

Eric L. Garner, SBN 130665 Jeffrey V. Dunn, SBN 131926 <b>BEST BEST &amp; KRIEGER LLP</b> 18101 Von Karman Avenue, Suite 1000 Irvine, CA 92612 Tel: (949) 263-2600 Email: <a href="mailto:eric.garner@bbklaw.com">eric.garner@bbklaw.com</a> <a href="mailto:jeffrey.dunn@bbklaw.com">jeffrey.dunn@bbklaw.com</a> Attorneys for Los Angeles County Waterworks District No. 40	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Stanley Mosk Courthouse	
PLAINTIFF/PETITIONER: Richard A. Wood, et al. DEFENDANT/RESPONDENT: Los Angeles County Waterworks District No. 40, et al.	
<b>APPELLANT'S NOTICE DESIGNATING RECORD ON APPEAL (UNLIMITED CIVIL CASE)</b>	
RE: Appeal filed on (date): November 4, 2016 (Appeal from order entered on September 8, 2016)	SUPERIOR COURT CASE NUMBER: (BC391869) JCCP 4408 COURT OF APPEAL CASE NUMBER (if known): E065512
<b>Notice: Please read form APP-001 before completing this form. This form must be filed in the superior court, not in the Court of Appeal.</b>	

## 1. RECORD OF THE DOCUMENTS FILED IN THE SUPERIOR COURT

I elect to use the following method of providing the Court of Appeal with a record of the documents filed in the superior court (*check a, b, c, d, or e and fill in any required information*):

- a. ☐ A clerk's transcript under rule 8.122. (*You must check (1) or (2) and fill out the clerk's transcript section on page 2 of this form.*)
- (1) ☐ I will pay the superior court clerk for this transcript myself when I receive the clerk's estimate of the costs of this transcript. I understand that if I do not pay for this transcript, it will not be prepared and provided to the Court of Appeal.
- (2) ☐ I request that the clerk's transcript be provided to me at no cost because I cannot afford to pay this cost. I have submitted the following document with this notice designating the record (*check (a) or (b)*):
- (a) ☐ An order granting a waiver of court fees and costs under rule 3.50 et seq.; or
- (b) ☐ An application for a waiver of court fees and costs under rule 3.50 et seq. (*Use Request to Waive Court Fees (form FW-001) to prepare and file this application.*)
- b. ☒ An appendix under rule 8.124.
- c. ☐ The original superior court file under rule 8.128. (*NOTE: Local rules in the Court of Appeal, First, Third, Fourth, and Fifth Appellate Districts, permit parties to stipulate to use the original superior court file instead of a clerk's transcript; you may select this option if your appeal is in one of these districts and all the parties have stipulated to use the original superior court file instead of a clerk's transcript in this case. Attach a copy of this stipulation.*)
- d. ☐ An agreed statement under rule 8.134. (*You must complete item 2b(2) below and attach to your agreed statement copies of all the documents that are required to be included in the clerk's transcript. These documents are listed in rule 8.134(a).*)
- e. ☐ A settled statement under rule 8.137. (*You must complete item 2b(3) below and attach to your proposed statement on appeal copies of all the documents that are required to be included in the clerk's transcript. These documents are listed in rule 8.137(b)(3).*)

## 2. RECORD OF ORAL PROCEEDINGS IN THE SUPERIOR COURT

I elect to proceed:

- a. ☐ WITHOUT a record of the oral proceedings in the superior court. I understand that without a record of the oral proceedings in the superior court, the Court of Appeal will not be able to consider what was said during those proceedings in determining whether an error was made in the superior court proceedings.

CASE NAME: Richard A. Wood v. Los Angeles County Waterworks District No. 40	SUPERIOR COURT CASE NUMBER: (BC391869) JCCP 4408
--	---

