

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

5 Class Counsel for the Willis Class  
6  
7

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 *Plaintiffs,*

15  
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;  
ANTELOPE VALLEY WATER CO.;  
22 ROSAMOND COMMUNITY SERVICE  
DISTRICT; PHELAN PINON HILL  
23 COMMUNITY SERVICE DISTRICT; and  
DOES 1 through 1,000;

24 *Defendants.*  
25  
26  
27  
28

RELATED CASE TO JUDICIAL COUNCIL  
COORDINATION PROCEEDING NO. 4408

**WILLIS CLASS' FIRST AMENDED  
ALTERNATIVE PROPOSED PHYSICAL  
SOLUTION: [PROPOSED] JUDGMENT AND  
PHYSICAL SOLUTION MODIFIED TO  
INCORPORATE WILLIS CLASS PUMPING**

1 The Willis Class respectfully submits its First Amended [Proposed] Judgment and  
2 Physical Solution Modified to Incorporate Willis Class Pumping, attached hereto as Exhibit A. A  
3 redlined version of this document is attached hereto as Exhibit B.  
4

5 The stipulation and proposed physical solution (“SPPS”) filed by the Stipulating Parties  
6 on March 4, 2015, includes a quantification of groundwater rights. The Willis Class submits the  
7 attached [Proposed] Judgment and Physical Solution which incorporates the groundwater rights  
8 of the Willis Class and also modifies the SPPS to comply with California and Federal law.  
9

10 The California Supreme Court has ruled that the trial court must admit evidence regarding  
11 possible physical solutions even where, as here, certain parties object or attempt to prevent the  
12 trial court from considering alternative physical solutions:  
13

14 Other suggestions as to possible physical solutions were made during the trial. The  
15 trial court apparently took the view that none of them could be enforced by it  
16 unless the interested parties both agreed thereto. That is not the law. Since the  
17 adoption of the 1928 constitutional amendment, **it is not only within the power**  
18 **but it is also the duty of the trial court to admit evidence relating to possible**  
19 **physical solutions**, and if none is satisfactory to it to suggest on its own motion  
such physical solution. (*Tulare Irr. Dist. v. Lindsay-Strathmore Irr. Dist.*, [3  
20 *Cal.2d 489, 574 (1935)*].) The court possesses the power to enforce such solution  
regardless of whether the parties agree.

21 *City of Lodi v. E. Bay Mun. Util. Dist.*, 7 Cal. 2d 316, 341 (1936) (emphasis supplied).

22 Dated: November 3, 2015

Respectfully submitted,

23 KRAUSE KALFAYAN BENINK & SLAVENS, LLP

24 By:



Ralph B. Kalfayan, Esq.

Lynne M. Brennan, Esq.

Class Counsel for the Willis Class