

1 Law Offices of
2 **MATHENY SEARS LINKERT & JAIME, LLP**
3 NICHOLAS R. SHEPARD, ESQ. (SBN 300629)
4 3638 American River Drive
5 Sacramento, California 95864
6 Telephone: (916) 978-3434
7 Facsimile: (916) 978-3430
8 nshepard@mathenysears.com

9 Attorneys for Defendants, JOHNNY ZAMRZLA,
10 PAMELLA ZAMRZLA, JOHNNY LEE
11 ZAMRZLA AND JEANETTE ZAMRZLA

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

14 Coordinated Proceeding,
15 Special Title (Rule 1550(b))

16 ANTELOPE VALLEY
17 GROUNDWATER CASES.

Judicial Council Coordination
Proceeding No.: 4408

LASC Case No. BC32501

Santa Clara Sup. Court Case No.: 1-05-CV-049053
Assigned to Hon. Jack Komar, Judge of the Santa
Clara County Superior Court

**JOHNNY AND PAMELLA ZAMRZLA'S
NOTICE OF MOTION AND MOTION TO
SET ASIDE OR MODIFY JUDGMENT;
REQUEST FOR IN-PERSON HEARING**

**Date: May 3, 2022
Time: 9:00 a.m.**

18 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

19 NOTICE IS HEREBY GIVEN THAT on May 3, 2022 at 9:00 a.m., or as soon after as the
20 matter may be heard by telephonic appearance via Courtcall¹, defendants Johnny Zamrzla and
21 Pamella Zamrzla will and hereby do move the Court for an order setting aside or modifying the
22 Judgment and Physical Solution as to them. **The Zamrzlas request the Court set this motion for**
23 **an in-person, evidentiary hearing.** As noted in the Court's Order, dated March 7 2022, "The
24
25
26
27

28 ¹ Although hearings have previously been held by CourtCall, defendants request an in-person hearing be set for this motion.

1 motion is tentatively set for telephonic hearing but if evidence is presented, it may be heard as a
2 virtual or in person hearing, a venue to be designated.” (DI 12248.)


3 This motion is made on the grounds that the Zamrzlas never received notice of the Antelope
4 Valley Groundwater litigation, and therefore as a matter of Due Process cannot be bound by the
5 Judgment. This motion is also made on the grounds the notice of the litigation was defective, and
6 that the Zamrzlas are not, by definition, “small pumpers” as that class has been defined.

7 The Zamrzlas request the Court delay hearing the matter of their water allocation rights, as
8 that issue is not ripe until it is determined whether the Zamrzlas are bound by the Judgment and
9 Physical Solution.

10 This motion will be based on this Notice of Motion, the Memorandum of Points and
11 Authorities, the Declaration of Johnny Zamrzla, the Declaration of Pamella Zamrzla, the
12 Declaration of Rick Koch, the Declaration of Nicholas R. Shepard, the Request for Judicial Notice,
13 the pleadings, papers, and records on file in this action, and such oral or documentary evidence as
14 may be presented at the hearing of the motion.

15 Dated: April 11, 2022

MATHENY SEARS LINKERT & JAIME, LLP

17
18 By: 
19 _____
20 NICHOLAS R. SHEPARD, ESQ.,
21 Attorney for Defendants, JOHNNY
22 ZAMRZLA, PAMELLA ZAMRZLA,
23 JOHNNY LEE ZAMRZLA AND
24 JEANETTE ZAMRZLA

25
26
27
28