2. b. ☒ WITH the following record of the oral proceedings in the superior court:
- (1) ☒ A reporter's transcript under rule 8.130. *(You must fill out the reporter's transcript section on page 3 of this form.)* I have *(check all that apply)*:
- (a) ☒ Deposited the approximate cost of transcribing the designated proceedings with this notice as provided in rule 8.130(b)(1). **APPELLANT HAD PREVIOUSLY PAID DEPOSIT FOR TRANSCRIPTS LISTED ON ATTACHMENTS 5.B., 5.B.(1), AND 5.B.(2) PURSUANT TO CALIFORNIA RULES OF COURT, RULE 8.147, FOR APPEALS FILED RESPECTIVELY ON JUNE 23, 2016, SEPTEMBER 13, 2016, AND OCTOBER 11, 2016 (COURT OF APPEAL CASE NO. E065512).**
- (b) ☐ Attached a copy of a Transcript Reimbursement Fund application filed under rule 8.130(c)(1).
- (c) ☐ Attached the reporter's written waiver of a deposit for *(check either (i) or (ii))*:
- (i) ☐ all of the designated proceedings.
- (ii) ☐ part of the designated proceedings.
- (d) ☒ Attached a certified transcript under rule 8.130(b)(3)(C). **APPELLANT IS LODGING THE TRANSCRIPT LISTED ON ATTACHMENT 5.B.(2) WITH THIS FILING.**
- (2) ☐ An agreed statement. *(Check and complete either (a) or (b) below.)*
- (a) ☐ I have attached an agreed statement to this notice.
- (b) ☐ All the parties have agreed in writing (stipulated) to try to agree on a statement. *(You must attach a copy of this stipulation to this notice.)* I understand that, within 40 days after I file the notice of appeal, I must file either the agreed statement or a notice indicating the parties were unable to agree on a statement and a new notice designating the record on appeal.
- (3) ☐ A settled statement under rule 8.137. *(You must attach the motion required under rule 8.137(a) to this form.)*

### 3 RECORD OF AN ADMINISTRATIVE PROCEEDING TO BE TRANSMITTED TO THE REVIEWING COURT

- ☐ I request that the clerk transmit to the reviewing court under rule 8.123 the record of the following administrative proceeding that was admitted into evidence, refused, or lodged in the superior court *(give the title and date or dates of the administrative proceeding)*:

Title of Administrative Proceeding	Date or Dates
------------------------------------	---------------

### 4. NOTICE DESIGNATING CLERK'S TRANSCRIPT

*(You must complete this section if you checked item 1a. above indicating that you elect to use a clerk's transcript as the record of the documents filed in the superior court.)*

- a. **Required documents.** The clerk will automatically include the following items in the clerk's transcript, but you must provide the date each document was filed or, if that is not available, the date the document was signed.

Document Title and Description	Date of Filing
--------------------------------	----------------

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)
- (7)



CASE NAME: Richard A. Wood v. Los Angeles County Waterworks District No. 40	SUPERIOR COURT CASE NUMBER: (BC391869) JCP4408
--	---

**4. NOTICE DESIGNATING CLERK'S TRANSCRIPT**

- b. **Additional documents.** *(If you want any documents from the superior court proceeding in addition to the items listed in 4a. above to be included in the clerk's transcript, you must identify those documents here.)*

- ☐ I request that the clerk include the following documents from the superior court proceeding in the transcript. *(You must identify each document you want included by its title and provide the date it was filed or, if that is not available, the date the document was signed.)*

Document Title and Description	Date of Filing
--------------------------------	----------------

(8)

(9)

(10)

(11)

(12)

- ☐ See additional pages.

c. **Exhibits to be included in clerk's transcript**

- ☐ I request that the clerk include in the transcript the following exhibits that were admitted in evidence, refused, or lodged in the superior court *(for each exhibit, give the exhibit number, such as Plaintiff's #1 or Defendant's A, and a brief description of the exhibit. Indicate whether or not the court admitted the exhibit into evidence):*

Exhibit Number	Description	Admitted (Yes/No)
----------------	-------------	-------------------

(1)

(2)

(3)

(4)

(5)

- ☐ See additional pages.

**5. NOTICE DESIGNATING REPORTER'S TRANSCRIPT**

*(You must complete this section if you checked item 2b(1) above indicating that you elect to use a reporter's transcript as the record of the oral proceedings in the superior court. Please remember that you must pay for the cost of preparing the reporter's transcript.)*

a. I request that the reporters provide *(check one)*:

- (1) ☐ My copy of the reporter's transcript in paper format.
- (2) ☐ My copy of the reporter's transcript in computer-readable format.
- (3) ☒ My copy of the reporter's transcript in paper format and a second copy in computer-readable format.

