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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF LOS ANGELES

10  
11 **ANTELOPE VALLEY**  
12 **GROUNDWATER CASES**

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

15 *Plaintiff,*

16 v.

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

*Defendants.*

RELATED CASE TO JUDICIAL COUNCIL  
COORDINATION PROCEEDING NO. 4408

The Honorable Jack Komar  
Coordination Trial Judge

**DECLARATION OF THE ARCHDIOCESE OF  
LOS ANGELES RELATING TO THE  
"LESLIE PROPERTY" AND OPT-IN FORM  
IN SUPPORT OF RENEWED MOTION TO  
ADD LEAD PLAINTIFF**

1 I, Michael T. Davitt, declare as follows:

2 1. I am employed as Director of Real Estate for the Archdiocese of Los Angeles (the  
3 "Archdiocese"). The Archdiocese is a member of the *Willis* Class as defined in the judgment  
4 dated September 22, 2011. I submit this Declaration relating to the "Leslie Property" and Opt-In  
5 Form in support of Plaintiff's Renewed Motion to Add Lead Plaintiff. I am over 18 years old and  
6 make this statement based on my own personal knowledge. If called upon as a witness to testify  
7 to the truth of the matters contained in this declaration, I would, and could, competently do so.  
8

9 2. The Archdiocese owns the following eleven pieces of property in the Antelope Valley  
10 Basin: 1) Parcel No. 3089-009-013 (79.73 acres); 2) Parcel No. 3113-006-098 (10.05 acres); 3)  
11 Parcel No. 3203-010-003 (19.56 acres); 4) Parcel No. 3204-007-020 (19.49 acres); 5) Parcel No.  
12 3204-007-022 (9.88 acres); 6) Parcel No. 3204-007-029 (27.52 acres); 7) Parcel No. 3279-016-  
13 024 (17.13 acres); 8) Parcel No. 3318-009-087 (10.19 acres); 9) Parcel No. 3318-009-094 (7.63  
14 acres); 10) Parcel No. 3336-008-001 (18.54 acres); and 11) Parcel No. 3089-028-023 (27 acres).  
15 To the best of my knowledge none of the parcels have a well to pump groundwater nor was there  
16 ever any pumping of groundwater from those properties. The Archdiocese does have plans to  
17 develop some of these parcels in the near future and those development needs will require the  
18 installation of a well for the pumping of groundwater. It is the plan of the Archdiocese to develop  
19 those properties within the next two years for various needs of the church including a cemetery.  
20 In connection with the use, the Archdiocese plans to install a well and pump groundwater for  
21 reasonable and beneficial use.  
22

23 3. As set forth fully in the "Opt-In" Form attached hereto as Exhibit A, the Archdiocese  
24 hereby elects to be included in the *Willis* Class and does not wish to participate as a named party  
25 in the litigation. The Archdiocese understands that it cannot later change this election unless  
26 permitted by the Court. The Archdiocese further states that it is knowingly waiving its right to  
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1 participate as a named party and that it has consulted its legal counsel in that regard. The  
2 Archdiocese certifies that it owns the properties set forth in Attachment A attached to the "Opt-  
3 In" Form (Exhibit A) within the Antelope Valley Groundwater Basin and that groundwater has  
4 never been pumped on those properties. Annexed to this Declaration as Exhibit A is the "Opt-In"  
5 Form of the Archdiocese for inclusion as a Member of the "*Willis Class*."  
6

7 4. Until July 31, 2012, the Archdiocese owned Assessor Parcel No. 3088-001-005, a parcel  
8 of approximately 104 acres located north of the California Aqueduct at the intersection of 238th  
9 Street and Avenue X in the Antelope Valley Basin and known as the "Leslie Property." It was a  
10 bequest of the Leslie Trust to the Archdiocese. On July 31, 2012, the Archdiocese sold the  
11 "Leslie Property." To the best of my knowledge, there never has been any well on the "Leslie  
12 Property" (Parcel No. 3088-001-005) nor has there ever been any pumping of groundwater from  
13 this property.  
14

