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Exempt from filing fee
Government Code § 6103

5 Attorneys for Defendant, Cross-Complainant
and Cross-Defendant CITY OF LANCASTER
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES
10

11 ANTELOPE VALLEY GROUNDWATER
CASES

12 Included Actions:

13 Los Angeles County Waterworks District
14 No. 40 v. Diamond Farming Co.
Superior Court of California, County of
15 Los Angeles, Case No. BC325201;

16 Los Angeles County Waterworks District
17 No. 40 v. Diamond Farming Co.
Superior Court of California, County of Kern,
Case No. S-1500-CV-254-348

18 Wm. Bolthouse Farms, Inc. v. City of
19 Lancaster, Diamond Farming Co. v. City of
Lancaster, Diamond Farming Co. v. Palmdale
20 Water Dist., Superior Court of California
County of Riverside, consolidated actions; Case
21 Nos. RIC 353 840, RIC 344 436, RIC 344 668.

LASC, Case No. BC 325201

Judicial Council Coordination
Proceeding No. 4408

Santa Clara Case No. 1-05-CV 049053
Assigned to The Honorable Jack Komar

**RESPONSE OF CITY OF LANCASTER
TO WILLIS CLASS MOTION FOR
ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT AND APPROVING
NOTICE TO THE CLASS**

DATE: October 7, 2010
TIME: 9:00 a.m.
DEPT: 1

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1 The City of Lancaster ("Lancaster") is named as a Defendant in the Willis Class Action
2 proceedings. Other than attending a single mediation before Justice Robie, Lancaster has not
3 participated in the negotiations of the Willis Class settlement, nor is a signatory thereto.

4 Over two years ago, on September 17, 2008, Lancaster, on behalf of itself only, filed a
5 Request for Dismissal of the "First Cause of Action of First Amended Cross-Complaint of Public
6 Water Suppliers," whereby Lancaster affirmatively dismissed any and all claims for prescription
7 against the Willis Class. Similarly, Lancaster has repeatedly confirmed in discovery responses that it
8 claims water rights in this proceeding only as an overlying landowner and through its recycled water
9 program.

10 On July 10, 2008, the Willis Class filed its "unopposed request by the Willis Class to dismiss
11 the City of Los Angeles from the Second Amended Class-Action Complaint." The Willis Class
12 requested the City of Los Angeles be dismissed from the Willis Class action because "the City does
13 not assert any prescriptive water rights against any landowner in the Willis Class." On July 16, 2008,
14 this Court entered its "order granting request by the Willis Class to dismiss the City of Los Angeles
15 from Second Amended Class-Action Complaint."

16 Lancaster is similarly situated as the City of Los Angeles -- it was named as a Defendant to the
17 Willis Class action, but claims no prescriptive rights against any members of the Willis Class.
18 Consistent with this Court's Order dismissing the City of Los Angeles, Lancaster respectfully requests
19 that it be dismissed as a Defendant in the Willis Class proceedings.

20
21 DATED: September 22, 2010 MURPHY & EVERTZ LLP

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23 BY: 

24 Douglas J. Evertz, Attorneys for Defendant,
25 Cross-Complainant and Cross-Defendant
26 CITY OF LANCASTER
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PROOF OF SERVICE

ANTELOPE VALLEY GROUNDWATER CASES
Judicial Council Coordination, Proceeding No. 4408

Santa Clara Case No. 1-05-CV 049053
Assigned to the Honorable Jack Komar
Los Angeles County Superior Court, Central, Dept. 1

I am a resident of the State of California, over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 650 Town Center Drive, Suite 550, Costa Mesa, California 92626. On September 22, 2010, I served the within document(s):

RESPONSE OF CITY OF LANCASTER TO WILLIS CLASS MOTION FOR ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND APPROVING NOTICE TO THE CLASS

by posting the document(s) listed above to the website <http://www.scefilings.org>, a dedicated link to the Antelope Valley Groundwater Cases; Santa Clara Case No. 1-05-CV 049053, Assigned to the Honorable Jack Komar, said document(s) is electronically served/distributed therewith.

By transmitting via e-mail the document(s) listed above to the e-mail address(es) and/or fax number(s) set forth below on this date.

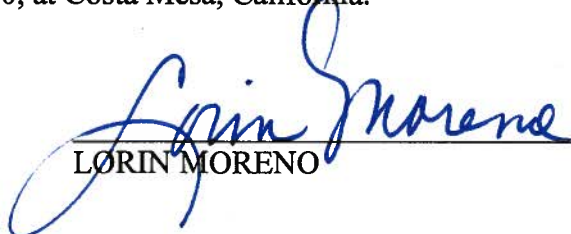
by placing the document(s) listed above in a sealed Overnight Express envelope/package for overnight delivery at Irvine, California addressed as set forth below.

by causing personal delivery by Nationwide Legal of the document(s) listed above, to the person(s) at the address(es) set forth below.

I am readily familiar with Murphy & Evertz, LLP's practice for collecting and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 22, 2010, at Costa Mesa, California.


LORIN MORENO