*(Code Civ. Proc, § 271; Cal. Rules of Court, rule 8.130(f)(4).)*



CASE NAME: Richard A. Wood v. Los Angeles County Waterworks District No. 40	SUPERIOR COURT CASE NUMBER: (BC391869) JCCP 4408
--	---

5. b. **Proceedings**

I request that the following proceedings in the superior court be included in the reporter's transcript. *(You must identify each proceeding you want included by its date, the department in which it took place, a description of the proceedings—for example, the examination of jurors, motions before trial, the taking of testimony, or the giving of jury instructions—the name of the court reporter who recorded the proceedings, and whether a certified transcript of the designated proceeding was previously prepared.)*

See attachments 5.b., 5.b.(1) (previously submitted with Los Angeles County Waterworks District No. 40's Notice Designating Record for the appeal filed on September 13, 2016) and 5.b.(2) (previously submitted with Los Angeles County Waterworks District No. 40's Notice Designating Record for the appeal filed on October 11, 2016).

	Date	Department	Full/Partial Day	Description	Reporter's Name	Prev. prepared?
(1)						<input type="checkbox"/> Yes <input type="checkbox"/> No
(2)						<input type="checkbox"/> Yes <input type="checkbox"/> No
(3)						<input type="checkbox"/> Yes <input type="checkbox"/> No
(4)						<input type="checkbox"/> Yes <input type="checkbox"/> No
(5)						<input type="checkbox"/> Yes <input type="checkbox"/> No
(6)						<input type="checkbox"/> Yes <input type="checkbox"/> No
(7)						<input type="checkbox"/> Yes <input type="checkbox"/> No

c. The proceedings designated in 5b ☐ include ☐ do not include all of the testimony in the superior court.

If the designated proceedings DO NOT include all of the testimony, state the points that you intend to raise on appeal (*rule 8.130(a)(2) provides that your appeal will be limited to these points unless, on motion, the reviewing court permits otherwise*).

Date: November 15, 2016

Jeffrey V. Dunn

(TYPE OR PRINT NAME)



*Jeffrey V. Dunn*

(SIGNATURE OF APPELLANT OR ATTORNEY)



# Attachment 5b

### 5.b. Proceedings

I request that the following proceedings in the superior court be included in the reporter's transcript. *(You must identify each proceeding you want included by its date, the department in which it took place, a description of the proceedings — for example, the examination of jurors, motions before trial, the taking of testimony, or the giving of jury instructions — the name of the court reporter who recorded the proceedings, and whether a certified transcript of the designated proceeding was previously prepared.)*

No.	Date	Department	Full/Partial	Description	Reporter's Name	Previously Prepared
1.	04/24/2009	Dept. 1 (LA) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Richard Wood's Motion for Appointment of Expert	Ginger Welker, CSR #5585	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown
2.	05/06/2009	(San Jose) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Motions hearings	Heather J. Gorley, CSR #9195	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
3.	08/17/2009	(San Jose) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Motions hearings	Heather J. Gorley, CSR #9195	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
4.	03/08/2010	Dept. 1 (LA) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Richard Wood's Motion for Order Allocating Costs of Court Appointed Expert Witness	Ginger Wekler, CSR#5585	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown
5.	01/04/2011	Dept. 4 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Ginger Welker, CSR #5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
6.	01/05/2011	Dept. 4 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Ginger Welker, CSR #5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

**5.b. Proceedings**

<b>No.</b>	<b>Date</b>	<b>Department</b>	<b>Full/Partial</b>	<b>Description</b>	<b>Reporter's Name</b>	<b>Previously Prepared</b>
7.	01/06/2011	Dept. 4 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Ginger Welker, CSR #5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
8.	01/10/2011	Judge Komar's 01/04/11 Court Order	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial - Phase III - Testimony of Joseph Scalmanini  [01/04/11 Court Ordered Videotaped Deposition of Direct Testimony / Cross- Examination ... Video of Examination and Cross Examination was played in open court during the continued trial in this case]	Janis L. Jennings, CSR #3942	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
9.	01/11/2011	Judge Komar's 01/04/11 Court Order	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial - Phase III - Testimony of Joseph Scalmanini  [01/04/11 Court Ordered Videotaped Deposition of Direct Testimony / Cross- Examination ... Video of Examination and Cross Examination was played in open court during the continued trial in this case]	Janis L. Jennings, CSR #3942	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

