

**California Victim Compensation and Government Claims Board**  
**Open Meeting Minutes**  
**May 16, 2013, Board Meeting**

The California Victim Compensation and Government Claims Board (Board) convened its meeting in open session at the call of Anna Caballero, Secretary, State and Consumer Services Agency, and Chairperson, at 400 R Street, Sacramento, California, on Thursday, May 16, 2013, at 10:02 a.m. Also present were Board members Richard Chivaro, Chief Counsel, acting for and in the absence of John Chiang, Controller, and Michael Ramos, San Bernardino County District Attorney.

Board staff present included Chief Deputy Executive Officer Kathy Cruz and Chief Counsel Wayne Strumpfer. Tisha Heard, Board Liaison, recorded the meeting.

The Board meeting commenced with the Pledge of Allegiance.

**Item 1. Approval of Minutes of the April 18, 2013, Board Meeting**

The Board approved the minutes of the April 18, 2013, Board meeting.

**Item 2. Public Comment**

The Board opened the meeting for public comment. No public comment was given.

**Item 3. Contract Report**

Kathy Cruz, Chief Deputy Executive Officer, presented the Contract Report, which included the following two contracts:

**Cyber Pro Systems, Inc. dba MDX/FIS**

The Board approved the renewal of the contract for a second year in the amount of \$420,000. MDX/FIS will continue to provide bill review and adjustment services in accordance with the Medicare and DentiCal Fee Schedule and apply other fee schedules as required by the VCGCB.

**Kiefer Consulting, Inc.**

The Board approved the amendment to the contract in the amount of \$163,000 and extended the contract through June 30, 2014, to complete the CaRES Modification Project business analysis and project management portion of the contract.

**Item 4. Legislative Update**

Jon Myers, Deputy Executive Officer, Legislation and Public Affairs Division, reported the following:

AB 235 (Gatto), the VCGCB's first Government Claims Bill of 2013 which appropriates \$1,080,580.70 to pay 343 claims approved by the Board from May 2012 through December 2012, passed in the Assembly Appropriations Committee and is now with the Senate awaiting a hearing date.

SB 369 (De Leon), the VCGCB's second Government Claims Bill of 2013, which will appropriate funds to pay claims approved by the Board from January 2013 through April 2013, is awaiting a hearing date.

SB 60 (Wright) adds human trafficking violations and financial abuse of elderly or dependent adults to the list of crimes eligible for the California Victim Compensation Program when no physical injury or threat of physical injury has occurred. It also allows eligible victims of financial abuse to receive reimbursement of up to \$2,000 for financial counseling expenses. The bill is on the suspense file and is anticipated to be heard on May 24.

SB 580 (Leno) requires the VCGCB to administer a program to award, upon appropriation from the Restitution Fund by the Legislature, up to \$2 million in grants per year to trauma recovery centers that provide victim services. The bill does not include an appropriation for this purpose. The bill is on the suspense file and is anticipated to be heard on May 24.

SB 618 (Leno) makes changes to the process by which the VCGCB considers claims for the compensation of erroneously convicted individuals of \$100 per day of incarceration. The provisions include setting timeframes for the consideration of a claim, removing the requirement that claimants prove they did not contribute to their own arrests or convictions, requiring a recommendation to pay without a hearing when a court has made specified findings on innocence, and changes to conform to public safety realignment. The bill is on the suspense file and is anticipated be heard on May 24.

SB 384 (Gaines and DeSaulnier) was gutted and amended and now reopens eligibility for the California Memorial Scholarship Program and requires the VCGCB to identify all persons who are eligible for scholarships and to notify them of their eligibility by July 1, 2014. It requires that eligible participants execute participation agreements by July 1, 2015. The bill is currently in the Senate Education Committee.

### **Item 5. Consideration of Organizational Applications for the 2013 California State Employees' Charitable Campaign**

Jon Myers, Deputy Executive Officer, Legislation and Public Affairs Division, explained that each year the Victim Compensation and Government Claims Board (VCGCB) certifies the eligibility of charitable, non-profit organizations to receive contributions through the annual California State Employees' Charitable Campaign (Campaign) and selects organizations to manage the Campaign in various regions throughout the state. Three types of organizations participate in the Campaign: Principal Combined Fund Drive (PCFD) agencies, PCFD-affiliated (affiliated) member organizations, and non-PCFD-affiliated (non-affiliated) organizations. PCFD agencies are responsible for publishing and distributing Campaign brochures and pledge forms and for transmitting contributions to designated charities.

