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9 **LAW OFFICE OF DANIEL M. O'LEARY**  
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12 Telephone: (310) 481-2020  
13 Facsimile: (310) 481-0049  
14 dan@danolearylaw.com

15 Attorneys for Plaintiff

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

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

JUDICIAL COUNCIL COORDINATION  
PROCEEDING No. 4408

20 ANTELOPE VALLEY GROUNDWATER  
21 CASES

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

Case No.: BC391869

**RICHARD WOOD'S *EX PARTE*  
APPLICIATION FOR ORDER IN  
SUPPORT OF PRODUCTION OF  
CLASS MEMBER ELECTRICAL  
RECORDS**

Plaintiff,

v.

25 LOS ANGELES COUNTY  
26 WATERWORKS DISTRICT NO. 40; et al.

Date: October 25, 2013  
Time: 9:00 a.m.  
Place: Santa Clara Superior Court  
Dept. 11

Defendants.

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT on October 25, 2013, at 9:00 a.m., Plaintiff  
3 Richard Wood will present the Court with an ex parte application for an order regarding  
4 production of class member electrical records from Southern California Edison for use by  
5 the Court-appointed expert.

6 The hearing on this application will occur in Department 11 of the Santa Clara  
7 Superior Court, located at 161 North First Street, San Jose, California, or in such other  
8 location as the Court may designate.

9  
10 DATED: October 22, 2013

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

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12  
13 By: \_\_\_\_\_

14 Michael D. McLachlan  
15 Attorneys for Plaintiff  
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1           The Court-appointed expert has sufficient a number of volunteers for the study of  
2 class water use, and has conducted most of the necessary interviews. However, critical to  
3 the court-appointed expert's work is obtaining electrical records for the class member  
4 accounts associated with their electrically-powered groundwater pumps. This  
5 information is essential to the expert's calculations.

6           Many of those records have been gathered, buy many class members do not have  
7 the needed records. These class members have had great difficulty obtaining the needed  
8 records directly from Southern California Edison, the electrical utility for the Antelope  
9 Valley. Many of the class member volunteers are elderly, and have reported difficulty  
10 dealing with Edison customer services. In some cases, Edison has produced the wrong or  
11 incomplete records, or has not produced them at all. (McLachlan Decl. ¶ 2.)

12           The court appointed exert cannot finish his work without these records. Class  
13 counsel believes the most expedient way to complete this task is for counsel to issue a  
14 subpena to Edison for all of the missing electrical records. To that end, Plaintiff requests  
15 the assistance of this Court in issuing an order verifying the status of the class members at  
16 issue as class members and clients of counsel and declaring that the records are necessary  
17 to the conduct of this litigation. (McLachlan Decl. ¶ 3.)

18           The form of the attached order is attached as Exhibit A.

19  
20 DATED: October 23, 2013

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

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23 By: \_\_\_\_\_  
24 Michael D. McLachlan  
25 Attorneys for Plaintiff  
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1 **DECLARATION OF MICHAEL D. McLACHLAN**

2 I, Michael D. McLachlan, declare:

3 1. I am one of the appointed class counsel for the Small Pumper Class, and am  
4 duly licensed to practice law in California. I make this declaration of my own personal  
5 knowledge, except where stated on information and belief, and if called to testify in Court  
6 on these matters, I could do so competently.

7 2. We have proper electrical records for more than half of the approximately  
8 100 survey participants. Dozens of class members have reported to me that they have  
9 had great difficulty obtaining the needed records directly from Southern California  
10 Edison. Many of the class member volunteers are elderly, and have reported difficulty  
11 dealing with Edison customer services. In many cases, Edison has produced the wrong or  
12 incomplete records, or has not produced them at all.

13 3. Mr. Timothy Thompson, the Court's expert, cannot finish his work without  
14 these records. I believe the most expedient way to complete this task is for my office  
15 issue a subpoena to Edison for all of the missing electrical records. I have been directly  
16 involved in all aspects of class notice and the supervision of the court-appointed expert  
17 work. All of the people listed on the attached proposed order are class members, or their  
18 predecessors in interest. A few of them are not technically class members as I write this,  
19 but are subject to the second ex parte to add them to the class list.

20 I declare under penalty of perjury under the laws of the State of California that the  
21 foregoing is true and correct. Executed this 24<sup>th</sup> day of October, 2013, at Los Angeles,  
22 California.

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25 Michael D. McLachlan  
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# **Exhibit A**

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

Coordination Proceeding  
Special Title (Rule 1550(b))

**ANTELOPE VALLEY GROUNDWATER  
CASES**

---

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

Plaintiff,

v.

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

Defendants.

Judicial Council Coordination  
Proceeding No. 4408  
  
(Honorable Jack Komar)

Case No.: BC 391869

**[proposed] ORDER REGRADING  
SMALL PUMPER CLASS  
ELECTRICAL RECORDS**

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The individuals listed on the Attached Exhibit A are class members in *Wood v. Los Angeles County Waterworks District No. 40*, one of the coordinated cases pending before the Court. These class members' electrical records for the years of 2011 and 2012 are necessary for the conduct of this litigation.

