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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF LOS ANGELES**

11 **ANTELOPE VALLEY**
12 **GROUNDWATER CASES**

) RELATED CASE TO JUDICIAL
) COUNCIL COORDINATION
) PROCEEDING NO. 4408
)

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

)
)
) PLAINTIFF REBECCA WILLIS'
) STATUS CONFERENCE STATEMENT
)

15 Plaintiff,
16

17 vs.

) Date: July 21, 2008
) Time: 10:00 a.m.
) Dept: 1
) Judge: Hon. Jack Komar
) Coordination Trial Judge
)

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

24 Defendants.
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26 The Willis Class submits the following status conference statement outlining its positions
27 relative to discovery, Class definition and joinder issues as well as Phase II trial issues.
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I.

DISCOVERY

On May 29, 2008, Plaintiff Rebecca Willis propounded her first set of discovery directed to Defendant Municipal Water Purveyors. Plaintiff served Form Interrogatories, Special Interrogatories, Requests for Admission, and Requests for Production of Documents on nine (9) different water purveyors who claim prescription. Responses were due on July 2, 2008. After a two week extension, most defendants' responses were served on July 14, 2008. The City of Lancaster served its responses on July 15, 2008. Documents were attached to some of the discovery responses, while other responses indicated documents would be forthcoming. Because of the short period from the date we received these responses to the date of the next status conference, Plaintiff needs additional time to review all 36 discovery responses and to further meet and confer with each Defendant in an attempt to resolve our discovery disputes. Should those efforts fail, Plaintiff will respectfully request time from the Court for an informal discovery conference.

II.

CLASS DEFINITION AND JOINDER OF PARTIES

The Purveyors recently moved to amend the present definition of the Willis Class to exclude all persons who have ever pumped water on their properties. Although Willis reserves her rights, she is presently inclined not to oppose that motion.

Willis remains concerned that all of the necessary parties are still not before the Court, and requests that the Court takes up that issue at the status conference.

III.

PHASE II TRIAL

Willis shares and agrees with many of the concerns expressed by AGWA and other overlying landowners regarding the upcoming Phase II trial. In particular, Willis believes that determining the issue of whether this large area contains any hydrologically distinct sub-basins is a logical prerequisite to any findings as to yield and overdraft. A finding of overdraft should include an analysis of reasonable and beneficial use. In addition, Willis believes that the issues

1 to be adjudicated in the upcoming phase of trial should be defined and agreed upon by all parties,
2 so that all parties can be prepared to address those issues. Willis respectfully suggests that the
3 Purveyors submit by July 31 a list of questions that they believe the Court should address in the
4 next phase and that any other parties respond by August 6, 2008.

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Dated: July 17, 2008

KRAUSE KALFAYAN BENINK
& SLAVENS LLP

/s/Ralph B. Kalfayan
Ralph B. Kalfayan, Esq.
David B. Zlotnick, Esq.
Attorneys for Plaintiff and the Class

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PROOF OF SERVICE

I, Ashley Polyascko, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is 625 Broadway, Suite 635, San Diego, California, 92101. On **July 17, 2008**, I served the within document(s):

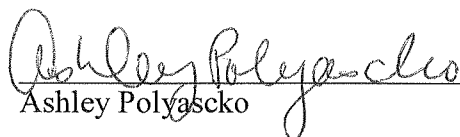
PLAINTIFF REBECCA WILLIS' STATUS CONFERENCE STATEMENT

- by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Diego, California addressed as set forth below:
- by causing personal delivery by Cal Express of the document(s) listed above to the person(s) at the address(es) set forth below.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- I caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by UPS following the firm's ordinary business practices.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with the postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on **July 17, 2008**, at San Diego, California.


Ashley Polyascko