

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Eric L. Garner Bar No. 130665/ Jeffrey V. Dunn, Bar No. 131926 Wendy Y. Wang, Bar No. 228923 BEST BEST & KRIEGER LLP 18101 Von Karman Avenue, Suite 1000, Irvine, California 92612 TELEPHONE NO.: (949) 263-2600 FAX NO. (Optional): (949) 260-0972 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Los Angeles County Waterworks District No. 40	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: 111 N. Hill Street CITY AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Stanley Mosk	
PLAINTIFF/PETITIONER: Richard A. Wood  DEFENDANT/RESPONDENT: Los Angeles County Waterworks District No. 40, et al.	
<input checked="" type="checkbox"/> <b>NOTICE OF APPEAL</b> <input type="checkbox"/> <b>CROSS-APPEAL</b> <b>(UNLIMITED CIVIL CASE)</b>	CASE NUMBER: Judicial Council Coordination Proceeding No. 4408 (BC391869)
<b>Notice: Please read <i>Information on Appeal Procedures for Unlimited Civil Cases</i> (Judicial Council form APP-001) before completing this form. This form must be filed in the superior court, not in the Court of Appeal.</b>	

1. NOTICE IS HEREBY GIVEN that (name): LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 appeals from the following judgment or order in this case, which was entered on (date): October 18, 2016 (See Exhibit 1).

- ☐ Judgment after jury trial
- ☐ Judgment after court trial
- ☐ Default judgment
- ☐ Judgment after an order granting a summary judgment motion
- ☐ Judgment of dismissal under Code of Civil Procedure sections 581d, 583.250, 583.360, or 583.430
- ☐ Judgment of dismissal after an order sustaining a demurrer
- ☒ An order after judgment under Code of Civil Procedure section 904.1(a)(2)
- ☐ An order or judgment under Code of Civil Procedure section 904.1(a)(3)–(13)
- ☐ Other (describe and specify code section that authorizes this appeal):

2. For cross-appeals only:

- a. Date notice of appeal was filed in original appeal:
- b. Date superior court clerk mailed notice of original appeal:
- c. Court of Appeal case number (if known):

Date: November 4, 2016

Jeffrey V. Dunn

(TYPE OR PRINT NAME)



*Jeffrey V. Dunn*

(SIGNATURE OF PARTY OR ATTORNEY)

# **EXHIBIT 1**

Michael D. McLachlan (State Bar No. 181705)  
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E-RECEIVED

10/31/2016

Daniel M. O'Leary (State Bar No. 175128)  
**LAW OFFICE OF DANIEL M. O'LEARY**  
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Attorneys for Plaintiff Richard Wood and the Class

**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)

Lead Case No. BC 325201

Case No.: BC 391869

**NOTICE RULING ON SECOND  
ELECTION UNDER  
GOVERNMENT CODE SECTION  
984**

Location: Room 222 (Mosk)  
Date: October 18, 2016  
Time: 9:00 a.m.

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on October 18, 2016, the Court held a hearing  
3 on the Notice of Election Under filed by Los Angeles County Waterworks District  
4 No. 40. After argument of counsel, the Court denied the election for periodic  
5 payments. That ruling is set forth in the Court's Minute Order, a copy of which is  
6 attached.

7  
8 DATED: October 30, 2016

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

9  
10 Michael D.

11 McLachlan

By: \_\_\_\_\_

MICHAEL D. MCLACHLAN

Attorneys for Plaintiff and the Class

Digitally signed by Michael D.  
McLachlan  
DN: cn=Michael D. McLachlan, o=Law  
Offices of Michael D. McLachlan, ou,  
email=mike@mclachlanlaw.com, c=US  
Date: 2016.10.30 17:37:18 -07'00'

# SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 10/18/16

DEPT. 222

HONORABLE Jack Komar

JUDGE

P. BOYD

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

D. SALYER, CSR#4410

Reporter

9:00 am

JCCP4408

Plaintiff

MICHAEL MCLACHLAN (X)

Counsel

MARILYN LEVIN (X)

Coordination Proceeding Special  
Title Rule (1550(b))

Defendant

WENDY WANG (X)

ANTELOPE VALLEY

Counsel

STANLEY POWELL (X)

GROUNDWATER CASES

THOMAS BUNN III (X)

\*ASSIGNED TO JUDGE JACK KOMAR

JOHN TOOTLE (X)

IN SANTA CLARA COUNTY (8/31/05

JEFFREY DUNN (X)

DANIEL O'LEARY (X)

## NATURE OF PROCEEDINGS:

STATUS CONFERENCE;

Conference is held.

