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Office of the General Counsel

TO MEMBERS OF THE COMMITTEE ON FINANCE:

INFORMATION ITEM

For Meeting of March 19, 2009

REPORT OF NEW LITIGATION

The attached chart summarizes information concerning new litigation filed.

NEW LITIGATION AND ARBITRATION PROCEEDINGS

Report Period: 1/7/09 – 2/11/09

Regents Meeting

March 2009

<u>Plaintiff</u>	<u>Location</u>	<u>Nature of Dispute Alleged by Plaintiff</u>	<u>Forum</u>
<u>Employment Cases</u>			
Cornejo, Ivan (employee)	UCLA	Disability discrimination, failure to accommodate and engage in interactive process, retaliation	San Francisco County Superior Court
DerMargosian, Karen (food service worker)	UCSD	Disability discrimination	U.S. District for the Southern District of California
Morris, Gary	LLNL	Wrongful termination	Alameda County Superior Court
Sharma, Sneha (senior program manager)	UCB	Age discrimination	Alameda County Superior Court
Twomey, Steven (principal animal technician supervisor)	UCD	Age and gender discrimination, hostile work environment, harassment, disability discrimination, retaliation	Yolo County Superior Court
Wild, Janice (cardiac technician)	UCSDMC	Employment discrimination – sexual harassment, harassment, retaliation, assault and battery in tort, intentional and negligent infliction of emotional distress	San Diego County Superior Court
<u>Professional Liability Cases</u>			
Burk, Lisa	UCSD	Medical negligence	San Diego County Superior Court

Evans, Kenny	UCSF Affiliate- Highland Hospital	Wrongful death and negligence	Alameda County Superior Court
Lambert, Christina	UCD	Medical malpractice	Sacramento County Superior Court
Mayberry, Lyle through his Guardian ad Litem Susan J. Baker-Manous	UCD	Personal injury, medical malpractice	Sacramento County Superior Court
McFadden, David W. through his Guardian ad Litem Cherry McFadden	UCSF- Fresno	Personal injury, medical malpractice	Fresno County Superior Court
Morrisette, Marie	UCD	Personal injury, medical malpractice and loss of consortium	Sacramento County Superior Court
Myaskovsky, Michael	UCSF	Medical negligence	San Francisco County Superior Court
Tremblay, Brian	UCSD	Medical malpractice	Orange County Superior Court
Valenzuela-Sandoval, Manuel Arturo (decedent), Marisela Sandoval- Valenzuela and Omar Valenzuela, surviving heirs of decedent	UCLA- Affiliate- West Hills Hospital	Wrongful death, negligent infliction of emotional distress, intentional infliction of emotional distress and fraud (misrepresentation)	Los Angeles County Superior Court
Zevallos-Hudgins, Norma	UCSF	Medical malpractice, negligent product liability, strict product liability, breach of express and implied warranties	San Francisco County Superior Court

Other Cases "

"Jane Doe"	UCSB	Complaint to determine Dischargeability of student loan	United States Bankruptcy Court (Northern District of California)
Avolese, Paul	UCSB	Personal injury, premises liability	Santa Barbara County Superior Court
Feldhammer, Jon D. and Rachel A. Kuperman	UCSF	Breach of contract, violation of Civil Code and Federal Fair Debt Collection Practices Act	San Francisco County Superior Court
Ghaffari, Gina (individual)	UCB	Personal injury, premises liability	Alameda County Superior Court
Long Haul, Inc. and East Bay Prisoner Support	UCB	Complaint for injunctive and declaratory relief	U.S. District Court, Northern District of California
Mansdorf, Paul J. (trustee of Cassandra LLC estate)	UCB	Breach of contract	U.S. Bankruptcy Court, Northern District of California
Mau, May (individual)	UCLA	Slip and fall	Los Angeles County Superior Court
McCracken, Ted (individual)	LLNL	Personal injury (exposure to highly hazardous nuclear materials)	U.S. District Court, Pennsylvania
Meyers, Devon and Ortega, Enrique (individuals)	UCR	Class action for unfair business practices, violations of Labor Code, injunction and attorney's fees	Los Angeles County Superior Court
Morrison, Norman (individual)	UCIMC	Cross-complaint for indemnification, partial indemnification and declaratory relief	Orange County Superior Court
Richard Pompa, a student (pro se)	UCR	Racial discrimination	U.S. District Court, Central District of California

Rehaut, Richard (individual)	UCLA	Violation of the ADA; violation of the Unruh Civil Rights Act; violation of the California Disabled Persons Act	U.S. District Court, Central District of California
State Farm Mutual (company)	UCLA	General Negligence, Subrogation	Los Angeles County Superior Court
Zochlinski, Howard (individual)	UCD	Peremptory Writ of Mandate and Writ of Prohibition	Yolo County Superior Court

Public Employment Relations Board (“PERB”)
Unfair Practices Alleged by Charging Party

Coalition of University Employees v. Regents SF-CE-878-H	Systemwide	Allegation that the University made unilateral changes to the Funding Policy of the University of California Retirement Plan (“UCRP”) and refused all requests to bargain over the change.	PERB
Union of Professional and Technical Employees v. Regents SF-CE-879-H	Systemwide	Allegations that the University unilaterally changed terms and conditions of employment without bargaining. The University allegedly unilaterally increased monthly parking rates, daily parking fees at various campuses and medical centers, van pool fees at various campuses and medical centers and increased the cost of monthly public transportation passes.	PERB
Edward Woolfolk v. Regents LA-CE-1056-H	UCSB	Allegations of age discrimination, harassment and retaliation by supervisors for union activities.	PERB