

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 FOR THE COUNTY OF LOS ANGELES

3 COORDINATED PROCEEDING ) JUDICIAL COUNCIL COORDINATION  
4 SPECIAL TITLE (Rule 1550(b)) ) PROCEEDING NO. 4408  
5 )  
6 ANTELOPE VALLEY GROUNDWATER ) PLAINTIFF WILLIS' [PROPOSED]  
CASES ) ORDER GOVERNING CLASS NOTICE  
7 Include Actions: ) **Hearing:**  
8 REBECCA LEE WILLIS, on behalf of herself ) Date: November 25, 2008  
and all others similarly situated, ) Time: 10:30 a.m.  
9 ) Place: Dept.17 (Santa Clara County)  
10 Plaintiff, )  
11 vs. ) Judge: Hon. Jack Komar  
12 LOS ANGELES COUNTY WATERWORKS )  
DISTRICT NO. 40; et al., )  
13 Defendants. )  
14 Los Angeles County Superior Court )  
Case No. BC 364 553 )  
15 )  
16 AND RELATED ACTIONS )

17 WHEREAS, on September 11, 2007, the Court entered an Order certifying this action as  
18 a class action pursuant to Section 382 of the Code of Civil Procedure ("C.C.P.") ("Class  
19 Certification Order"); and

20 WHEREAS, by Orders dated May 22, 2008 and September 2, 2008, the Court modified  
21 its Class Certification Order in certain respects; and

22 WHEREAS, the Court has provisionally approved the form of Notice to the Class and  
23 directed the parties to propose the means of providing Notice to the Class; and

24 WHEREAS, the Court having carefully considered the parties' submissions and the  
25 relevant issues;

26 IT IS HEREBY ORDERED this \_\_\_ day of \_\_\_\_\_, 2008 as follows:

- 27 1. The proposed Notice of Pendency of Class Action (the "Notice"), a copy of which  
28

1 is attached hereto as Exhibit A, satisfies the requirements of C.C.P. Section 382 and due process,  
2 and is approved as to form and content. The Notice to be sent to Class members shall be in all  
3 substantive respects in the form attached as Exhibit A.

4 2. On or before December 31, 2008, Los Angeles County Waterworks District No.  
5 40 ("District 40") shall cause the Notice to be sent by first class mail to all persons who appear to  
6 be members of the Willis Class (i.e., owners of unimproved properties within the Basin). All  
7 class members address information shall be updated through the National Change of Address  
8 registry. All notices returned for incorrect or undeliverable addresses will be researched,  
9 processed, and resent within 15 days of receipt of updated addresses. District 40 shall make a  
10 good faith and reasonable effort to promptly locate the class members and resend the notice.

11 3. Between January 4, 2009 and January 30, 2009, District 40 shall cause the  
12 Summary Notice, in the form attached hereto as Exhibit B, to be published on at least 4 separate  
13 occasions (including at least two Sundays and two weekdays) in each of the following  
14 newspapers: *The Antelope Valley Press*, *The Los Angeles Times*, and *The Bakersfield*  
15 *Californian*. The notices in the *Antelope Valley Press* and *Bakersfield Californian* shall be at  
16 least 1/4 page and shall be placed in the Business sections of those papers.

17 4. On or before January 31, 2009, District 40 shall file and post a Declaration  
18 attesting to service of the Notice and publication of the Summary Notice, and shall make  
19 available a list identifying all persons to whom the Notice was sent.

20 5. Class members shall have until March 1, 2009 to exclude themselves from the  
21 Class. Any exclusion form postmarked by March 1, 2009 or received by March 5, 2009 shall be  
22 deemed timely. Any person who timely returns the exclusion form or identifies him/herself as  
23 not owning property within the Basin or as a pumper shall be excluded from the Class. All other  
24 persons shall remain Class members. The above deadlines shall be subject to modification by  
25 the Court upon a showing of good cause.

26 6. Class counsel in cooperation with District 40 counsel shall establish a class web  
27 site (the "Web Site") to apprise class members in both the Willis and Wood class actions as to  
28 developments in the case. The web site shall initially consist of an (1) Introductory Page, (2) the

1 Class Notices; (3) the Response Form, in a form that allows it to be electronically completed and  
2 submitted; (4) a link to the Court's web site; (5) selected pleadings and Orders including the  
3 operative Complaints and the Court's Orders certifying the Willis and Wood Classes; (6) a  
4 "Frequently Asked Questions" page; and (7) contact information, with use of a toll free 800  
5 number, for those persons who have further questions.

6 7. The Web Site shall be periodically updated as the case progresses. Class counsel  
7 shall post on the case docket any proposed entries to the Web Site, which shall be as objective as  
8 possible. Any party may object to a proposed entry within five (5) business days of its posting,  
9 in which event the matter will be considered by the Court at its next following Hearing. In the  
10 event there is no objection within five business days, Class Counsel may make the entry on the  
11 web site.

12 8. Within twenty (20) business days of the deadline for persons to exclude  
13 themselves from the Class, Los Angeles County Waterworks District No. 40 shall file and serve  
14 a list of all persons who have requested that they be excluded from the Class or who have  
15 identified themselves as pumpers, as well as any other communications it has received in  
16 response to the Notice.

17 Dated: December \_\_, 2008

18 \_\_\_\_\_  
19 Judge of the Superior Court