

STATUS OF MAJOR LITIGATION

10/27/77

Mr. Jan Stevens, Assistant Attorney General, reported on the following:

1. The Attorney General's office has asked the California Supreme Court to take jurisdiction of the Murphy case involving the Berkeley waterfront.
2. With regard to the Anderson Marsh and Clear Lake, the Attorney General has been advised that the county would like to withdraw from the case as co-defendants with the State and reenter the case as plaintiffs on the side of the private landowner and land title interests. It is the staff's position the county has some serious problems respecting the consistency with the trust if they take such an action, and staff is exploring the possibility of preventing them from doing so.

Chairman Kenneth Cory asked about California v. Nevada. Mr. Stevens stated staff is presently gathering evidence and a meeting has been set up to schedule depositions. He stated all the evidence appears to indicate acquiescence by Nevada in the existing line north of Lake Tahoe up to Oregon.

Mr. Stevens advised the Commission a Nassau meeting has been scheduled at the Conference of State Legislatures devoted to the subject of land satellite technology which has been set at the Cal-Neva Lodge through which the line purportedly goes. It is his understanding some legislators may attend and therefore Division staff will be there to learn what other alternatives may be suggested.

Mr. Cory asked about the Commission's position concerning the boundary lines which go further into Nevada. Mr. Stevens stated it is the staff's argument there is an acquiesce line which is being observed now. As an alternative, the staff is willing to settle for a resurvey, which would extend California's boundary to the east. He indicated the Special Master has shown an inclination in the past to rely on acquiescence.