

WILDLIFE CONSERVATION BOARD  
STATE OF CALIFORNIA  
MINUTES, MEETING OF MAY 31, 1956

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Pursuant to the call of the Chairman, the Wildlife Conservation Board met in Mr. Peirce's office, State Capitol, Sacramento, California, on May 31, 1956. The meeting was called to order by Acting Chairman John M. Peirce at 3:35 p.m.

1. Roll Call

<u>PRESENT:</u>	John M. Peirce	Member of the Board
	Seth Gordon	Member of the Board
	Ray J. Nesbit	Assistant Wildlife Projects Coordinator
<u>ABSENT:</u>	Harley E. Knox	Chairman
	Senator Ed. C. Johnson	Joint Interim Committee
	Senator Charles Brown	" " "
	Senator Ben Hulse	" " "
	Assemblyman Thomas M. Erwin	" " "
	Assemblyman Lloyd W. Lowrey	" " "
	Assemblyman Frank P. Belotti	" " "
	Everett E. Horn	Wildlife Projects Coordinator

OTHERS PRESENT:

T. H. Mugford	Deputy Director of Finance
E. G. Benard	Assistant Attorney General
Raymond H. Williamson	Deputy Attorney General
Harry Grafe	Secretary, Senate Interim Committee on Fish and Game

2. Payment of Judgment Awarded in State vs. Westover Co., et al.

The Assistant Coordinator presented the Agenda which explained the reason for the special meeting. Mr. Gordon stated that he and Mr. Knox were both anxious to have this judgment paid quickly and thereby stop the interest accrual. Mr. Peirce asked Mr. Benard if any additional appeal could be made, or if any possibility of a reversal existed. Mr. Benard replied that no recourse except payment of the judgment was available.

Mr. Knox was previously contacted by telephone and he authorized the call for the meeting and requested that he be recorded as voting affirmatively.

IT WAS MOVED BY MR. GORDON, SECONDED BY MR. PEIRCE THAT THE WILDLIFE CONSERVATION BOARD MAKE THE ADDITIONAL ALLOCATION OF \$27,000 TO BE ADDED TO THE BALANCE OF AN ALLOCATION MADE AT THE WILDLIFE CONSERVATION BOARD MEETING OF NOVEMBER 29, 1954 FOR THE RESERVATION FOR PAYMENT OF THE JUDGMENT IN THE STATE VS. WESTOVER CO., ET AL, AND THAT THE SUM AWARDED THE DEFENDANTS PLUS INTEREST BE PAID FORTH- WITH SINCE THE STATE SUPREME COURT DENIED THE STATE'S PETITION FOR HEARING IN THE CASE OF STATE VS. WESTOVER CO., ET AL, THEREBY SUSTAINING THE DECISION OF THE THIRD DISTRICT COURT OF APPEAL, WHICH IN TURN AFFIRMED THE AWARDED OF THE AMOUNT OF \$152,275.40 (INCLUDING \$150,000 FOR ATTORNEY FEES PLUS CERTAIN COURT COSTS), IT APPEARING FURTHER THAT INTEREST HAS ACCUMULATED AT THE RATE OF 7 PERCENT PER ANNUM FROM JULY 1, 1953, THE DATE THE ABOVE AMOUNT WAS AWARDED PURSUANT TO THE JUDGMENT OF THE SUPERIOR COURT OF MERCED COUNTY; IT APPEARING FURTHER THAT SINCE THERE IS NO FURTHER APPEAL IT IS IN THE PUBLIC INTEREST TO PAY THE AMOUNT OF SAID JUDGMENT AS QUICKLY AS POSSIBLE IN ORDER TO PREVENT ADDITIONAL INTEREST CHARGES.

PASSED UNANIMOUSLY.

There being no further business the meeting adjourned at 3:55 p.m.