**5.b. Proceedings**

No.	Date	Department	Full/Partial	Description	Reporter's Name	Previously Prepared
10.	01/12/2011	Judge Komar's 01/04/11 Court Order	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial - Phase III - Testimony of Joseph Scalmanini  [01/04/11 Court Ordered Videotaped Deposition of Direct Testimony / Cross-Examination ... Video of Examination and Cross Examination was played in open court during the continued trial in this case]	Janis L. Jennings, CSR #3942	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
11.	01/13/2011	Judge Komar's 01/04/11 Court Order	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial - Phase III - Testimony of Joseph Scalmanini  [01/04/11 Court Ordered Videotaped Deposition of Direct Testimony / Cross-Examination ... Video of Examination and Cross Examination was played in open court during the continued trial in this case]	Janis L. Jennings, CSR #3942	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
12.	01/17/2011	Judge Komar's 01/04/11 Court Order	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial - Phase III - Testimony of Joseph Scalmanini  [01/04/11 Court Ordered Videotaped Deposition of Direct Testimony / Cross-Examination ... Video of Examination and Cross Examination was played in open court during the continued trial in this case]	Tom Frasik, CSR #6961	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

**5.b. Proceedings**

No.	Date	Department	Full/Partial	Description	Reporter's Name	Previously Prepared
13.	01/18/2011	Judge Komar's 01/04/11 Court Order	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial - Phase III - Testimony of Joseph Scalmanini  [01/04/11 Court Ordered Videotaped Deposition of Direct Testimony / Cross-Examination ... Video of Examination and Cross Examination was played in open court during the continued trial in this case]	Tom Frasier, CSR #6961	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
14.	01/19/2011	Judge Komar's 01/04/11 Court Order	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial - Phase III - Testimony of Joseph Scalmanini  [01/04/11 Court Ordered Videotaped Deposition of Direct Testimony / Cross-Examination ... Video of Examination and Cross Examination was played in open court during the continued trial in this case]	Tom Frasier, CSR #6961	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
15.	01/20/2011	Judge Komar's 01/04/11 Court Order	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial - Phase III - Testimony of Joseph Scalmanini  [01/04/11 Court Ordered Videotaped Deposition of Direct Testimony / Cross-Examination ... Video of Examination and Cross Examination was played in open court during the continued trial in this case]	Tom Frasier, CSR #6961	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

**5.b. Proceedings**

No.	Date	Department	Full/Partial	Description	Reporter's Name	Previously Prepared
16.	01/25/2011	Judge Komar's 01/04/11 Court Order	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial - Phase III - Testimony of Joseph Scalmanini  [01/04/11 Court Ordered Videotaped Deposition of Direct Testimony / Cross-Examination ... Video of Examination and Cross Examination was played in open court during the continued trial in this case]	Janis L. Jennings, CSR #3942	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
17.	01/26/2011	Judge Komar's 01/04/11 Court Order	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial - Phase III - Testimony of Joseph Scalmanini  [01/04/11 Court Ordered Videotaped Deposition of Direct Testimony / Cross-Examination ... Video of Examination and Cross Examination was played in open court during the continued trial in this case]	Janis L. Jennings, CSR #3942	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
18.	01/27/2011	Judge Komar's 01/04/11 Court Order	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial - Phase III - Testimony of Joseph Scalmanini  [01/04/11 Court Ordered Videotaped Deposition of Direct Testimony / Cross-Examination ... Video of Examination and Cross Examination was played in open court during the continued trial in this case]	Tom Frasier, CSR #6961	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

Antelope Valley Groundwater Cases  
Case No. JCCP 4408

**5.b. Proceedings**

No.	Date	Department	Full/Partial	Description	Reporter's Name	Previously Prepared
19.	01/31/2011	Dept. 4 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Ginger Welker, CSR #5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
20.	02/01/2011	Dept. 4 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Ginger Welker, CSR #5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
21.	02/02/2011	Dept. 4 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Ginger Welker, CSR #5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
22.	02/03/2011	Dept. 4 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown
23.	02/07/2011	Dept. 4 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown
24.	02/08/2011	Dept. 4 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown
25.	02/09/2011	Dept. 4 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

Antelope Valley Groundwater Cases  
Case No. JCCP 4408

**5.b. Proceedings**

<b>No.</b>	<b>Date</b>	<b>Department</b>	<b>Full/Partial</b>	<b>Description</b>	<b>Reporter's Name</b>	<b>Previously Prepared</b>
26.	02/10/2011	Dept. 4 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown
27.	02/14/2011	Dept.316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
28.	02/15/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Ginger Welker, CSR # 5585 g.ginger@att.net	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown
29.	02/16/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
30.	02/17/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
31.	02/24/2011	Dept. 316 (LA) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Motion for Final Approval of the Willis Class Settlement	Ginger Welker, CSR #5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
32.	03/13/2012	Dept. 316 (LA) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Case Management Conference	Sandra Geco, CSR NO. 3806	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

