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

11 **ANTELOPE VALLEY GROUNDWATER  
12 CASES**

13 This Pleading Relates to Included Action:  
14 REBECCA LEE WILLIS and DAVID  
15 ESTRADA, on behalf of themselves and all  
16 others similarly situated,

17 *Plaintiffs,*

18 v.

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

*Defendants.*

RELATED CASE TO JUDICIAL COUNCIL  
COORDINATION PROCEEDING NO. 4408

**WILLIS CLASS' OPPOSITION TO WOOD  
CLASS MOTION FOR AN INCENTIVE  
AWARD**

Date: April 1, 2016

Time: 1:30 p.m.

Dept.: 1

Court: San Jose Superior Court  
191 N. First Street  
San Jose, CA 95113

Judge: Hon. Jack Komar

29 The Willis Class submits this brief statement in opposition to the Wood Class Motion for  
30 an incentive award. The Court will recall that the December 23, 2015 Final Judgment addressed  
31 Mr. Wood's incentive award. Section 5.1.3.8 of the Judgment states: "In recognition of his service

1 as class representative, Richard Wood has a production right of up to 5 acre-feet per Year...” A  
2 motion seeking post judgment modification of the incentive award would be procedurally improper  
3 for several reasons.

4 First, the entry of a “final judgment” terminates the litigation between the parties and leaves  
5 nothing in the nature of judicial action to be done other than questions of enforcement or  
6 compliance. (*Ramon v. Aero. Corp.* (1996) 50 Cal.App.4th 1244, 1238.)

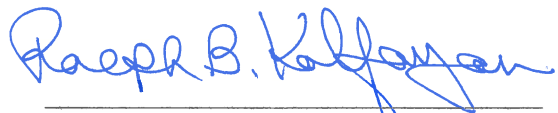
7 Furthermore, the Willis Class filed its Notice of Appeal from the December 23, 2015  
8 Judgment. Several other parties have also filed appeals. These appeals suspend the Court’s  
9 jurisdiction on matters contained within the Judgment. (*In re Estate of Waters* (1919) 181 Cal. 584,  
10 585 [notice of appeal “divests the trial court of further jurisdiction in the cause.”]; *Elsa v. Saberi*  
11 (1992) 4 Cal.App.4th 625, 629 [“The trial court’s power to enforce, vacate or modify an appealed  
12 judgment or order is suspended while the appeal is pending”].)

13 Finally, the Judgment itself (at Paragraph 6.5) limits the Court’s ability to modify any of its  
14 terms after entry.

15 For the foregoing reasons, the motion for an incentive award for Richard Wood should not  
16 be considered by the Court.

17 Respectfully submitted,

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19 KRAUSE, KALFAYAN, BENINK &  
20 SLAVENS, LLP

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Ralph B. Kalfayan, Esq.  
23 Class Counsel for the Willis Class  
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PROOF OF SERVICE

14  
15 *Plaintiffs,*

16 v.

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18 WATERWORKS DISTRICT NO. 40;  
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19 PALMDALE; PALMDALE WATER  
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ANTELOPE VALLEY WATER CO.;  
22 ROSAMOND COMMUNITY SERVICE  
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23 COMMUNITY SERVICE DISTRICT;  
24 and DOES 1 through 1,000;

25 *Defendants.*  
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I, Cindy Barba, declare:

I am a citizen of the United States and employed in San Diego County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is Krause Kalfayan Benink & Slavens, LLP 550 West C Street, Suite 530, San Diego, California, 92101. On March 15, 2016, I caused the following document(s): to be served on the parties in this action, as follows:

**WILLIS CLASS' OPPOSITION TO WOOD CLASS MOTION FOR AN INCENTIVE AWARD**

(BY ELECTRONIC SERVICE) by posting the document(s) listed above to the Santa Clara County Superior Court website: [www.scefiling.org](http://www.scefiling.org) regarding the Antelope Valley Groundwater matter.

(BY U.S. Mail) I am readily familiar with the firm's practice of collection and processing of documents for mailing. Under that practice, the above-referenced documents(s) were placed in sealed envelope(s) addressed to the parties as noted above, with postage thereon fully prepaid and deposited such envelope(s) with the United States Postal Service on the same date at San Diego, California, addressed to:

(BY FEDERAL EXPRESS) I served a true and correct copy by Federal Express or other overnight delivery service, for the delivery on the next business day. Each copy was enclosed in an envelope or package designed by the express service carrier; deposited in a facility regularly maintained by the express service carrier or delivered to a courier or driver authorized to receive documents on its behalf; with delivery fees paid or provided for; addressed as shown on the accompanying service list.

(BY FACSIMILE TRANSMISSION) I am readily familiar with the firm's practice of facsimile transmission of documents. It is transmitted to the recipient on the same day in the ordinary course of business.

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

(FEDERAL) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

  
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Cindy Barba