

1 Michael D. McLachlan (State Bar No. 181705)
2 **LAW OFFICES OF MICHAEL D. McLACHLAN, APC**
3 523 West Sixth Street, Suite 215
4 Los Angeles, California 90014
5 Telephone: (213) 630-2884
6 Facsimile: (213) 630-2886
7 mike@mclachlanlaw.com

8 Daniel M. O'Leary (State Bar No. 175128)
9 **LAW OFFICE OF DANIEL M. O'LEARY**
10 523 West Sixth Street, Suite 215
11 Los Angeles, California 90014
12 Telephone: (213) 630-2880
13 Facsimile: (213) 630-2886
14 dan@danolearylaw.com

15 Attorneys for Plaintiff

16 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
17 **COUNTY OF LOS ANGELES**

18 Coordination Proceeding
19 Special Title (Rule 1550(b))

20 ANTELOPE VALLEY GROUNDWATER
21 CASES

22 RICHARD A. WOOD, an individual, on
23 behalf of himself and all others similarly
24 situated,

25 Plaintiff,

26 v.

27 LOS ANGELES COUNTY
28 WATERWORKS DISTRICT NO. 40; et al.

Defendants.

Judicial Council Coordination
Proceeding No. 4408

(Santa Clara Case No. 1-05-CV-049053,
Honorable Jack Komar)

Case No.: BC 391869

**NOTICE RE STATUS OF NOTICE TO
PURVEYOR CUSTOMERS AND
PROPOSED NOTICE LANGUAGE
FOR COURT APPROVAL**

**NOTICE RE STATUS OF NOTICE TO PURVEYOR CUSTOMERS AND PROPOSED
NOTICE LANGUAGE FOR COURT APPROVAL**

1 A month ago, the Court requested that the purveyors given notice to their
2 customers regarding the pendency of the Small Pumper class action. Class counsel has
3 made numerous are repeated attempts to get the purveyors to draft such language to be
4 submitted for Court approval. Except for one or two purveyors, there has been no
5 response.

6 Therefore, Class counsel proposes that the Court adopt the following language,
7 which has been proposed by Mr. Bunn, counsel for Palmdale Water District:

8 A court is in the process of deciding who has rights to pump groundwater in the
9 Antelope Valley. If you own or use a water well (or have in the past), please tell
10 us about it – you may have a water right. For more information and a response
11 form, go to www.avgroundwater.com and click on Wood Class / Small Pumpers.
12

13 The order on this issue should set forth a cutoff date by which such notice must be
14 sent to the various purveyor customers. Plaintiff suggests August 31, 2009.
15

16
17
18 DATED: July 9, 2009

LAW OFFICES OF MICHAEL D. McLACHLAN
LAW OFFICE OF DANIEL M. O'LEARY

19
20
21 By: _____ //s//

22 Michael D. McLachlan
23 Attorneys for Plaintiff
24
25
26
27
28

1 **PROOF OF SERVICE**

2 I am employed in the County of Los Angeles, State of California. I am over the age of 18
3 and am not a party to the within action. My business address is 523 West Sixth Street, Suite 215,
4 Los Angeles, California 90014.

5 **On July 9, 2009, I caused the foregoing document(s) described as NOTICE RE STATUS
6 OF NOTICE TO PURVEYOR CUSTOMERS AND PROPOSED NOTICE
7 LANGUAGE FOR COURT APPROVAL**

8 be served on the parties in this action, as follows:

- 9 (X) (BY ELECTRONIC SERVICE) by posting the document(s) listed above to the Santa
10 Clara County Superior Court website: www.scefiling.org regarding the Antelope Valley
11 Groundwater matter.
- 12 () (BY U.S. MAIL) I am readily familiar with the firm's practice of collection and
13 processing of documents for mailing. Under that practice, the above-referenced
14 document(s) were placed in sealed envelope(s) addressed to the parties as noted above,
15 with postage thereon fully prepaid and deposited such envelope(s) with the United States
16 Postal Service on the same date at Los Angeles, California, addressed to:
- 17 () (BY FEDERAL EXPRESS) I served a true and correct copy by Federal Express or other
18 overnight delivery service, for delivery on the next business day. Each copy was
19 enclosed in an envelope or package designed by the express service carrier; deposited in a
20 facility regularly maintained by the express service carrier or delivered to a courier or
21 driver authorized to receive documents on its behalf; with delivery fees paid or provided
22 for; addressed as shown on the accompanying service list.
- 23 () (BY FACSIMILE TRANSMISSION) I am readily familiar with the firm's practice of
24 facsimile transmission of documents. It is transmitted to the recipient on the same day in
25 the ordinary course of business.
- 26 (X) (STATE) I declare under penalty of perjury under the laws of the State of California that
27 the above is true and correct.
- 28 () (FEDERAL) I declare under penalty of perjury under the laws of the United States of
America that the foregoing is true and correct.

//s//
Carol Delgado