**5.b. Proceedings**

<b>No.</b>	<b>Date</b>	<b>Department</b>	<b>Full/Partial</b>	<b>Description</b>	<b>Reporter's Name</b>	<b>Previously Prepared</b>
33.	03/14/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
34.	03/15/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
35.	03/16/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
36.	03/17/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
37.	03/22/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
38.	03/23/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
39.	03/24/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

**5.b. Proceedings**

<b>No.</b>	<b>Date</b>	<b>Department</b>	<b>Full/Partial</b>	<b>Description</b>	<b>Reporter's Name</b>	<b>Previously Prepared</b>
40.	03/25/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
41.	03/28/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
42.	03/29/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
43.	04/13/2011	Dept. 316 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial – Phase III	Ginger Welker, CSR # 5585 g.ginger@att.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
44.	06/16/2011	Dept. 316 Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Motion for Preliminary Approval of the Wood (Small Pumper) Class Action Settlement	Ginger Welker, CSR #5585	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
45.	03/13/2012	Dept. 316 Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Case Management Conference; Motion Hearings	Sandra Geco, CSR #3806 (213) 974-8818	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
46.	07/09/2012	Dept. 1 Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Case Management Conference; Motion Hearings	Sandra Geco, CSR #3806 (213) 974-8818	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

**5.b. Proceedings**

<b>No.</b>	<b>Date</b>	<b>Department</b>	<b>Full/Partial</b>	<b>Description</b>	<b>Reporter's Name</b>	<b>Previously Prepared</b>
47.	10/12/2012	Dept. 1 Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Motion to Set Aside Default; Motin for Protective Order;	Sheila G. Brock, CSR #10025	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
48.	11/09/2012	Dept. 1 Room 1515 Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Case Management Conference; Motion Hearings	Sandra Geco, CSR #3806 (213) 974-8818	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
49.	05/28/2013	Dept. 322 Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Court Trial — Phase 4 [Half Day of Trial Held]	Sandra Geco, CSR #3806 (213) 974-8818	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
50.	05/29/2013	Dept. 322 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial — Phase 4	Sandra Geco, CSR #3806 (213) 974-8818	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
51.	05/30/2013	Dept. 322 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial — Phase 4	Sandra Geco, CSR #3806 (213) 974-8818	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
52.	10/16/2013	Dept. 222 (LA) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Motion for Approval of Partial Settlement	Khowoonsun Chong, CSR #12907	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
53.	10/25/2013	Dept. 11 (San Jose) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Wood Class Motion for Preliminary Approval of the Class Action Settlement	Stephanie Estes, CSR # 12452	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

**5.b. Proceedings**

<b>No.</b>	<b>Date</b>	<b>Department</b>	<b>Full/Partial</b>	<b>Description</b>	<b>Reporter's Name</b>	<b>Previously Prepared</b>
54.	12/11/2013	Dept. 1 (LA) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Motion for Final Approval of Partial Settlement	Melissa Crawford, CSR # 12288 melissacrawfordcsr@gmail.com	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
55.	01/7/2014	Rm. 222 (LA) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Motion by Wood Plaintiffs for Approval of Award of Attorney Fees and Costs	Monique L. Osby, CSR #12442	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
56.	02/10/2014	Dept. 1 (LA) Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial Transcript	Rhona S. Reddix, CSR #10807 ronireddi@gmail.com	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
57.	02/11/2014	Dept. 1 (LA) Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial Transcript	Rhona S. Reddix, CSR #10807 ronireddi@gmail.com	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
58.	02/18/2014	Dept. 1 (LA) Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial Transcript	Rhona S. Reddix, CSR #10807 ronireddi@gmail.com	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
59.	02/19/2014	Dept. 1 (LA) Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Trial Transcript	Rhona S. Reddix, CSR #10807 ronireddi@gmail.com	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
60.	08/11/2014	Dept. 1 (LA) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Case Management Conference	Nadia S. Gott, CSR #12597	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

