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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF LOS ANGELES**

11 **ANTELOPE VALLEY**) JUDICIAL COUNCIL COORDINATION
12 **GROUNDWATER CASES**) PROCEEDING NO. 4408

13 Included Actions: Los Angeles County) Santa Clara Case No. 1-05-CV-049053
Waterworks District No. 40 v. Diamond) Honorable Jack Komar, Presiding
14 Farming Co., Superior Court of California,)
County of Los Angeles, No. BC 32520;)

15) **PLAINTIFF WILLIS' CASE**
16 Los Angeles County Waterworks District No.) **MANAGEMENT STATEMENT**
40 v. Diamond Farming Co., Superior Court of)
17 California, County of Kern, Case No. S-1500-)
CV-254-348;)

18 We. Bolthouse Farms, Inc. V. City of)
Lancaster; Diamond Farming Co. V. City of) Date: November 5, 2007
19 Lancaster; Diamond Framing Co. V. Palmdale) Time: 10:00 a.m.
Water District; Superior Court of California,) Dept.: 1
20 County of Riverside, Cases No. RBC 353 840,) Judge: Honorable Jack Komar
RBC 344 436, RBC 344 668;) Coordination Trial Judge
21)

22 This Document Relates To:)
23 REBECCA LEE WILLIS, on behalf of herself)
and all others similarly situated, Plaintiff,)
24)
25 vs.)
26 LOS ANGELES COUNTY WATERWORKS)
DISTRICT NO. 40, et al; Defendants.)
27 Case No. BC 364 553)
28)

1 **I. CASE MANAGEMENT STATEMENT**

2 Pursuant to the Court's order at the October 16, 2007 Case Management
3 Conference, counsel for Plaintiff Willis met and conferred with other interested counsel with
4 respect to (1) class certification procedural issues, (2) class definition issues, and (3) class
5 notice issues. Each of these issues is discussed below.

6 A. Class Certification Procedural Issues

7 Plaintiff Willis intends and expects to file in the near future a motion for leave to
8 amend her complaint as well as an amended motion for class certification. Willis believes
9 that given certain disagreements regarding the class definition, it is necessary to proceed
10 by way of noticed motions. Those motions will propose a single landowner class divided
11 into subclasses of (1) groundwater users and (2) non-users. We expect potential counsel
12 for the groundwater user subclass, Michael McLachlan, Esquire, to be present in Court on
13 Monday.

14 B. Class Definition Issues

15 Willis intends to move to certify a class composed of all non-governmental persons
16 who own land within the Basin, as previously defined. Certain parties maintain that there
17 should be wholly separate classes of users and non-users; other parties maintain that large
18 landowners should be excluded from the Class. Willis believes that any conflicts between
19 the interests of users and non-users can be resolved through the use of sub-classes.
20 Willis further maintains that there should not be any arbitrary limits on participation in the
21 Class, but that all landowners should be free to elect to stay in the class or opt out and be
22 separately represented.

23 C. Class Notice Issues

24 Willis' counsel conferred with counsel for a number of other parties and jointly
25 crafted a proposed class notice, which we believe is appropriate. A copy of that proposed
26 Notice is appended hereto as Exhibit A. A copy of a Summary Notice for publication is
27 appended hereto as Exhibit B. Willis intends to supplement this mailed notice with a
28 dedicated web site designed to answer most questions that class members are likely to

1 have. Content will only be posted on that site after it has received Court approval. The
2 use of such a web site will enable the parties to supply greater detail to interested class
3 members without making the mailed notice overly complex for lay readers.

4 Dated: November 2, 2007

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Attorneys for Plaintiff and the Class

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