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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

**CASE MANAGEMENT
CONFERENCE STATEMENT**

Date: January 15, 2010
Time: 9:00 a.m.
Dept.: 1

1 Plaintiff Richard Wood (“the Small Pumper Class”) submits this case management
2 statement regarding the status of settlement, and the order of consolidation.

3 **A. Settlement**

4 On November 4, 2009, the parties met with Justice Robie a second time. During
5 that meeting, agreement was reached on a number of important provisions, save for one.
6 Due to the trial calendar of Mr. Dunn, further discussions did not occur until December.
7 On December 9, 2009, oral agreement was reached on the remaining primary term at
8 issue. On December 29, 2009, counsel for Waterworks District No. 40 provided a draft
9 settlement agreement. On January 6, class counsel provided comment on that document.

10 Regrettably, the pace of discussions has been very slow. It is clear that no
11 preliminary hearing on settlement approval could take place on the date previously set by
12 the Court, February 5, 2010.

13 Class counsel cannot comment on when such hearing might be possible, as the
14 timing is largely dependent upon actions to be taken by the Public Water Suppliers.

15 **B. Consolidation Order**

16 Plaintiff is not aware of any meet and confer that has take place on the form of a
17 consolidation order. The counsel for the Small Pumper class continues to oppose
18 consolidation of the classes, and asserts that such consolidation is not necessary for
19 jurisdiction to obtain for the federal defendants. If the settlements are approved, these
20 issues will be moot, at least as to the parties to the class actions.

21
22 DATED: January 8, 2010

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

23
24
25 By: _____ //s//

26 Michael D. McLachlan
27 Attorneys for Plaintiff

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 January 8, 2010, I caused the foregoing document(s) described as **CASE**
6 **MANAGEMENT CONFERENCE STATEMENT** to be served on the parties in this
7 action, as follows:

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

//s//
Carol Delgado