

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 11/04/14

DEPT. 56

HONORABLE JACK KOMAR

JUDGE

P. SOLIS

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

JEANETTE COYLE, CSR#12665,
PRO TEMPORE

Reporter

10:00 am

JCCP4408

Coordination Proceeding Special
Title Rule (1550(b))
ANTELOPE VALLEY
GROUNDWATER CASES

Plaintiff	Wesley Miliband (x)
Counsel	Michael McLachlan (x)
	Ralph Kalfayan (x)
Defendant	Walter Wilson (x)
Counsel	Jeffrey Dunn (x)
	Thomas Bunn (x)
	Edward Renwick (x)
	Christopher Sanders (x)

NATURE OF PROCEEDINGS:

ADDITIONAL APPEARANCES OF COUNSEL:

Noah Golden-Krasner (x)	Janet Goldsmith (x)
Michel Fife (x)	Keith Lemieux (x)
R. Lee Leininger (x)	Bob Joyce (x)
Robert Kush (x)	Andrew Casey (phone)
Edward Casey (phone)	Marilyn Levin (phone)
James Dubois (phone)	William Solan (phone)
Walter Rusinek (phone)	Bradley Weeks (phone)
James Worth (phone)	Scott Kuney (phone)
Joseph Hughes (phone)	Douglas Evertz (phone)
Michael Davis (phone)	Andrew Ramos (phone)
John Ukkestad (phone)	Jeanne Zolezzi (phone)
Sheldon Blum (phone)	Bradley Herrema (phone)
Frank Satalino (phone)	

FURTHER CASE MANAGEMENT CONFERENCE;

WILLIS MOTION TO SUBSTITUTE PLAINTIFF CLASS REPRESENTATIVE;

MOTION OF ANTELOPE VALLEY MOBILE ESTATES TO OPT-IN INTO THE WOOD CLASS;

COURT TRIAL FOR PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT ON THE 2ND AND 6TH CAUSES OF ACTION;

Matters are called for hearing.

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NATURE OF PROCEEDINGS:

The Order Appointing Court Approved Reporter as Official Reporter Pro Tempore is signed and filed this date, and the case proceeds with the reporter of record as reflected on the minute order.

Motion to substitute plaintiff class representative for the Willis Class is granted as to David Estrada, and is denied without prejudice to The Archdiocese of Los Angeles. Moving Party may renote the motion as to the Archdiocese for December 22, 2014.

The motion of Antelope Valley Mobile Estates to opt-in into the Wood Class is denied without prejudice to renewal. Counsel for Moving Party is directed to meet and confer with Liaison Counsel.

Case Management Conference is held.

Motion for Preliminary Approval of the Wood Class Settlement is set for February 6, 2015 at 9:00 a.m.

Hearing on Final Approval is set for June 1, 2015 at 9:00 a.m.

Case Management Order is signed and filed this date.

Cause is called for trial on the Cross-Complaint of Phelan Pinon Hills Community Services District on the 2nd And 6th Causes of Action.

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NATURE OF PROCEEDINGS:

Counsel for defendants Van Dam's WDS California II, LLC, US Borax and Avek, state they will not participate in this phase of trial.

Phelan Pinon Hills' motion in limine to exclude evidence not relevant to Phelan's 2nd and 6th Causes of Action is deferred.

Phelan Pinon Hills' motion in limine to exclude evidence not disclosed to Phelan through the stipulation of facts or depositions of expert witnesses is also deferred.

Phelan Pinon Hills' motion to exclude evidence of modeling by designated expert Dennis Williams is ordered to stand submitted.

Counsel for Phelan Pinon Hills makes an opening statement

Counsel for L.A. Co. Waterworks District No. 40 defers making an opening statement.

Donald Bartz is sworn and testifies for Phelan Pinon Hills.

The following exhibits are admitted in evidence:
Phelan CSD-1(San Bernardino County LAFCO Resolution 2994), Phelan CSD-2(transmittal re real estate appraisals), Phelan CSD-3(letter re original contracts

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for purchase of parcels), Phelan CSD-4(6-23-99 letter)
Phelan CSD-5(7-9-99 letter), Phelan CSD-6(quitclaim
deed executed on September 13, 1999),
Phelan CSD-7(10-5-99 letter), Phelan CSD-8(March 2000
Initial Study), Phelan CSD-9(5-30-00 acknowledgement
of receipt), Phelan CSD-10(6-21-00 letter),
Phelan CSD-11(8-29-00 report), Phelan CSD-12(6-3-03
report), Phelan CSD-13(well completion report),
Phelan CSD-14(certificate of completion),
Phelan CSD-15(map of Phelan pinon Hills service area),
Phelan CSD-16(flow meter readings),
Phelan CSD-17(certificates of accuracy),
Phelan CSD-18(first notice of extraction),
Phelan CSD-19(air photo location map),
Phelan CSD-20(air photo), Phelan CSD-21(photo),
Phelan CSD-22(C.V. of Thomas Harder),
Phelan CSD-23(trial testimony of Joseph Scalmanini),
Phelan CSD-24(trial testimony of Joseph Scalmanini).

The following exhibits are marked for identification:
Phelan CSD-26(map of the Groundwater Basins) and
Phelan CSD-39(map with active water connections).

Trial is continued to November 5, 2014 at 9:00 a.m.
in this department.

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