



GREAT LAKES WATER AUTHORITY

Interim General Counsel – July, 2015

Interim General Counsel worked on the following matters:

1) Contract matters

Contracts reviewed as to form: Interim General Counsel reviewed 13 contracts as to form and execution.

Contracts drafted or revised: Interim General Counsel drafted or revised 11 contracts.

EJCDC Contract Template Team: The Contract Template Team has selected the construction contract template to begin their review and update of contract templates.

GLWA: Contract negotiations with Granicus and Fleishman Hillard were completed. Granicus is on today's agenda.

Wholesale Customer Contracts: The Lapeer water supply services contract negotiations are nearing completion.

Interim General Counsel is working and meeting weekly with the Finance Group to support the Finance transformation efforts.

Southwest Water Intake: Interim General Counsel has been advised by the Province of Ontario that DWSD and GLWA will be able to proceed with the assignment process without obtaining Canadian counsel.

2) Subpoenas / Information Requests:

Interim General Counsel received 7 subpoenas/ information requests and responded to 13 subpoenas/ information requests.

Interim General Counsel drafted FOIA Policies and Policy Summaries for DWSD and GLWA to reflect the recent amendments to the statute. The Policies and Policy Summaries were approved by both entities and posted on their respective websites.

3) DWSD v Highland Park: The parties are continuing to meet as a part of a confidential court ordered facilitation process.



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- 4) McKinney v DWSD: This is an Americans with Disabilities Act charge. The EEOC has provided DWSD with a proposed conciliation agreement. DWSD did not accept the agreement. Mr. McKinney's EEOC Complaint was dismissed and he was given a 90 day right to sue letter.
- 5) St. Martins Cooperative v DWSD: The parties again appeared before the Court on DWSD's Motion for Summary Disposition. Plaintiff filed an untimely supplemental factual brief and the matter was adjourned until August, 2015.
- 6) LaSalle Cooperative v DWSD: This is a class action challenging billing methodology for cooperatives within the City of Detroit. Both parties filed motions for summary judgment and the court denied both motions. A second facilitation is scheduled for July 30, 2015, for this case.
- 7) Bormans v DWSD: This case involves a challenge to DWSD's bills for a commercial property in Detroit by the seller and a request to perform the property transfer by the buyer. In June, 2015, the parties appeared before the trial court and reached a tentative agreement to allow the property transfer to be completed. The parties are focusing on a global resolution.
- 8) United House of Prayer v DWSD: This is a class action case challenging DWSD's fireline charges pursuant to the Headlee Amendment. Plaintiff's counsel is also handling the Borman case discussed above.
- 9) Wholesale Customer Contract Assignments: Contract assignments are progressing well. There is a resolution on today's agenda acknowledging assignments to date. Since that resolution was drafted 24 hours ago, seven (7) additional communities have approved.
- 10) DTE WWTP: Interim General Counsel has sent a letter to DTE regarding next steps for property acquisition for this project.
- 11) IWC: Interim General Counsel is working with IWC to update enforcement procedures. The first reconsideration hearing under the revised procedures has been conducted.
- 12) GLWA Trademarks / Service Marks: The service marks for GLWA have been published which is the last step before approval.