15 5. On December 26, 2006, the "Leslie Property," designated as Doe Defendant no. 107 in  
16 the Amendment to Complaint of plaintiff Los Angeles County Water Works District No. 40 and  
17 all Cross-Complaints on file, answered the Complaint and Cross-Complaint. Allan J. Graf (SBN  
18 057148) of Carlsmith Ball, LLP appeared as "Attorneys for the Leslie Property" and has appeared  
19 only as "Attorneys for the Leslie Property" in all proceedings in the Antelope Valley  
20 Groundwater Cases (JCCP 4408). As requested by the Court, the Answer of the Leslie Property  
21 is hereby withdrawn and dismissed.  
22

23 6. It is my understanding that David Estrada has been added as a Lead Plaintiff in this  
24 action. The Archdiocese of Los Angeles has retained the law firm of Krause Kalfayan Benink &  
25 Slavens, LLP to represent the Archdiocese in this action and has agreed to serve as one of the lead  
26 plaintiffs and class representatives. The Archdiocese understands the requirements of serving as  
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a class representative and voluntarily undertakes the burdens associated with the role of class representative.

I certify and declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on November 21, 2014 at Los Angeles, California.


THE ROMAN CATHOLIC ARCHDIOCESE OF  
LOS ANGELES

By:   
\_\_\_\_\_  
Michael T. Davitt  
Director of Real Estate

1 **EXHIBIT A – OPT-IN FORM**

2 The Roman Catholic Archdiocese of Los Angeles ("Archdiocese") owns property within the  
3 Antelope Valley Groundwater Basin as defined by the Court and have been named by the Public  
4 Water Suppliers. The Archdiocese understands that there is a pending Class action, *Willis v. Los*  
5 *Angeles County Waterworks Dist. No. 40, et al.*, which has been brought on behalf of persons  
6 who own properties on which there has not been any pumping of groundwater. The Archdiocese  
7 hereby elects to be included in the *Willis* Class and does not wish to participate as a named party  
8 in the litigation. The Archdiocese understands that it cannot later change this election unless  
9 permitted by the Court. The Archdiocese further states that it is knowingly waiving its right to  
10 participate as a named party and that it has consulted its legal counsel in that regard. The  
11 Archdiocese certifies that it owns the properties set forth in Attachment A hereto within the  
12 Antelope Valley Groundwater Basin and that groundwater has never been pumped on those  
13 properties.  
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17 THE ROMAN CATHOLIC ARCHDIOCESE OF  
18 LOS ANGELES

19  
20 By:   
21 Michael T. Davitt  
22 Director of Real Estate

23  
24  
25 Date: November 21, 2014

26 Please Return Completed Form to:  
27 Antelope Valley Groundwater Litigation  
28 P.O. Box 12013  
Riverside, CA 92502-0869

ATTACHMENT A

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<u>APN</u>	<u>LOCATION</u>	<u>SIZE</u>
(1) 3089-009-013	Vicinity Avenue V and 258th St. E Black Butte, CA 93591	79.73 acres
(2) 3113-006-098	Avenue C and Vicinity 45th St. W Caliche, CA 93536	10.05 acres
(3) 3203-010-003	70th St. W and Vicinity Lancaster Blvd. Del Sur, CA 93536	19.56 acres
(4) 3204-007-020	Avenue L and Vicinity 75th St. W Del Sur, CA 93536	19.49 acres
(5) 3204-007-022	Avenue L and Vicinity 72nd St. W Del Sur, CA 93536	9.88 acres
(6) 3204-007-029	Avenue L and 70th St. W Del Sur, CA 93536	27.52 acres
(7) 3279-016-024	Three Points Road and Kennedy Sawmill Mountain, CA 93532	17.13 acres
(8) 3318-009-087	Vicinity Avenue B8 and 210th St. E (north of Avenue C) Hi Vista, CA 93535	10.19 acres
(9) 3318-009-094	Vicinity Avenue B8 and 210th St. E (north of Avenue C) Hi Vista, CA 93535	7.63 acres
(10) 3336-008-001	Avenue K and 250th St. E Butte Valley, CA 93535	18.54 acres
(11) 3089-028-023	238th Street E. and Pearblossom Highway	27 acres