

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 02/10/16

DEPT. 222

HONORABLE JACK KOMAR

JUDGE

H. KWON BALBA

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

TRACY DYRNESS, CSR #12323

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

PRO TEMPORE Reporter

10:00 am

JCCP4408

Plaintiff

MICHAEL D. McLACHLAN

Counsel

DANIEL O'LEARY

Coordination Proceeding Special
Title Rule (1550(b))
ANTELOPE VALLEY
GROUNDWATER CASES
*ASSIGNED TO JUDGE JACK KOMAR
IN SANTA CLARA COUNTY (8/31/05

Defendant

THEODORE A. CHESTER, JR.

Counsel

ROBERT BRUMFELD

THOMAS S. BUNN III

NOAH GOLDEN-KRASNER

NATURE OF PROCEEDINGS:

MOTION BY MARK RITTER, SUCCESSOR TRUSTEE OF THE RITTER FAMILY TRUST AND MARK S. RITTER AND DANA E. RITTER TO SET ASIDE JUDGMENT ENTERED AGAINST THEM ON DECEMBER 23, 2015;

ADDITIONAL APPEARANCES BY COUNSEL IN COURT:

THOMAS S. BUNN III
SHELDON R. BLUMM
MICHAEL T. FIFE

ADDITIONAL APPEARANCES BY COUNSEL VIA COURTCALL:

ERIC ADAIR	KAREN L. BILOTTI
ROBERT G. KUHS	ANDREW BRADY
CHRISTOPHER P. BURGER	MICHAEL D. DAVIS
DOUGLAS J. EVERTZ	MILES HOGAN
BOB H. JOYCE	RALPH B. KALFAYAN
SCOTT K. KUNEY	LEE R. LEININGER
W. KEITH LEMIEUX, JR.	RAVI S. PATEL
STANLEY C. POWELL	ANDREW J. RAMOS
WALTER E. RUSINEK	CHRISTOPHER M. SANDERS
WILLIAM SLOAN	JOHN UKKESTAD-CLIENT
WALTER J. WILSON	RICHARD G. ZIMMER
JEANNE M. ZOLEZZI	WENDY WANG
JAMES WORTH	

The matter is called for hearing.

Counsel informs the court a settlement has been

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NATURE OF PROCEEDINGS:

reached as to non-stipulating Robar entities this morning and that this settlement does not modify the judgment. The paperwork is to be filed within 7 days.

Court and counsel confer regarding the status of the Hooshpack defendants.

Pursuant to stipulation , it is ordered:

"1. The Request for Entry of Default and Default entered on March 23, 2012, as against Frank A. Lane, Roe 612, is hereby set aside; and

2. Amended Exhibit 1 to [Proposed] Judgment and Physical Solution (attached as Exhibit A and incorporated into the Judgment entered December 28, 2015) is hereby corrected by deleting the following line item on page 8: "Roe 612 Frank A. Lane 3/23/2012 5/8/2013."

Order to Set Aside Default of Cross-Defendant Frank A. Lane is signed and entered this date. The order is to be posted on the litigation website by counsel for Frank A. Lane.

Motion by Mark Ritter, successor trustee of the Ritter Family Trust and Mark S. Ritter and Dana E. Ritter to set aside Judgment entered against them on December 23, 2015, is argued and DENIED for the reasons stated on the record as fully reflected in the notes of the pro tempore reporter and incorporated herein by reference to the minute order.

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NATURE OF PROCEEDINGS:

The Court does not find excuseable neglect by the Ritter entities. The Court further finds counsel were not neglectful and counsel did what they were supposed to do. The judgment applies to the Ritter entities and their property and the judgment should reflect this. A written order is to follow.

The following hearings are set for March 21, 2016, at 1:30 p.m. in the Santa Clara Superior Court, department to be announced:

- (1) "Second Supplemental" Motion by Willis Plaintiffs for Attorneys' Fees, Costs and Incentive Award;
- (2) Motion by Wood Plaintiffs for Award of Attorneys' Fees, Costs and Incentive Awards;
- (3) Motion by Lane Family for Post-Judgment Supplemental Order

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