



February 2, 2021

FILED THROUGH TRUEFILING

Clerk of the Court of Appeal
Fifth District Court of Appeal
2424 Ventura Street
Fresno, CA 93721

Re: *Antelope Valley Groundwater Cases*
Fifth District Court of Appeal Case No. F075451

Dear Clerk of the Court of Appeal:

I am counsel of record for Phelan Piñon Hills Community Services District (“Phelan”). The Fifth District Court of Appeal recently filed its opinion regarding Phelan’s appeal from the judgment in the above-referenced cases, under a new case number, F082094. In addition to this appeal from the judgment, Phelan also filed a second Notice of Appeal on May 17, 2018, which was received by Division 2 of the Fourth District Court of Appeal on June 19, 2018 (“Phelan’s second appeal”).

When the Fifth District Court of Appeal issued the briefing schedule for appeals in the Antelope Valley Groundwater Cases on January 31, 2019, the Court stated: “The filing and briefing schedule for any matter encompassed by any notice of appeal not specifically identified in paragraphs 1 and 3 shall be deferred until further order of this court.” Phelan’s second appeal was not identified in paragraph 1 or 3 of the Court’s January 31, 2019 order.

Now that Phelan’s appeal from the judgment has been decided, and the other appeals from the judgment have been, or are about to be, set for oral argument, the time to set a briefing schedule for Phelan’s second appeal appears to have arrived. Phelan requests that the Court proceed with setting a briefing schedule for its second appeal.

Very truly yours,

ALESHIRE & WYNDER, LLP

June S. Ailin
Partner