Criteria for approval of all organizations include qualification as a tax-exempt organization under Internal Revenue Code section 501(c) (3) and certification of exempt status under California Revenue and Taxation Code section 23701(d). Furthermore, each organization must also certify compliance with the California Fair Employment and Housing Act, Part 2.8, prohibiting employment and housing discrimination.

The Board approved the following applications to participate in the 2013 California State Employees' Charitable Campaign: 26 PCFD agencies; 1,210 PCFD-affiliated organizations; and 1,226 non-affiliated organizations.

### **Item 6. Government Claims Program Consent Agenda (Nos. 1- 338)**

The Board adopted the staff recommendations for item numbers 1-338, with the following exceptions: item numbers 90, 116, and 300 were removed to allow staff sufficient time to review additional documentation submitted by the affected agencies; item numbers 16, 17, 46, and 77 were removed to correct clerical errors; item numbers 126 and 127 were continued to allow the claimants an opportunity to address to the Board at the June 20, 2013, meeting; and item numbers 160 and 291 were removed to allow the claimant's an opportunity to address the Board.

### **Consent Agenda Appearance**

#### **Item 160, G610134**

#### **Claim of Ragni Larsen-Orta**

Ragni Larsen-Orta addressed the Board and submitted documentation for the Board's review. Raymond Rouse, Deputy Attorney General, appeared and addressed the Board on behalf of the Office of the Attorney General. Fernando Aceves, attorney, appeared and addressed the Board on behalf of the Department of Fair Employment and Housing.

Nicholas Wagner, Government Claims Program Manager, explained that Ms. Larsen-Orta sought compensation in an unspecified amount for ongoing civil rights violations by the Attorney General's Office, the Employment Development Department, the Department of Fair Employment and Housing, the Franchise Tax Board, the Governor's Office, the Department of Industrial Relations, and the Public Employment Relations Board. He stated that Government Claims Program staff recommended that the Board reject the claim because the issues raised were complex and outside the scope of analysis and interpretation typically undertaken by the Board.

Ms. Larsen-Orta stated that the State of California gave the right to make a medical-legal determination to non-medically trained individuals. She explained that the medically trained individuals ruled in her favor; however, the City of Berkeley and Innovative Claims Solutions, the City of Berkeley's third-party administrative agency, decided against her. She stated that both bodies represented permissibly uninsured public entities engaged in corruption and misrepresentation. She explained that as a union steward, she represented many employees including herself. She was the dedicated Spanish-speaking staff person in a discriminatory environment and was the only non-black staff person in an office with a history of problems that included a Spanish-black conflict. She alleged that the State of California allowed the City of Berkeley to label her permanently disabled. She stated that she was physically accosted on a regular basis, which she believed was at the will of Innovative Claims Solutions. She also alleged that Innovative Claims Solutions wanted her to act out physically so that she would be considered a danger and could not be reinstated. She stated that she did not want to file a lawsuit for her statutory rights, but was forced to do so because the City of Berkeley and Innovative Claims Solutions cast aspersions on her character.

Ms. Larsen-Orta explained that her injury took place in 2005 wherein she was forced into a false Workers' Compensation Appeals Board hearing that was meritless because it was based on a nonmedical decision that DFEH accepted. She stated that the City of Berkeley lied and Innovative Claims Solutions based their decision to terminate her on an undated, unsigned draft memo written after she expressed her intent to file a workers' compensation claim. She stated that the State of California was in possession of her psyche and had been since 2005 because it was withholding treatment and income, which violates the United States Constitution and the Civil Rights Act.

Ms. Larsen-Orta stated that she wanted to resolve the issue and hold the State harmless, but she wanted her psyche, professional reputation, and contract back. She stated that she sought help from the Contra Costa County District Attorney and San Francisco County District Attorney. She explained that the Alameda County District Attorney's Office has been conducting an investigation into the matter since 2008 and informed her that they could not do anything until the outcome of her workers' compensation trial. She stated that she has been in trial with the Workers' Compensation Appeals Board for four years with no resolution in sight. Lastly, Ms. Larson-Orta asked the Board to resolve her claim because although her claim appeared to be complex, it was not.