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**EXHIBIT A**

- Leslie West, 23008 Lancaster Road, Lancaster CA
- Lauri J. Lytle, 368 55<sup>th</sup> Street West, Rosamond, CA
- Jeff Goode, 13104 Buckhorn Avenue, Rosamond, CA
- Armen Gezalyan, 48419 190<sup>th</sup> Street West, Lancaster, CA
- Zenieda Houchen, 19738 Gaskell Road, Rosamond, CA
- Eleonore, Parsons (formerly Kertzman), 745 100<sup>th</sup> Street West, Rosamond, CA
- Mary Enos, P.O. Box 588, Lake Hughes, CA (service APN 261242028)
- Ernest & Ernestina Perkins, 23400 W. Ave D15, Lancaster, CA
- Andrew & Judith Sterling, 18333 Lancaster Road, Lancaster, CA
- Javier & Sarah Pomposo, 18325 West Ave B, Lancaster, CA
- Gordon Wayne Hill, 22853 West Ave D11, Lancaster, CA
- Wanda Leon, 5501 E. Avenue D8, Lancaster, CA
- Roger Damron, 22929 West Avenue D, Neenach, CA 93536
- Donald & Beverly Bellanca, 5841 Cathay Ave, Rosamond, CA
- Gary Garibay, 6612 East Avenue K, Lancaster, CA
- Diane Catherine Klechefski, 8847 W. Rosamond Blvd, Rosamond CA (APN  
252331145) [mailing/home address: 1112 Lakemoor Drive, Saint Paul, MN (APN  
252331145)]
- Olaf Landsgaard, P.O. Box 2567, Rosamond, CA
- John & Lisa Gibbs, 18106 East Avenue O, Lancaster, CA
- Rosemarie King, 13658 East Avenue K, Lancaster, CA
- James Deckert, P.O. Box 1261, Rosamond, CA (APN 252231097)
- Barbara & Edwin Rogers, 19620 West Avenue A, Lancaster, CA
- Robert & Carol Morris, 2513 100<sup>th</sup> Street West #3, Rosamond, CA
- Thomas Houchen, 19800 Gaskell Road, Rosamond, CA
- Earl David Whiteside, 45408 160<sup>th</sup> Street West, Lancaster, CA
- Catherine & Mario Gutierrez, 2113 60<sup>th</sup> Street West, Rosamond, CA



1 George & Anna Tuttle, 29826 Lancaster Road, Lancaster, CA  
2 John Graham, 20001 Big Pines Highway, Valyermo, CA (APN 3060021014)  
3 Patrick & Susan Connelly, 48004 190<sup>th</sup> Street West, Lancaster, CA  
4 Michael & Patricia Welsh, 35720 47<sup>th</sup> Street East, Palmdale, CA  
5 Charles Francoeur, 3334 Longridge Terrance, Sherman Oaks, CA (APN 25446021006)  
6 Margaret Tucker (Pirainen), 42658 70<sup>th</sup> Street East, Palmdale, CA  
7 Milton & Lisa Doucette, 29860 Lancaster Road, Lancaster, CA  
8 Michael Grimes, 50235 82<sup>nd</sup> Street West, Lancaster, CA  
9 Frank Chiodo, 17030 Simonds Street, Granada Hills, CA (APN 3256007002)  
10 James Quillen, 18450 West Avenue D, Lancaster, CA  
11 Deborah Adkins, 4995 Elder Avenue, Rosamond, CA  
12 Pamela & Douglas Huston, 23004 West Lancaster Road, Lancaster, CA  
13 Bennie Moore, 48141 3 Points Road, Lake Hughes, CA (service APN 3278019017)  
14 Robert Pike, 6000 West 140<sup>th</sup> Street, Rosamond, CA  
15 Willard Sloney, 22510 East Avenue Q, Palmdale, CA  
16 Yang W. Lee, 9020 West Avenue J, Lancaster, CA (APN 3203034007)  
17 Janet & Cecil McDonald, 2316 67<sup>th</sup> Street West, Rosamond, CA  
18 Sid & Gwen Fromberg, P.O. Box 2575, Lancaster, CA (APN 3153071028)  
19 Lawrence Levin, P.O. Box 588, Littlerock, CA (APN 3059008050)  
20 Karen Wonnell, 21115 East Avenue R6, Palmdale, CA  
21 William & Angel Basner, 1744 Poli Street, Ventura, CA (APN 3279001025)  
22 Dorothy M Nolan, P.O. Box 668, Lancaster, CA (APN 3113006087)  
23 Janet & Emil Sulek, 455 West Avenue G, Lancaster, CA  
24 Timothy & Shanda Coyle, 10714 Yucca Avenue, Rosamond, CA  
25 Pat Murphy / Donald Cornelius, 18655 West Avenue E, Lancaster, CA  
26 May & James Tong, 47603 224<sup>th</sup> Street West, Lancaster, CA  
27 Sharon Brown / Peter Maslanik, 7238 West Avenue J, Quartz Hill, CA  
28 Nancy Larson, 22217 223<sup>rd</sup> Avenue SE, Maple Valley, WA (APN 3279003026)

1 Patricia & Charles Lennox, P.O. Box 7, Pearblossom, CA (APN 3060015025)  
2 Charles & Beverly Tyler, 18245 Lancaster Road, Lancaster, CA  
3 Greg & Lindy Hogan, 20350 West Avenue F, Lancaster, CA  
4 Craig Stewart / Cook Brothers, P.O. Box 94303 Pasadena, CA (APN 3116022002)

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