

# EXHIBIT 10

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Los Angeles, California 90025  
3 Phone: (310) 954-8270  
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10490 Santa Monica Boulevard  
6 Los Angeles, California 90025  
Phone: (310) 481-2020  
7 Fax: (310) 481-0049

8 Attorneys for Plaintiff and the Class  
9  
10  
11  
12

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

15 Coordination Proceeding  
Special Title (Rule 1550(b))

16 ANTELOPE VALLEY GROUNDWATER  
17 CASES

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

21 Plaintiff,

22 v.

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

24 Defendants.  
25  
26  
27  
28

Judicial Council Coordination  
Proceeding No. 4408

(Honorable Jack Komar)

Case No.: BC 391869

**SUPPLEMENTAL DECLARATION  
OF MICHAEL D. MCLACHLAN IN  
SUPPORT OF MOTION FOR FINAL  
APPROVAL OF PARTIAL CLASS  
SETTLEMENT**

Date: December 11, 2013

Time: 9:00 a.m.

Dept: Santa Clara Superior Court, Dept 1

1                   **SUPPLEMENTAL DECLARATION OF MICHAEL D. MCLACHLAN**


2 I, Michael D. McLachlan, declare:

3           1.       I make this declaration of my own personal knowledge, except where stated  
4 on information and belief, and if called to testify in Court on these matters, I could do so  
5 competently.

6           2.       I am co-counsel of record of record for Plaintiff Richard Wood and the  
7 Class, and am duly licensed to practice law in California. I make this supplemental  
8 declaration in support of the joint motion for preliminary approval of the settlement  
9 agreement.

10          3.       I, along with defense counsel for the Settling Defendants, caused the  
11 approved form of the summary class notice to be published in consecutive weeks in the  
12 Bakersfield Californian, the Antelope Valley Press and the Los Angeles Times. I attach  
13 collectively as Exhibit 3 the proofs of publication for each of these newspapers.

14           I declare under penalty of perjury under the laws of the State of California that the  
15 foregoing is true and correct. Executed this 3<sup>rd</sup> day of December, 2013, at Los Angeles,  
16 California.

17                   **Michael**  
18                   **McLachlan**  
 Digitally signed by Michael McLachlan  
DN: cn=Michael McLachlan, o=Law  
Offices of Michael D. McLachlan, ou,  
email=mike@mclachlanlaw.com, c=US  
Date: 2013.12.03 18:17:19 -08'00'

19                   \_\_\_\_\_  
20                   Michael D. McLachlan

## **Exhibit 3**

RECORDING/FILING REQUESTED BY AND MAIL TO:  
Lagerlof Senecal Gosney & Kruse LL  
301 N. Lake Ave Ste 1000  
Pasadena, CA 91101

PROOF OF PUBLICATION  
(California Code of Civil Procedure 2010, 2015.5)

STATE OF CALIFORNIA  
County of Los Angeles


I am a citizen of the United States and a resident of the aforesaid County. I am over the age of eighteen years (18) years, and not a party to or interested in the above-entitled matter. I am the Principal Clerk of the printer of the **LOS ANGELES TIMES**, a newspaper of general circulation, printed and published DAILY in the City of Los Angeles, County of Los Angeles and which newspaper was adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of April 28, 1952, Case Number 598599. The notice, a true and correct copy of which is annexed, has been published in each regular and entire issue of said newspaper on the following dates, to wit:

SUNDAY; NOVEMBER 3, 2013  
SUNDAY; NOVEMBER 10, 2013

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated at Los Angeles, California,

This 18<sup>th</sup> day of November, 2013

  
Signature

Jessica Winn

**SUMMARY NOTICE OF PROPOSED PARTIAL CLASS ACTION SETTLEMENT IN WOOD V. LOS ANGELES COUNTY WATERWORKS DIST. NO. 46, ETAL., JUDICIAL COUNCIL COORDINATION NO. 4108**

This Summary Notice is to advise you that there is a proposed partial settlement of the above referenced class action, which is pending on behalf of certain landowners within the Antelope Valley Groundwater Basin who are pumping or have pumped less than 25 acre-feet of groundwater on their properties during any year from 1946 to the present (with certain specific exceptions). The proposed settlement does not provide any monetary compensation to the class members, but resolves certain potentially adverse claims filed by the settling defendant public water suppliers, including prescription.