Mr. Rouse stated that the Attorney General's Office agreed with the staff recommendation to reject the claim due to its complexity specifically because Ms. Larsen-Orta alleged constitutional issues that were complex and would be better suited in a court of law rather than with the Board.

Mr. Aceves stated that the Department of Fair Employment and Housing (DFEH) also agreed with the staff recommendation to reject the claim. He explained that Ms. Larsen-Orta filed a claim with the EEOC who, in turn, contacted DFEH. DFEH then waived the investigation to the EEOC and issued a right to sue letter to Ms. Larsen-Orta on March 15, 2012.

The Board rejected the claim. Chairperson Caballero explained that after listening to

Ms. Larsen-Orta's recitation of the facts of her claim, it was clear that the claim should be heard in a court of law due to the Board's very limited authority. She further explained that Ms. Larsen-Orta's next option would be to go to court.

### **Consent Agenda Appearance**

#### **Item 291, G603658**

##### **Claim of Antonio Magaña**

Andrew Cervik, attorney, appeared and addressed the Board on behalf of claimant Antonio Magaña. Daniel Near appeared and addressed the Board on behalf of the California Department of Transportation (Caltrans).

Nicholas Wagner, Government Claims Program Manager, explained that Antonio Magaña requested leave to present a late claim for compensation from Caltrans in an amount exceeding \$25,000 for personal injuries. Mr. Wagner stated that Government Claims Program staff recommended that the Board deny the late application for failure to meet the criteria required in Government Code section 911.6.

Mr. Cervik explained that he followed the directions outlined in letters from Government Claims Program (GCP) staff and paid the \$25 filing fee. When the check for the filing fee was timely received by the GCP, he and his client believed that they were in compliance. He explained that the adequacy of the claim was not addressed in the first contact letter from GCP staff in April 2012. He stated that GCP staff had an opportunity to inform him that there was a problem with the submittal; instead, GCP staff kept mentioning that they needed the \$25 filing fee by a certain time. He stated that if the VCGCB had a standard protocol, then there was a problem because the check and application were submitted timely. He explained that it was his understanding that there was an issue regarding his not specifying the amount of the claim because GCP staff kept suggesting that in order for the claim to be complete, the letter must include the amount claimed. He stated that it was his position that the April 2012 letter from GCP staff should have included all inadequacies, not just the filing fee, but also substantive inadequacies pursuant to the requirements of the Government Code. He believed GCP staff did not act because it was a last minute filing; the deadline to submit was June 2, 2012, and the check was received by the GCP on May 31, 2012. Even though the dollar amount requested was not included on the claim, by his stating that there were serious injuries suggested that there was more than \$25,000 in damages. Lastly, he stated that he believed he and his client timely complied with instructions given in GCP communications. If they did not comply, then it was because GCP staff did not notify them.

Mr. Near stated that the Attorney General's Office agreed with the staff recommendation to deny the late application. Mr. Cervik was supposed to argue the reason that the claim was late; instead, he argued substantial compliance, which was not permissible to determine whether a claim is late. He stated that if Mr. Cervik's argument was that the claim was not late, then Superior Court would be the proper venue to take up the matter to explain that he submitted a claim in substantial compliance. He explained that the original submission did not include a filing fee; therefore, GCP staff conducted no further review. In order for GCP staff to review a claim, a dollar amount must be submitted. After a claimant complies, then GCP staff will review the claim and send an incomplete letter. He explained that Mr. Cervik amended the claim which was appropriate and would have met all of the substantial compliance requirements; however, it was amended afterward deeming it late.

Chairperson Caballero stated that the Attorney General's Office usually provides recommendations involving late claims and provides the legal citations. She asked Mr. Strumpfer to explain the reason that the Attorney General's Office did not provide a recommendation for Mr. Magaña's claim.

Chief Counsel Strumpfer explained that GCP staff did not request a recommendation from the Attorney General's Office because Caltrans handles their own cases. He further explained that Mr. Near made the determination that the claim was late.

Mr. Near stated that the legal citations he referenced could be found in *Shank v. County of Los Angeles* (1983) 139, Cal. App. 3d 152 and *Department of Water and Power v. Superior Court* (2000) 82 Cal. App. 4<sup>th</sup> 1288.

