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ORIGINAL FILED

JUN 23 2009

LOS ANGELES
SUPERIOR COURT

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 FOR THE COUNTY OF LOS ANGELES

10 COORDINATED PROCEEDING
11 SPECIAL TITLE (Rule 1550(b))

) JUDICIAL COUNCIL COORDINATION
) PROCEEDING NO. 4408

12 ANTELOPE VALLEY GROUNDWATER
13 CASES

) The Honorable Jack Komar
) Coordination Trial Judge

14 Included Actions:

) STIPULATION AND ~~PROPOSED~~
) ORDER DEFINING PROCEDURE FOR
) PARTIES TO PARTICIPATE AS
) MEMBERS OF THE WILLIS CLASS

15 REBECCA LEE WILLIS, on behalf of herself
16 and all others similarly situated,

17 Plaintiff,

) Judge: Hon. Jack Komar

18 vs.

19 LOS ANGELES COUNTY WATERWORKS
20 DISTRICT NO. 40; et al.,

21 Defendants.

22 Los Angeles County Superior Court
Case No. BC 364 553

23 AND RELATED ACTIONS
24

25 WHEREAS, the Court entered an Order on September 11, 2007 certifying a plaintiff
26 Class; and

27 WHEREAS, the Court modified the Class Definition by Orders dated May 22, 2008 and
28 December 16, 2008; and

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9 FOR THE COUNTY OF LOS ANGELES

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19 LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 40; et al.,

20 Defendants.
21

22 Los Angeles County Superior Court
Case No. BC 364 553
23

24 AND RELATED ACTIONS

25 WHEREAS, the Court entered an Order on September 11, 2007 certifying a plaintiff
26 Class; and

27 WHEREAS, the Court modified the Class Definition by Orders dated May 22, 2008 and
28 December 16, 2008; and

1 WHEREAS, the Class excluded persons who were already participating in the litigation,
2 but the Court allowed any such persons to participate as Class members "to the extent they
3 otherwise fall within the Class Definition;"

4 WHEREAS, the Court approved Class Notice was then mailed and Class Members were
5 given the opportunity to exclude themselves from the Class; and

6 WHEREAS, the Court subsequently directed the Public Water Suppliers' cross complaint
7 to be served on the persons who excluded themselves from the Class; and

8 WHEREAS, a number of persons who have excluded themselves from the Class now
9 wish to rescind their request for exclusion and be included in the Class;

10 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED AMONG**
11 **THE PARTIES, SUBJECT TO COURT APPROVAL, AS FOLLOWS:**

12 Any persons who previously excluded themselves from the Willis Class, but who fall
13 within the Class definition and now wish to participate as Class Members, may do so by
14 submitting to the Class Action Administrator a Notice of Election to Participate as Member of
15 the Willis Class ("the Notice of Election") in the form attached hereto as Exhibit A on or before
16 August 30, 2009.

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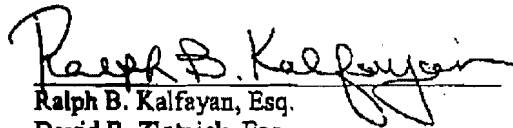
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1 Any person or entity who is an existing party to the litigation who falls within the
2 definition of the Willis Class and wishes to participate in the litigation as Class Members may do
3 so by submitting a Notice of Election to Participate as Member of the Willis Class ("the Notice
4 of Election") in the form attached hereto as Exhibit B on or before August 30, 2009. Thereafter,
5 those persons may not participate as named parties, but shall be members of the Class.

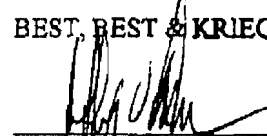
6 The Court's prior Class Certification Order remains in full force and effect in all other
7 respects.

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9 Dated: June 16, 2009

KRAUSE, KALFAYAN, BENINK
& SLAVENS, LLP

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11 
12 Ralph B. Kalfayan, Esq.
13 David B. Zlotnick, Esq.
14 Attorneys for the Willis Class

BEST, BEST & KRIEGER, LLP

15
16 
17 Jeffrey Dunn, Esq.
18 On Behalf of all Public Water Suppliers

19 **ORDER**

20 APPROVED AND SO ORDERED:

21
22 Dated: JUN 17 2009


23 
24 Hon. Jack Komar,
25 Judge of the Superior Court

EXHIBIT A

EXHIBIT A

I previously received notification that I may be a member of the Willis (non-pumper) Class in the *Antelope Valley Groundwater Litigation*, and excluded myself from the Class. I hereby state that I elect to be included in the Class and do not wish to participate as a named party in the litigation. I understand that I cannot later change this election unless permitted by the Court. I confirm that I own property within the Antelope Valley Groundwater Basin and groundwater has never been pumped on that property.

Signature Date:

Signature of Co-Owner Date:

AIN/APN Number: _____

Address of Parcel: _____

Please Return Completed Form:

Antelope Valley Groundwater Litigation

P.O. Box 12013

Riverside, California 92502-9839

EXHIBIT B

EXHIBIT B

I own property within the Antelope Valley Groundwater Basin as defined by the Court and have been named a defendant by the Public Water Suppliers. I understand that there is a pending Class action, *Willis v. Los Angeles County Waterworks Dist. No. 40, et al.*, which has been brought on behalf of persons who own properties on which there has not been any pumping of groundwater. I hereby elect to be included in the *Willis* Class and do not wish to participate as a named party in the litigation. I understand that I cannot later change this election unless permitted by the Court. I further state that I am knowingly waiving my right to participate as a named party and that I have consulted my personal counsel in that regard. I certify that I own property within the Antelope Valley Groundwater Basin and that groundwater has never been pumped on that property.

_____ Date:
Signature

_____ Date:
Signature of Co-Owner

AIN/APN Number: _____

Address of Parcel: _____

Please Return Completed Form to:

Antelope Valley Groundwater Litigation
P.O. Box 12013
Riverside, CA 92502-0869.