On October 25, 2013, the Los Angeles County Superior Court granted preliminary approval of the proposed settlement, subject to further consideration at a fairness hearing scheduled for December 11, 2013. The terms of the proposed settlement, as well as class members' options, are more fully detailed in a Notified of Proposed Partial Class Settlement mailed to the class members' last known addresses. You may find a copy of that Notice, as well as the Settlement Agreement and other relevant documents at <http://www.avgroundwater.com>. Alternatively, you may call 310-294-8270 to request a copy of the Notice.

**THE COURT HAS MADE NO DECISION AS TO LIABILITY AND THIS NOTICE IS NOT AN EXPRESSION OF ANY OPINION ON THE MERITS OF THE CLAIMS ASSERTED IN THE ACTION.**

# PROOF OF PUBLICATION

The BAKERSFIELD CALIFORNIAN  
P. O. BOX 440  
BAKERSFIELD, CA 93302

Ad Number: 13344354 PO #:   
Edition: TBC Run Times 2  
Class Code Legal Notices  
Start Date 11/10/2013 Stop Date 11/17/2013  
Billing Lines 25 Inches 2.10  
Total Cost \$ 273.50 Account 18763665  
Billing Murphy and Evertz  
Address 650 Town Center Dr Suite550  
COSTA MESA,CA 92626

Murphy and Evertz  
650 Town Center Dr Suite550  
COSTA MESA, CA 92626

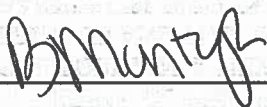
STATE OF CALIFORNIA  
COUNTY OF KERN

I AM A CITIZEN OF THE UNITED STATES AND A RESIDENT OF THE COUNTY AFORESAID: I AM OVER THE AGE OF EIGHTEEN YEARS, AND NOT A PARTY TO OR INTERESTED IN THE ABOVE ENTITLED MATTER. I AM THE ASSISTANT PRINCIPAL CLERK OF THE PRINTER OF THE BAKERSFIELD CALIFORNIAN, A NEWSPAPER OF GENERAL CIRCULATION, PRINTED AND PUBLISHED DAILY IN THE CITY OF BAKERSFIELD COUNTY OF KERN,

AND WHICH NEWSPAPER HAS BEEN ADJUDGED A NEWSPAPER OF GENERAL CIRCULATION BY THE SUPERIOR COURT OF THE COUNTY OF KERN, STATE OF CALIFORNIA, UNDER DATE OF FEBRUARY 5, 1952, CASE NUMBER 57610; THAT THE NOTICE, OF WHICH THE ANNEXED IS A PRINTED COPY, HAS BEEN PUBLISHED IN EACH REGULAR AND ENTIRE ISSUE OF SAID NEWSPAPER AND NOT IN ANY SUPPLEMENT THEREOF ON THE FOLLOWING DATES, TO WIT: 11/10/13  
11/17/13

ALL IN YEAR 2013

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.



DATED AT BAKERSFIELD CALIFORNIA

11/18/13

Printed on 11/18/2013 at 8:53:05AM

Solicitor I.D.: 0

First Text

SUMMARY NOTICE OF PROPOSED PARTIAL CLA:

Ad Number 13344354

**SUMMARY NOTICE OF PROPOSED PARTIAL CLASS ACTION SETTLEMENT IN WOOD V. LOS ANGELES COUNTY WATERWORKS DIST. NO. 40, ET AL., JUDICIAL COUNCIL COORDINATION NO. 4408**

This Summary Notice is to advise you that there is a proposed partial settlement of the above referenced class action, which is pending on behalf of certain landowners within the Antelope Valley Groundwater Basin who are pumping or have pumped less than 25 acre-feet of groundwater on their properties during any year from 1946 to the present (with certain specific exceptions). The proposed settlement does not provide any monetary compensation to the class members, but resolves certain potentially adverse claims filed by the settling defendant public water suppliers, including prescription.