Chairperson Caballero stated that the limited timeframe given a claimant to submit a government claim appeared to be problematic especially when individuals are in contact with the GCP and are attempting to fulfill all of the requirements. She stated that it was her understanding that the claim lacked an original signature; consequently, verification was not complete, yet the filing fee was paid. She stated that it appeared that equities argue that there was substantial compliance if the applicant was doing everything to comply with the requirements. Nevertheless, she stated that Mr. Near pointed out that Mr. Cervick's argument regarding late petitions should be pursued in Superior Court, not with the Board.

Mr. Near explained that, with regard to late petitions, excusable reasons that an attorney could argue and could generally get relief could be gross misconduct that should be imputed to the client or if they sued the wrong governmental entity. Substantial compliance would have merit in Superior Court if it is argued that the filing fee was paid and they complied with the other requirements.

Mr. Cervick explained that he complied with the requirements set forth in the letters from GCP staff therefore he did not file late.

Chairperson Caballero asked whether it was the GCPs position that they do not make a determination regarding the sufficiency of the letter that is sent to the claimant until after the filing fee has been paid.

Mr. Wagner explained that any materials submitted to the GCP must include a filing fee. Although there is no requirement that notice be sent to a claimant explaining that the filing fee was not paid, as part of good government, GCP staff sends a notice anyway. He explained that the actual contents of a claim are handled separately. GCP staff sent notification to Mr. Magaña informing him that his documentation did not substantially comply with the filing requirements set forth by Government Code section 905.2 because the required filing fee was not paid. After receiving the filing fee, GCP staff conducted the review for sufficiency.

Mr. Cervick explained that the notification of insufficiency from GCP staff was received post the statute running. The notification received prior to the statute running was merely regarding the filing fee.

Board members Chivaro and Ramos denied the late application. Chairperson Caballero abstained.

#### **Item 7. Claim of Santa Monica College**

Nicholas Wagner, Government Claims Program Manager, explained that Santa Monica College requested compensation in the amount of \$153,920.00 from the California Community College Chancellor's Office for an unpaid grant. Mr. Wagner stated that Government Claims Program staff recommended that the Board allow the claim in the amount of \$153,920.00 under authority of Government Code section 965 (agency pay).

The Board allowed the claim in the amount of \$153,920.00.

**Item 8. Claim of Jerry Zomorodian and Rebecca Zomorodian**

Nicholas Wagner, Government Claims Program Manager, explained that Jerry and Rebecca Zomorodian requested re-issuance of a tax refund warrant from the Franchise Tax Board (FTB) in the amount of \$64,361.00. Mr. Wagner stated that Government Claims Program staff recommended that the Board allow the claim in the amount of \$64,361.00 under authority of Government Code section 905.2(b)(4) (legislative pay).

The Board allowed the claim in the amount of \$64,361.00.

**Item 9. Claim of Department of Toxic Substances Control**

Nicholas Wagner, Government Claims Program Manager, explained that the Department of Toxic Substances Control requested compensation in the amount of \$57,159.01 from the California Department of Transportation (Caltrans) for unpaid invoices. Mr. Wagner stated that Government Claims Program staff recommended that the Board allow the claim in the amount of \$57,159.01.

The Board allowed the claim in the amount of \$57,159.01.

**Item 10. Claim of San Bernardino Care Company**

Nicholas Wagner, Government Claims Program Manager, explained that San Bernardino Care Company requested compensation in the amount of \$185,270.75 from the California Department of State Hospitals for unpaid invoices. Mr. Wagner stated that Government Claims Program staff recommended that the Board allow the claim in the amount of \$185,270.75 under authority of Government Code section 965 (agency pay).

The Board allowed the claim in the amount of \$185,270.75.

**Item 11. Claim of Holt of California**

Nicholas Wagner, Government Claims Program Manager, explained that Holt of California requested payment in the amount of \$58,260.68 from the California Department of Transportation for unpaid invoices. Mr. Wagner stated that Government Claims Program staff recommended that the Board allow the claim in the amount of \$58,260.68 under authority of Government Code section 965 (agency pay).

The Board allowed the claim in the amount of \$58,260.68.

**Item 12. Claim of Ward A. Charter**

Nicholas Wagner, Government Claims Program Manager, explained that Ward A. Charter requested compensation in the amount of \$136,322.43 from the California Department of Water Resources for damaged crops. Mr. Wagner stated that Government Claims Program staff recommended that the Board allow the claim in the amount of \$136,322.43 under authority of Government Code section 965 (agency pay).