Court and counsel confer about changes to be made to the 9/8/16 minute order. The Court orders that the following sentence be deleted from the 9/8/16 minute order:

"Motion for payments pursuant to Government Code 970.6 is argued and continued to October 18, 2016 at 9:00 a.m. in this department."

Second Notice of Election pursuant to Government Code 984 is argued and DENIED for the same reasons as noted in the prior motion.

Request for approval of provisions regarding the landowner election to watermaster board is continued to December 7, 2016 at 9:00 a.m. in Rm. 222, to be heard with presently scheduled matters.

Counsel Michael McClachlan is to give notice.

\*\*\*\*\*

ADDITIONAL COUNSEL/PARTIES PRESENT VIA COURT CALL:

RICHARD WOOD (X)  
(SELF-REPRESENTED)

CLIFFORN & BROWN

# SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 10/18/16

DEPT. 222

HONORABLE Jack Komar

JUDGE P. BOYD

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

D. SALYER, CSR#4410

Reporter

9:00 am JCCP4408

Plaintiff	MICHAEL MCLACHLAN (X)
Counsel	MARILYN LEVIN (X)
	WENDY WANG (X)
Defendant	STANLEY POWELL (X)
Counsel	THOMAS BUNN III (X)
	JOHN TOOTLE (X)
	JEFFREY DUNN (X)
	DANIEL O'LEARY (X)

Coordination Proceeding Special  
Title Rule (1550(b))  
ANTELOPE VALLEY  
GROUNDWATER CASES  
\*ASSIGNED TO JUDGE JACK KOMAR  
IN SANTA CLARA COUNTY (8/31/05)

## NATURE OF PROCEEDINGS:

BY: RICHARD ZIMMER (X)

ELLISON, SCHNEIDER & HARRIS LLP  
BY: CHRISTOPHER SANDERS (X)

GRESHAM SAVAGE NOLAN & TIDEN, PC  
BY: JOHN UKESTAD (X)

KRAUSE KALFAYAN BENINK & SLAVENS LLP  
BY: IAN KRUPAR (X)

KRONICK MOSKOVITZ TIEDERMANN & GIRARD  
BY: ERIC ROBINSON (X)

LAW O/O WALTER J. WILSON  
BY: WALTER WILSON (X)

LEMIEUX & O'NEILL  
BY: W. KEITH LEMIEUX JR. (X)

LEBEAU-THELEN LLP  
BY: BOB JOYCE (X)

MCMURTREY & HARTSOCK & WORTH  
BY: JAMES WORTH (X)

MORRISON & FOERSTER LLP  
BY: WILLIAM SLOAN (X)

MURPHY & EVERTZ LLP

# SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 10/18/16

DEPT. 222

HONORABLE Jack Komar

JUDGE P. BOYD

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

D. SALYER, CSR#4410

Reporter

9:00 am	JCCP4408	Plaintiff	MICHAEL MCLACHLAN (X)
		Counsel	MARILYN LEVIN (X)
	Coordination Proceeding Special		WENDY WANG (X)
	Title Rule (1550(b))	Defendant	STANLEY POWELL (X)
	ANTELOPE VALLEY	Counsel	THOMAS BUNN III (X)
	GROUNDWATER CASES		JOHN TOOTLE (X)
	*ASSIGNED TO JUDGE JACK KOMAR		JEFFREY DUNN (X)
	IN SANTA CLARA COUNTY (8/31/05)		DANIEL O'LEARY (X)

**NATURE OF PROCEEDINGS:**

BY: DOUGLAS EVERTZ (X)

MUSICK, PEELER & GARRETT LLP  
BY: THEODORE CHESTER JR. (X)

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On October 31, 2016, I caused service in the manner indicated below of the foregoing document(s) described as **NOTICE RULING ON SECOND ELECTION UNDER GOVERNMENT CODE SECTION 984** to be served on all parties in this matter as follows:

- /s/ Ana Horga  
Ana Horga

/s/ Ana Horga  
Ana Horga



**PROOF OF SERVICE**

I, Sandra Rosales, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger LLP, 300 S. Grand Avenue, 25th Floor, Los Angeles, California 90071. On November 4, 2016, I served the following documents(s):

**NOTICE OF APPEAL**



**BY ELECTRONIC TRANSMISSION.** I caused such document(s) to be electronically served, via Odyssey eFile CA, on all interested parties in this action, the list of which was obtained from scefiling.org, including the following counsel of record for the consolidated case *Richard Wood v. Los Angeles Waterworks District No. 40, et al.*, Case No. BC 391869. Electronic service is complete at the time of transmission. The proof of electronic service through Odyssey eFile CA is printed and maintained with the original documents in our office. My electronic notification email address is sandra.rosales@bbklaw.com

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on November 4, 2016, at Los Angeles, California.

  
Sandra Rosales

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