

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 07/28/16

DEPT. 222

HONORABLE JACK KOMAR (Ret.)

JUDGE S. SMYTHE

DEPUTY CLERK

HONORABLE
1

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

E. HERNANDEZ, CSR #12257

Reporter

10:00 am

JCCP4408

Plaintiff

Counsel

COORDINATION PROCEEDING SPECIAL
TITLE (Rule 1550(b)

[SEE BELOW]

Defendant

Counsel

ANTELOPE VALLEY GROUNDWATER
CASES

*ASSIGNED TO JUDGE JACK KOMAR

NATURE OF PROCEEDINGS:

COUNSEL PRESENT IN COURT:

MICHAEL D. McLACHLAN

BEST BEST & KRIEGER
BY: JEFFREY V. DUNN
and WENDY Y. YANG

BRUNICK, McELHANEY & KENNEDY
BY: LELAND P. McELHANEY

NOAH GOLDEN-KRASNER
Deputy Attorney General
State of California

LEMIEUX & O'NEILL
BY: W. KEITH LEMIEUX

BROWNSTEIN HYATT FARBER SCHRECK
BY: MICHAEL T. FIFE

COUNSEL/PARTIES APPEARING BY COURTCALL:

HERUM CRABTREE SUNTAG
BY: JANELLE S. KRATTIGER

MUSICK, PEELER & GARRETT
BY: THEODORE A. CHESTER JR.

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NATURE OF PROCEEDINGS:

R. LEE LEININGER

U.S. Department of Justice

JOHN S. TOOTLE

California Water Service Company

DANIEL M. O'LEARY

MORRISON & FOERSTER

BY: WILLIAM M. SLOAN

CLIFFORD & BROWN

BY: RICHARD G. ZIMMER

LeBEAU-THELEN

BY: ANDREW SHEFFIELD

KLEIN, DeNATALE, GOLDNER, COOPER,

ROSENLIEB & KIMBALL

BY: RAVI S. PATEL

SCHOOLS LEGAL SERVICE

BY: CHRISTOPHER P. BURGER

RICHARD A. WOOD,
party

MURPHY & EVERTZ

BY: DOUGLAS J. EVERTZ

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GRESHAM SAVAGE NOLAN & TILDEN

BY: DEREK HOFFMAN

JOHN UKKESTAD,

party

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD

BY: STANLEY C. POWELL

ELLISON, SCHNEIDER & HARRIS

BY: CHRISTOPHER M. SANDERS

MOTION AND SUPPLEMENTAL MOTION OF PLAINTIFF RICHARD
A. WOOD AND THE CLASS FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS;

MOTION OF LOS ANGELES COUNTY WATERWORKS DISTRICT
NO. 40 TO STRIKE, OR IN THE ALTERNATIVE TO TAX
COSTS;

HEARING RE PROPOSED ORDER FOLLOWING HEARING OF
JUNE 30, 2016;

The motions of plaintiff Richard A. Wood and the class
for a supplemental award of attorney's fees and costs
for the period of January 27, 2016, through today's
date, and of Los Angeles County Waterworks District
No. 40 to strike, or alternatively to tax costs,

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NATURE OF PROCEEDINGS:

along with the hearing re the proposed order after the hearing of June 30, 2016, re Election of Water-master, are called.

The motions for supplemental fees and costs, and to strike or tax costs, are argued and stand submitted.

With respect to the proposed order submitted by the Antelope Valley United Mutuels Group, Adams Bennett Investments, LLC, and Service Rock Products, LP, regarding Watermaster Formation, attorney Stanley C. Powell, of the firm Kronick, Moskovitz, Tiedemann & Girard, representing cross-defendants City of Los Angeles and Los Angeles World Airports, and on behalf of other "Overliers," is now asked to prepare, serve and submit modifications to the proposed order.

Note that after the June 30 hearing the Antelope Valley United Mutuels Group, along with Adams Bennett Investments and Service Rock Products, filed objections and challenges to the "Rules and Procedures of Election of Initial Landowner Party Water-master Representatives."

After meeting and conferring regarding concerns expressed by the Overlier parties to certain provisions in the initial draft, a revised proposed order was prepared that addressed some, but not all, of those concerns.

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The Outlier parties have offered a number of modifications to the Findings and Determinations portion of the proposed order, and those modifications are to be incorporated into the revised order.

The next hearing in this action is scheduled for September 6, and will address the Watermaster Formation/adoption of rules and procedures for the election of a Permanent Board.

However, the court now notes that September 6 is the day after the Labor Day holiday, and suggests that the hearing be moved to September 8.

There are no objections, and the hearing regarding the Watermaster Formation, etc., is advanced from 9-6-16 to this date and continued to 9-8-16, 10 a.m., in Room 222 (formerly Department 1) of this court.

It is noted that settlements have been reached in this matter between several parties. These include resolution of the Willis and Wood class actions.

The court now urges counsel and the parties to consider mediation to try to resolve the balance of this case.

Counsel for cross-complainants Littlerock Creek

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Irrigation District and Palm Ranch Irrigation District, and for defendants North Edwards Water District, Desert Lake Community Services District, Llano Del Rio Water Company, Llano Mutual Water Company, Big Rock Mutual Water Company, and the Quartz Hill Water District, indicates that this court is in the best position to help resolve this action, given his familiarity with the case and its multi-layered complexities.

The court says he would consider acting as the mediator if the appropriate waivers were obtained.

The court also discusses the need to correct the judgment in this case to include the original caption and case number of the Wood class action, adding that the corrected judgment will have to be recorded in every jurisdiction involved in this matter.

Finally, multiple appeals have been filed regarding various orders made in this case. Those appeals continue to wind their way through the appellate court(s). None are expected to significantly alter the judgments entered in this case.