

1 Ralph B. Kalfayan (SBN 133464)
Lynne M. Brennan (SBN 149131)
2 KRAUSE KALFAYAN BENINK &
SLAVENS, LLP
3 550 West C Street, Suite 530
San Diego, CA 92101
4 Tel: (619) 232-0331
Fax: (619) 232-4019
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6 Class Counsel for the Willis Class
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

10 ANTELOPE VALLEY
11 GROUNDWATER CASES

12 This Pleading Relates to Included Action:
REBECCA LEE WILLIS and DAVID
13 ESTRADA, on behalf of themselves and
all others similarly situated,
14

15 *Plaintiffs,*

16 v.

17 LOS ANGELES COUNTY
18 WATERWORKS DISTRICT NO. 40;
CITY OF LANCASTER; CITY OF
19 PALMDALE; PALMDALE WATER
DISTRICT; LITTLEROCK CREEK
20 IRRIGATION DISTRICT; PALM
RANCH IRRIGATION DISTRICT;
21 QUARTZ HILL WATER DISTRICT;
22 ANTELOPE VALLEY WATER CO.;
ROSAMOND COMMUNITY SERVICE
23 DISTRICT; PHELAN PINON HILL
COMMUNITY SERVICE DISTRICT; and
24 DOES 1 through 1,000;

25 *Defendants.*
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RELATED CASE TO JUDICIAL COUNCIL
COORDINATION PROCEEDING NO. 4408

Honorable Judge Jack Komar
Coordinated Trial Judge

**WILLIS CLASS' STATEMENT OF
ASSERTION OF CLAIM**

1 In response to the Court’s Second Amended CMO, the Willis Class hereby submits their
2 “Assertion of Claim” in the Antelope Valley physical solution adjudication proceedings. As a
3 preliminary matter, however, the Willis Class asserts that the only legally viable “claims” involving
4 the Willis Class have been adjudicated against the Public Water Suppliers in the form of the Willis
5 Stipulation of Settlement and then entered in a Final Amended Judgment by this Court. No other
6 party to these coordinated proceedings has ever asserted a claim against the Willis Class that
7 challenges any of the rights conferred on the Willis Class either by the Willis Judgment or under
8 controlling California law. Therefore, the only “claim” remaining for the Willis Class to assert is
9 a claim to enforce the provisions of the Willis Judgment and to incorporate their correlative water
10 rights under California law as overlying landowners into the Physical Solution ultimately adopted
11 by this Court.

12 The Willis Class fully understands that groundwater in the Antelope Valley is not
13 “limitless” and that the right to pump groundwater will be more limited for all landowners and
14 PWS than in areas of California where there is not an overdraft situation in existence. However,
15 the fact that the Antelope Valley Basin is in a state of overdraft due to excessive pumping by the
16 current pumpers as well as uncontrollable factors such as record low rainfall does not and cannot
17 allow the Stipulating Parties or this Court to strip away the rights of the Willis Class conferred by
18 the Willis Judgment and controlling California law. Rather, the Willis Class’ water rights, domestic
19 or otherwise, must be incorporated into the Physical Solution so that Willis Class Members receive
20 their fair share of the NSY. Not an unlimited share, but a fair share. Zero percent of the NSY
21 allocated to the Willis Class in the Stipulation and proposed physical solution (“SPPS”) is not a
22 “fair share” by any stretch of the imagination and is unconscionable on its face. This is especially
23 true in light of the PWS’ brazen and illegal taking of private property rights by giving themselves
24 more of the NSY in the SPPS than they bargained for in the Willis Stipulation of Settlement and to
25 leave the Willis Class with none. Consequently, the Court cannot adopt the SPPS filed on March
26 4, 2015 as is without directly violating the Willis Judgment and controlling California law.

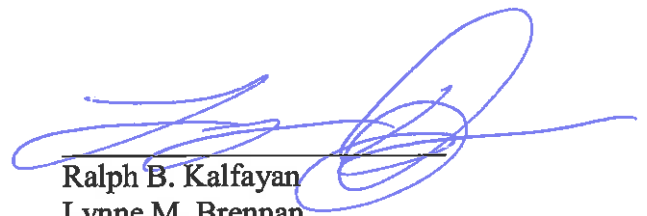
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1 As a direct result of the well-documented and intentional exclusion of Willis Class Counsel
2 from settlement negotiations leading to the SPPS as well as the PWS' intentional breach of the
3 Willis Stipulation of Settlement and violation of the Willis Judgment, the Willis Class must now
4 separately assert their rights in the context of the upcoming physical solution proceedings to ensure
5 that the Willis Class' rights are incorporated into the Physical Solution ultimately adopted by this
6 Court. Accordingly, as sanctioned by the California Supreme Court, the Willis Class will submit
7 evidence of Alternative Proposed Physical Solutions ("APPS") that incorporate the rights of the
8 Willis Class along with the other stakeholders in the Basin. The timing of the separate adjudication
9 for the incorporation of the established and vested rights of the Willis Class into a Physical Solution
10 is within the Court's discretion. Willis Class Counsel can submit the APPS into evidence some
11 time during the Stipulating Parties' hearing regarding the SPPS that is scheduled to begin on August
12 3, 2015. As the Court correctly noted at the March 26, 2015 Hearing, the Willis Class is not bound
13 by and is not a part of the physical solution proceedings relating to the SPPS beginning August 3,
14 2015. However, if it is more convenient for the Court to require the Willis Class to submit evidence
15 during those proceedings, Willis Class Counsel certainly will be prepared to do so. Of course, if
16 the Court would prefer to set an alternative time for Willis Class Counsel to submit the APPS into
17 evidence, we are amenable to scheduling a different date as well. The need for a Court-appointed
18 expert to assist the Court in competently and adequately assessing the relative merits of the APPS
19 may impact the timing of the Willis Class' physical solution proceeding. Again, that is for the
20 Court to decide and Willis Class Counsel remains flexible regarding the timing.

21 Dated: April 7, 2015

Respectfully submitted,

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23 KRAUSE KALFAYAN BENINK &
SLAVENS, LLP

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Ralph B. Kalfayan
Lynne M. Brennan
Class Counsel for the Willis Class