The Board allowed the claim in the amount of \$136,322.43.

**Item 13. Claim of Inter-Con Security Systems, Inc.**

Nicholas Wagner, Government Claims Program Manager, explained that Inter-Con Security Systems, Inc. requested compensation in the amount of \$228,774.46 from the California Department of Motor Vehicles for unpaid invoices. Mr. Wagner stated that Government Claims Program staff recommended that the Board allow the claim in the amount of \$228,774.46 under authority of Government Code section 965 (agency pay).

The Board allowed the claim in the amount of \$228,774.46.

**Item 14. Claim of Rick and Motoe Lindsey**

Nicholas Wagner, Government Claims Program Manager, explained that Rick and Motoe Lindsey requested re-issuance of a tax refund warrant from the Franchise Tax Board (FTB) in the amount of \$62,822.07. Mr. Wagner stated that Government Claims Program staff recommended that the Board allow the claim in the amount of \$62,822.07 under authority of Government Code section 905.2(b)(4) (legislative pay).

The Board allowed the claim in the amount of \$62,822.07.

**Item 15. Claim of Genentech, Inc.**

The claim was removed from the agenda.

**Item 16. Applications for Discharge From Accountability for Collection**

Nicholas Wagner, Government Claims Program Manager, stated that the Government Claims Program staff recommended that the Board approve 45 requests by State agencies for discharge from accountability for collection of debt totaling \$131,347,041.39.

The Board approved the 45 requests to discharge from accountability for collection of debt totaling \$131,347,041.39.

**Victim Compensation Program**

The Board commenced the Victim Compensation Program portion of the meeting at 10:44 a.m.

**Request for Approval to File the Rulemaking Record Regarding Involvement in the Qualifying Crime of Prostitution with the Office of Administrative Law  
CalVCP Regulations (title 2, § 649.56)**

Wayne Strumpf, VCGCB Chief Counsel, explained that the California Victim Compensation Program (CalVCP) proposed an amendment to Rule 649.56, Involvement in the Qualifying Crime of Prostitution, at the November 29, 2012, Board meeting. The Board voted to allow CalVCP to begin the rulemaking process, which it concluded after a second public hearing held on February 28, 2013. All comments and concerns brought forth at the public hearing were reviewed.

Chief Counsel Strumpf explained that victims of human trafficking are often forced to commit acts of prostitution. Because prostitution is a specific intent crime, CalVCP contends that human trafficking victims are not committing the crime of prostitution because they are forced to perform the acts against their will. Therefore, victims of human trafficking do not possess the specific intent to commit the crime of prostitution. He stated that because human trafficking victims are not committing the crime of prostitution, Rule 649.56, the regulation regarding the denial of benefits due to involvement in the events leading up to the qualifying crime, is not applied in human trafficking cases. He explained that the purpose of amending Rule 649.56 was to include language of CalVCP's policy in the regulation thereby ensuring consistent processing decisions. He stated that CalVCP proposed adding the following language to Rule 649.56: "(d) This section shall not be applied to cases involving human trafficking pursuant to Penal Code section 236.1."

Chief Counsel Strumpf recommended that the Board adopt the proposed regulation and authorize the Executive Officer to file the rulemaking record with the Office of Administrative Law for its review and approval.

After presentation of the item, Kimberly Horiuchi (ACLU); Rachel West (US PROStitutes Collective); Jane Doe; and Laurie Nairne (Legal Action for Women) provided the following comments.

Kimberly Horiuchi, attorney, ACLU

ACLU of Northern California signed a global letter along with a number of other organizations expressing substantive concern over Regulation section 649.56. ACLU of Northern California may, pursuant to the Administrative Procedure Act, ask for the repeal of a large portion of the regulation because they believe the regulation is vague, inconsistent, and overbroad with the controlling statute. The Government Code has a broad requirement in which the Board can deny a claim if they believe that the victim was, in any way, engaged in the underlying criminal conduct; however, there are exceptions and instances where the victim sustained injury from rape and domestic violence, specifically in Government Code section 13956, that specifically excepts out those crimes. The Regulation 649.56 provision is inconsistent with Government Code section 13956; for example, if a person working in the sex trade is raped and came before the Board seeking compensation, the new rule would act as a per se bar which is inconsistent with the actual statutes. In addition, many of the provisions have not been updated from 1999. The provisions made for the exception of rape and domestic violence were included in 2002. SB 1867 (Figueroa) was not reflected in the regulations although human trafficking is now being included which would be consistent with the Penal Code and with the provisions of Proposition 35.