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THE COURT HAS MADE NO DECISION AS TO LIABILITY AND THIS NOTICE IS NOT AN EXPRESSION OF ANY OPINION ON THE MERITS OF THE CLAIMS ASSERTED IN THE ACTION.

November 10, 17, 2013 (13344354)



ESTABLISHED 1915

Mailing Address: P.O. Box 4050, Palmdale, California 93590-4050

November 18, 2013

LAW OFFICES OF MICHAEL D. McLACHLAN, APC  
Mr. Mike McLachlan  
10490 SANTA MONICA BLVD  
LOS ANGELES CA 90025

RE: Affidavit of Publication -NOTICE OF PROPOSED PARTIAL CLASS ACTION  
SETTLEMENT WOOD v. LOS ANGELES COUNTY WATERWORKS DIST. NO.  
40

Dear Mr. Mike McLachlan;

Enclosed please find the Affidavit of Publication for the NOTICE OF PROPOSED  
PARTIAL CLASS ACTION SETTLEMENT WOOD v. LOS ANGELES COUNTY  
WATERWORKS DIST. NO. 40 notice published on November 10, 17, 2013.

Thank you again for considering the Antelope Valley Press for your publication  
needs. If you need further assistance, please do not hesitate to contact me at  
(661) 267-4112.

Sincerely,

A handwritten signature in black ink, appearing to read "Alison Adams", with a long, sweeping underline.

Alison Adams  
Legal Advertising Coordinator

A smaller version of the Antelope Valley Press logo, featuring the words "Antelope Valley Press" in the same stylized cursive font.

Enclosure

# AFFIDAVIT OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA

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The space above for filing stamp only

County of Los Angeles

## NOTICE OF PROPOSED PARTIAL CLASS ACTION SETTLEMENT WOOD v. LOS ANGELES COUNTY WATERWORKS DIST. NO. 40

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the **Antelope Valley Press**, a newspaper of general circulation, printed and published daily in the City of Palmdale, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under date of October 24, 1931, Case Number 328601; Modified Case Number 657770 April 11, 1956; also operating as the Ledger-Gazette, adjudicated a legal newspaper June 15, 1927, by Superior Court decree No. 224545; also operating as the Desert Mailer News, formerly known as the South Antelope Valley Foothill News, adjudicated a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California on May 29, 1967, Case Number NOC564 and adjudicated a newspaper of general circulation for the City of Lancaster, State of California on January 26, 1990, Case Number NOC10714, Modified October 22, 1990; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

**November 10, 17, 2013**

I certify (or declare) under penalty of perjury that the fore-going is true and correct.



Signature

Dated: November 18, 2013

Executed at Palmdale, California



37404 SIERRA HWY., PALMDALE CA 93550  
Telephone (661)267-4112/Fax (661)947-4870

SUMMARY NOTICE OF PROPOSED PARTIAL CLASS ACTION SETTLEMENT IN WOOD v. LOS ANGELES COUNTY WATERWORKS DIST. NO. 40, ET AL., JUDICIAL COUNCIL COORDINATION NO. 4408

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Publish: 11/10, 11/17, 2013



**AFFIDAVIT OF PUBLICATION**

(2015.5 C.C.P.)

**STATE OF CALIFORNIA**

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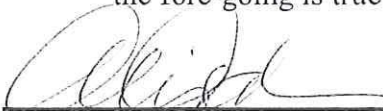
County of Los Angeles

**NOTICE OF PROPOSED PARTIAL CLASS ACTION SETTLEMENT  
WOOD v. LOS ANGELES COUNTY WATERWORKS DIST. NO. 40**

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I certify (or declare) under penalty of perjury that the fore-going is true and correct.

  
\_\_\_\_\_  
Signature

Dated: November 18, 2013

Executed at Palmdale, California



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Telephone (661)267-4112/Fax (661)947-4870

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