member

Also Present: Don Mueting, General Counsel

Dave Theisen, Deputy General Counsel

Dan Abelson, Associate General Counsel

Peter Hanf, Office of General Counsel

Barbara Ross, Best & Flanagan

Trina Harris, Recording Secretary

**CALL TO ORDER:**

A quorum being present, **Committee Chair Chávez** called the meeting of the Council’s Litigation Review Committee to order at approximately **3:00 p.m.** on **April 17, 2013.**

**APPROVAL OF AGENDA:**

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

**APPROVAL OF MINUTES:**

It was moved by **Council Member Cunningham**, seconded by **Council Member Schreiber**, to approve the minutes of the January 16, 2012 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.

# BUSINESS (in closed meeting):

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| **A.** | **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled** *Metropolitan Council v. M. Rasior Ltd., et al.*  Associate General Counsel Peter Hanf, who represents the Metropolitan Council on this matter along with the Council’s outside counsel, Barbara Ross of Best and Flanagan, advised the committee members on the facts and issues regarding these matters and answered committee member questions. Committee members discussed the matter. |
| **B.**  **C.** | **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled** *DVS Data Access Claims*  Associate General Counsel Dan Abelson, who represents the Metropolitan Council on this matter, advised the committee members on the facts and issues regarding these matters and answered committee member questions. Committee members discussed the matter.  **Discussion of Attorney-Client Privileged Matters and Litigation Issues Regarding a Matter Entitled** *Lorenz Bus Service, Inc., Barbara Lickness, Eugene Rerat, III v. Metropolitan Council*  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 matter. |

**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