Rachel West, US PROStitutes Collective

US PROStitutes Collective supports compensation for all women who have been victims of rape and other violence, including women who have been trafficked. The regulation amendment proposes that trafficked victims be exempt from Rule 649.56. Because CalVCP highlighted that some women raped in the context of sex work are being denied compensation under the rule, demonstrates that it is programmatic. It is not a solution for one set of victims to be made exempt from the rule and not others; therefore, the rule should be abolished. Every woman who has been raped is the victim of a violent and extremely traumatic crime and should be entitled to compensation. For the Board to dismiss some as underserving is to deny them the acknowledgment of what they have suffered; it should not be divided. US PROStitutes Collective opposes regulation section 649.56 as well as regulation section 649.4(b) which states that people who are on felony probation or parole shall not be compensated. With only two days' notice, 18 organizations, including churches, women's groups, and advocates for the homeless, among others, signed on to a statement calling for the removal of the regulations. The organizations that supported the sign on call are also calling for a comprehensive and timely hearing and review of all regulations that may be discriminatory. They demand organization with sufficient notice for interested parties and the public to participate and to make their views heard. Last year 28 applications were denied under regulation 649.56, a regulation that is not written into law and may be illegal. The regulation is used against victims even when there is no conviction for prostitution.

Jane Doe

Sexual assault victim who was brutally attacked and raped eight months ago. Jane Doe completed a CalVCP application and was denied compensation. An appeal hearing has been scheduled and she will be represented by an attorney at the appeal hearing. The status of rape kit and DNA remains unknown to her. She was judged and disqualified as an unworthy victim by CalVCP. She was made to feel like she was responsible for the events leading up to the crime. Since the crime occurred, she researched the regulation and found that the regulation and statute are inconsistent. She would like the regulation removed so that no other woman would be given the same treatment that she received.

Lori Nairne, Legal Action for Women

Legal Action for Women (LAW), an organization that helps women who cannot afford lawyers get legal advice and support, support a hearing to discuss the removal of regulation section 649.56 because the regulation is fundamentally flawed; therefore, an amendment is only a band aid to the deeper problem because it is a rule that is not backed by a statute. In their experience, violent men often start with sex workers and then go on to kill women. The regulation discriminates against sex

workers and increases all women's vulnerability to rape and murder. This discrimination has a corrupting effect on the compensation system. The regulation should be removed.

#### Comments from the Board

Board member Ramos expressed his appreciation for comments made by everyone who testified. He stated that anyone who has been physically and sexually assaulted is a victim. Although additional changes to the regulation may be needed, the amendment is a step in the right direction. He further stated that he would move the staff recommendation to authorize the Executive Officer to file the regulation with the Office of Administrative Law for its review and approval.

Chief Counsel Strumpfer announced that a stakeholder meeting would take place after the Board meeting at 1:30 p.m. He explained that the open public meeting would allow individuals an opportunity to bring forward any ideas or regulatory changes to amendments to CalVCP and legal staff.

Chairperson Caballero stated that the open public meeting was a good idea. She stated that she supported the concept of regulation section 649.56, but she had the same concerns raised by the advocates primarily because of the 58 counties in California, there are over 1,000 police jurisdictions within those counties that all may treat women and men involved in the sex trade differently from each other. She stated that there is a need for consistency, but was unsure whether CalVCP needed an exclusion of this kind for women or men who are involved in the sex trade. Chairperson Caballero recommended that CalVCP also hold a teleconference to further discuss the regulation as well as other CalVCP regulations. She further recommended that CalVCP invite district attorneys, law enforcement, advocates, stakeholders, and interested parties to participate in the discussions.

The Board adopted the proposed regulation and authorized the Executive Officer to file the rulemaking record with the Office of Administrative Law for its review and approval.

#### Closed Session

Pursuant to Government Code section 11126(c)(3), the Board adjourned into Closed Session with the Board's Chief Deputy Executive Officer and Chief Counsel at 11:05 a.m. to deliberate on the proposed decisions numbers 1-360.

#### Open Session

The Board reconvened into open session at 11:12 a.m. The Board adopted the proposed decisions for numbers 1-360.

The Board meeting adjourned at 11:12 a.m.