

**F8-G**

**Office of the General Counsel**

**TO MEMBERS OF THE COMMITTEE ON FINANCE:**

*For Meeting of November 14, 2007*

**REPORT OF NEW LITIGATION**

The attached chart summarizes information concerning new litigation filed.

## NEW LITIGATION AND ARBITRATION PROCEEDINGS

*Report Period: 8/22/07 – 10/11/07*

*Regents Meeting*

*November 2007*

<b><u>Plaintiff</u></b>	<b><u>Location</u></b>	<b><u>Nature of Dispute-Alleged by Plaintiff</u></b>	<b><u>Forum</u></b>
<b><u>Employment Cases</u></b>			
Bankhead, Billy (supervisor)	UCSD	Defamation; Emotional Distress; Negligence; Breach of Contract; Breach of Covenant of Good Faith and Fair Dealing; Breach of Implied Covenant Not to Terminate except with Good Cause	San Diego Superior Court
Evey, John (executive director)	UCSD	Damages; Wrongful demotion and discharge; Discrimination (age)	San Diego Superior Court
McMahon, Patricia (manager)	UCSF	Unlawful Retaliation; Failure to Pay Overtime and Wages; Discrimination (pay)	San Francisco Superior Court
O'Neill, Sharmon (professor)	UCD	Breach of Contract	Yolo County Superior Court
Pittsenbarger, Jerry A.	UCD	Discrimination (employment)	U.S. District Court, Northern District of California
Stafford, Maureen (administrative assistant)	UCB	Discrimination (race; disability, age); Failure to take steps to prevent hostile work environment; Breach of Contract; Breach of Covenant of Good Faith and Fair Dealing	Alameda County Superior Court
Thomas, Jennie (student)	UCD	Discrimination (sex); Retaliation for Making Harassment Complaint; Violations of Unruh Act	Yolo County Superior Court

Werner, Carmen (executive assistant)	UCSC	Sexual Harassment; Discrimination (gender); Failure to Take Steps to Prevent Discrimination; Tortious Discharge in Violation of Public Policy; Retaliation	Santa Cruz Superior Court
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**Professional Liability Cases**

Bowen, Eunice	UCD	Medical Malpractice	Sacramento County Superior Court
Browner, Bruce	UCSD	Medical Malpractice	San Diego County Superior Court
Buus, Beatrice	UCLA Dental	Medical Malpractice; Battery; Lack of Informed Consent	Los Angeles County Superior Court
Connor, Kimberly	UCSD	Medical Malpractice	San Diego County Superior Court
Deupree, Celestina	UCLA	Medical Malpractice	Los Angeles County Superior Court
Figueroa, Marcelina	UCSD	Medical Malpractice	San Diego County Superior Court
Greene, Shauna	UCLA	Medical Malpractice; Wrongful Death	Los Angeles County Superior Court
Holmes, Carol	UCLA	Medical Malpractice	Los Angeles County Superior Court
Jacques, Timothy	UCSF	Medical Malpractice	San Francisco County Superior Court
Levitt, Jennifer Gaye, M.D.	UCLA	Medical Malpractice	Los Angeles County Superior Court
Lydon, Mary	UCD	Medical Malpractice	Sacramento County Superior Court
Mauss, Karin	UCLA	Medical Malpractice	Los Angeles County Superior Court
Phillips, Shirley	UCSD	Medical Malpractice	San Diego County Superior Court
Sajida, Tuaima	UCD	Medical Malpractice; Wrongful Death	Sacramento County Superior Court

Snitovsky, Shari	UCSF	Medical Malpractice	San Francisco County Superior Court
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**Other Cases**

Cenci, Herman (member of public)	UCLAMC	Personal Injury – Slip and Fall	Los Angeles County Superior Court
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Chang, Christine (member of public)	UCB	Violation of Civil Rights; Malicious Prosecutions/Abuse of Process; Negligence; Conspiracy; Fraud	U.S. District Court, Northern District
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Federation of University Police Officers Association (FUPOA)	UCSB	Violation of Public Records Act	Santa Barbara County Superior Court
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FTR International, Inc.	UCI	Petition for Writ of Mandate or Prohibition concerning disqualification as bidder for a construction project	Orange County Superior Court
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Gelsinger, David (manager)	UCSB	Defamation Claim	Santa Barbara County Superior Court
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Gerwer, Johanna (student)	UCLA	Negligence; Negligence <i>Per Se</i> ; Premises Liability; Breach of Contract
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Hernandez, Gustavo and Dulce (members of public)	UCLAMC	Personal Injury – Slip and Fall	Orange County Superior Court
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Hoover, Chester (member of public)	UCLAMC	Declaratory Relief Action – Allocation of settlement between medical center and insurer	Los Angeles County Superior Court
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J. F. McCray Plastering, Inc.	UCDMC	Declaratory Relief Action concerning construction dispute	Sacramento County Superior Court
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Liponi, Dorothy (member of public)	UCSD	Personal Injury – Slip and Fall	San Diego County Superior Court
Murray, Victoria (member of public)	UCI	Personal Injury – Slip and Fall	Orange County Superior Court
Page, Robert (member of public)	UCD	Personal Injury – Motorized vehicle	Alameda County Superior Court
Skiles, Brant (former student)	UCLA	Personal Injury; Discrimination (sexual orientation)	Los Angeles Superior Court

**PERB Unfair Practice Charges**

AFSCME (SF-CE-00848-H)	Systemwide	Failure to provide notice and release of work time for union activities	Public Employment Relations Board
CUE (SA-CE-00263-H)	UCD/ Systemwide	Reclassification	Public Employment Relations Board
UAW (LA-CE-01018-H)	Systemwide	Refusal to bargain	Public Employment Relations Board
UPTE (SF-CE-00847-H)	UCSB/UCB	Interference with union activities; intimidation	Public Employment Relations Board
UPTE (SF-CE-00847-H)	LLNL	Retaliation for and interference with union activities	Public Employment Relations Board
Woolfolk, Edward (AFSCME) (LA-CE-1016-H)	UCSB	Discrimination and harassment	Public Employment Relations Board