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Our File Number:
23641-1

May 9, 2019

FILED THROUGH TRUEFILING

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

**Re: Antelope Valley Groundwater Cases
Case No. F075451**

Dear Clerk of the Court of Appeal:

We represent the Antelope Valley Watermaster, which is the respondent in the second of two separate appeals filed in this matter by Phelan Piñon Hills Community Services District (“Phelan”). This letter is to bring to your attention the current absence of any briefing deadlines for this second appeal.

According to the Court’s online docket, Phelan’s first notice of appeal, which was from the underlying judgment, was filed in the trial court on February 19, 2016 and received by the Court on March 4, 2016 (the “2016 Appeal”). Phelan’s second notice of appeal, which was from a post-judgment order, was filed in the trial court on May 17, 2018 and received by the Court on June 19, 2018 (the “2018 Appeal”).

On January 31, 2019, the Court issued an order setting a briefing schedule for the 2016 Appeal and several other appeals filed by various parties from the underlying judgment. The Court’s January 31, 2019 order does not, however, set a briefing schedule for Phelan’s 2018 Appeal. A copy of the Court’s January 31, 2019 order is enclosed for your convenience.

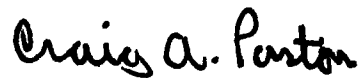
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Shortly after filing the 2018 appeal, Phelan filed a Notice Designating Record on Appeal in which it elected to proceed by appendix under CRC Rule 8.124 and attached a certified copy of the reporter's transcript pursuant to CRC Rule 8.130(b)(3)(C). The Court's docket shows that it received Phelan's record designation for the 2018 Appeal with the attached reporter's transcript on June 21, 2018. (The docket entry for this date states that the court received a reporter's transcript consisting of 28 pages for a hearing held on April 18, 2018; this matches the reporter's transcript designated by Phelan for the 2018 Appeal).

Given the Court's receipt of the reporter's transcript and Phelan's election to proceed by appendix, it would appear to be appropriate for the Court to give notice to the parties pursuant to CRC Rule 8.150(b) that the record for the 2018 Appeal has been filed and that the statutory period for the filing of the appellant's opening brief has commenced running.

Thank you for your attention to this matter.

Very truly yours,



Craig A. Parton
for PRICE, POSTEL & PARMA LLP

cc: All parties to the Antelope Valley Groundwater Cases
via Glotrans website

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

Coordination Proceeding
Special Title (Rule 3.550(c))

F075451

ANTELOPE VALLEY GROUNDWATER
CASES*

(JCCP No. 4408)

BY THE COURT:

To provide for the orderly administration of justice, this court, on its own motion and after consideration of the recommendations submitted by the parties and the stipulations and representations of the parties, hereby sets the filing and briefing schedule as set forth in paragraphs 2 and 4 below for the matters encompassed by the specific appeals identified in paragraphs 1 and 3 below. 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.

ORDER

1. The matters encompassed by the following notices of appeal (the "Judgment Appeals") shall be subject to the filing and briefing schedule set forth in paragraph 2:
 - A. The Notice of Appeal filed on February 19, 2016, by Phelan Piñon Hills Community Services District; and,
 - B. The Notice of Appeal filed on February 25, 2016, by Rebecca Lee Willis and David Estrada on behalf of themselves and other similarly situated; and,
 - C. The Notice of Appeal filed on March 2, 2016, by Charles Tapia and the Nellie Tapia Family Trust; and,

**Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.* (L.A. Super. Ct. No. BC325201); *Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.* (Kern Super. Ct. No. S-1500-CV254348); *Wm. Bolthouse Farms, Inc. v. City of Lancaster* (Riverside Super. Ct. No. RIC353840); *Diamond Farming Co. v. City of Lancaster* (Riverside Super. Ct. No. RIC344436); *Diamond Farming Co. v. Palmdale Water Dist.* (Riverside Super. Ct. No. RIC344668); *Willis v. Los Angeles County Waterworks District No. 40* (L.A. Super. Ct. No. BC364553); *Wood v. Los Angeles County Water Works District No. 40* (L.A. Super. Ct. No. BC391869).

- D. The Notice of Appeal filed on March 2, 2016, by Mark Ritter Successor Trustee of the Ritter Family Trust, Mark S. Ritter and Dana E. Ritter.
2. The following dates shall apply, absent an extension pursuant to California Rules of Court, rule 8.212(b), to the appeals listed in paragraph 1:
- A. Appellants' appendices, if any, shall be filed and served on or before March 1, 2019.
 - B. Appellants' opening briefs shall be filed and served on or before May 31, 2019.
 - C. Respondents' briefs, and any respondents' appendices, shall be filed and served on or before September 27, 2019.
 - D. Appellants' reply briefs, if any, shall be filed and served on or before November 8, 2019.
3. The matters encompassed by the following notices of appeal (the "Fees Appeals") shall be subject to the filing and briefing schedule set forth in paragraph 4:
- A. The Notice of Appeal filed on May 25, 2016, by Rebecca Lee Willis and David Estrada on behalf of themselves and others similarly situated; and,
 - B. The Notice of Appeal filed on June 22, 2016, by Richard A. Wood on his own behalf and on behalf of all other members of the "Small Pumper Class"; and,
 - C. The Notice of Appeal filed on June 23, 2016, by Los Angeles County Waterworks District No. 40; and,
 - D. The Notice of Appeal filed on June 23, 2016, by Littlerock Creek Irrigation District, Palm Ranch Irrigation District, North Edwards Water District, Desert Lake Community Services District and Quartz Hill Water District; and,
 - E. The Notice of Appeal filed on September 13, 2016, by Los Angeles County Waterworks District No. 40, Littlerock Creek Irrigation District, Palm Ranch Irrigation District, North Edwards Water District, Desert Lake Community Services District and Quartz Hill Water District; and,
 - F. The Notice of Appeal filed on September 13, 2016, by Richard A. Wood on his own behalf and on behalf of all other members of the "Small Pumper Class"; and,
 - G. The Notice of Appeal filed on October 11, 2016, by Los Angeles County Waterworks District No. 40, Littlerock Creek Irrigation District, Palm Ranch Irrigation District, North Edwards Water District, Desert Lake Community Services District and Quartz Hill Water District; and,
 - H. The Notices of Appeal filed on November 4, 2016, by Los Angeles County Waterworks District No. 40, from the Orders entered on September 8, 2016, and October 18, 2016.

4. The following dates shall apply, absent an extension pursuant to California Rules of Court, rule 8.212(b), to the appeals listed in paragraph 3:

- A. Los Angeles County Waterworks District No. 40 will serve and deliver to the court a Joint Supplemental Appendix for the Fees Appeals, pursuant to the court's order dated September 29, 2016. The Joint Supplemental Appendix for the Fees Appeals shall incorporate by reference appellants' appendices for the Judgment Appeals. The Joint Supplemental Appendix for the Fees Appeals and any other appellant's separate appendix related to the Fee Appeals, if any, shall be filed and served on or before April 10, 2019.
- B. Appellants' opening briefs, including but not limited to any combined appellants' opening briefs which appellants elect to file jointly, shall be filed and served on or before June 28, 2019.
- C. Respondents' briefs, including but not limited to any combined respondent's briefs which respondents elect to file jointly, and any respondents' appendices, shall be filed and served on or before October 25, 2019.
- D. Appellants' reply briefs, if any, including but not limited to any combined appellants' reply brief which appellants elect to file jointly, shall be filed and served on or before December 6, 2019.



PEÑA, Acting P.J.