

EXHIBIT 9

1
2
3
4
5
6 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
7 **COUNTY OF LOS ANGELES**

8 Coordination Proceeding
9 Special Title (Rule 1550(b))

Judicial Council Coordination Proceeding
No. 4408

10 ANTELOPE VALLEY GROUNDWATER
11 CASES

(Honorable Jack Komar)

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

Case No. BC 391869

15 Plaintiff,

**DECLARATION OF
JENNIFER M. KEOUGH
REGARDING NOTICE
DISSEMINATION**

16 v.

17 LOS ANGELES COUNTY WATERWORKS
18 DISTRICT NO. 40; et al.,

19 Defendants.

20 I, JENNIFER M. KEOUGH, declare as follows:

21 1. I am Chief Operating Officer of The Garden City Group, Inc. (“GCG”). The
22 following statements are based on my personal knowledge and information provided by other
23 GCG employees working under my supervision, and if called on to do so, I could and would
24 testify competently thereto.

25 2. GCG was retained in the above-captioned litigation (the “Litigation”), and
26 appointed pursuant to Section VI.B of the Wood Class Stipulation of Settlement (the “Stipulation
27 of Settlement”) to serve as the Administrator. I submit this Declaration in order to provide the
Court and the parties to the Litigation with information regarding: (i) the dissemination of the

1 Notice of Partial Class Action Settlement for the “Small Pumper” Class Action (the “Notice”), as
2 directed by paragraph 1 of the Court’s Order Granting Preliminary Approval of Class Action
3 Partial Settlement and Notice to the Class (the “Order”); and (ii) the list of persons who have
4 requested exclusion from the Class, pursuant to paragraph 7 of the Order.

5
6 **DISSEMINATION OF THE NOTICE**

7 3. In paragraph 1 of the Order, the Court found that the form and content of the
8 Notice would provide the best practicable notice to Class Members. Pursuant to the Order, GCG
9 was responsible for disseminating the Notice to the “Wood Class,” as defined in Section III.Y of
10 the Stipulation of Settlement:

11 All private (*i.e.*, non-governmental) persons and entities that own real property
12 within the Basin, as adjudicated, and that have been pumping less than 25 acre-
13 feet per year on their property during any year from 1946 to the present. The
14 Class excludes the defendants herein, any person, firm, trust, corporation, or
15 other entity in which any defendant has a controlling interest or which is
16 related to or affiliated with any of the defendants, and the representatives,
heirs, affiliates, successors-in interest or assigns of any such excluded party.
The Class also excludes all persons and entities that are shareholders in a
mutual water company.

17 4. On or about October 29, 2013, Plaintiff’s Counsel provided GCG with Excel
18 spreadsheets containing data records for 4,312 Class Members (“Class List”), which included
19 Class Members’ names and addresses. However, data records for nine (9) Class Members did
20 not contain a valid mailing address. Those nine (9) records were forwarded to Class Counsel for
21 further research.

22 5. GCG promptly loaded the information into the database created for this Litigation
23 and updated the addresses through the National Change of Address (NCOA) database. Of the
24 4,312 records sent out for search, 366 were returned with address updates, and GCG updated the
25 addresses accordingly. GCG gave unique identifiers to all records in order to maintain the ability
26 to track them throughout the administration process.
27

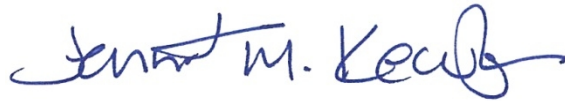
1 A list of the Class Members who have requested exclusion is attached to this Declaration as
2 **Exhibit B.**

3
4 **OBJECTIONS TO THE SETTLEMENT**

5 13. Pursuant to paragraph 10(d) of the Order, Class Members who wish to object to
6 the Settlement have to do so in writing by submitting their objections to the Court and the
7 parties' Counsel by December 4, 2013. As of December 2, 2013, the Administrator had not
8 received any objections.

9 I declare under the penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct to the best of my knowledge and belief.
11

12 Executed on December 3, 2013, at Seattle, Washington.

13
14 

15 _____
16 JENNIFER M. KEOUGH
17
18
19
20
21
22
23
24
25
26
27

Exhibit A

Exhibit B

Antelope Valley Groundwater Litigation
List of Class Members Requesting Exclusion from the
Small Pumper Class Action

Frank Small

Bennie and Annette Moore

Edward Shelton

William Basner

The George and Charlene Lane Family Trust and George M. Lane

Raymond Eyherabide