**5.b. Proceedings**

<b>No.</b>	<b>Date</b>	<b>Department</b>	<b>Full/Partial</b>	<b>Description</b>	<b>Reporter's Name</b>	<b>Previously Prepared</b>
61.	08/12/2014	Dept. 1 (LA) Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Case Management Conference	Nadia S. Gott, CSR #12597	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
62.	11/04/2014	Dept. 56 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Further Case Management Conference; Motion Hearings; Court Trial for Phelan Piñon Hills Community Services District's Second & Sixth Causes of Action	Jeanette Coyle, CSR #12665 reporter27@gmail.com	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
63.	11/05/2014	Dept. 56 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial — Phelan Piñon Hills Community Services District's Second and Sixth Causes of Action	Jeanette Coyle, CSR #12665 reporter27@gmail.com	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
64.	03/26/2015	Dept. 222 (LA) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Motion by the Wood Class for Preliminary Approval of the Class Action Settlement	Candice Myers, CSR # 13086	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
65.	08/03/2015	Dept. 222 Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Final Fairness Hearing Small Pumper/Wood Class	Veronica Rodriguez, CSR #12215	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
66.	08/04/2015	Dept. 222 Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Oral Argument (Hearing re Consistencies of Global Settlement with Previous Willis Class Settlement)	Veronica Rodriguez, CSR #12215	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
67.	08/25/2015	Dept. 12 (San Jose) Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Phelan Piñon Hills Community Services District's Trial on Claims; Law and Motion	Pamela Cardiff, CSR #11430 PCardiff@scscourt.org	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

**5.b. Proceedings**

<b>No.</b>	<b>Date</b>	<b>Department</b>	<b>Full/Partial</b>	<b>Description</b>	<b>Reporter's Name</b>	<b>Previously Prepared</b>
68.	09/28/2015	Dept. 222 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Audrey L. Molinar, CSR #12462 (562) 858-2343 Molinar6@verizon.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
69.	09/29/2015	Dept. 222 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Audrey L. Molinar, CSR #12462 (562) 858-2343 Molinar6@verizon.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
70.	09/30/2015	Dept.48 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Audrey L. Molinar, CSR #12462 (562) 858-2343 Molinar6@verizon.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
71.	10/01/2015	Dept.48 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Audrey L. Molinar, CSR #12462 (562) 858-2343 Molinar6@verizon.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
72.	10/02/2015	Dept.48 Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Court Trial [Half Day of Trial Held]	Audrey L. Molinar, CSR #12462 (562) 858-2343 Molinar6@verizon.net	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
73.	10/14/2015	Dept.222 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Tatiana Alvarado, CSR #13769	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

**5.b. Proceedings**

No.	Date	Department	Full/Partial	Description	Reporter's Name	Previously Prepared
74.	10/15/2015	Dept.222 Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial	Tatiana Alvarado, CSR #13769	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
75.	11/03/2015	(San Jose) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Court Trial- Closing Arguments for Phase 5/6 Trial	Heather Gorley, CSR #9195 (831) 234-5758	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
76.	11/04/2015	(San Jose) Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Court Trial- Closing Arguments for Phase 5/6 Trial	Heather Gorley, CSR #9195 (831) 234-5758	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
77.	04/01/2016	(San Jose) Judge Jack Komar	<input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Wood Class' Motion for Award of Attorney Fees, Costs and Incentive Award	Melissa Crawford, CSR # 12288 melissacrawfordcsr@gmail.com	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
78.	05/25/2016	Rm. 222 (LA) Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Motion by the Wood Plaintiffs for Clarification of Order on Motion for Award of Attorney Fees, Costs and Incentive Award	Rhona Reddix, CSR #10807 ronireddi@gmail.com	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

# Attachment 5.b.1

**ATTACHMENT 5.b.(1)**

**5.b. Proceedings**

I request that the following proceedings in the superior court be included in the reporter's transcript.\*

**Certified copies of the below transcripts are attached hereto.**

<b>No.</b>	<b>Date</b>	<b>Department</b>	<b>Full/Partial</b>	<b>Description</b>	<b>Reporter's Name</b>	<b>Previously Prepared</b>
79.	07/28/2016	Dept. 1 (LA)/Room 222 Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Motion to Strike, or in the Alternative, Tax Costs; Motion for Supplemental Attorney's Fees and Costs	Ermelinda Hernandez, CSR #12257	<input checked="" type="checkbox"/> Yes (attached) <input type="checkbox"/> No <input type="checkbox"/> Unknown
80.	09/08/2016	Dept. 1 (LA)/Room 222 Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Election of Periodic Payment	David A. Salyer, CSR #4410	<input checked="" type="checkbox"/> Yes (attached) <input type="checkbox"/> No <input type="checkbox"/> Unknown

**\* Pursuant to CRC 8.147, the parties hereby incorporate Appellant's Notice Designating Record on Appeal filed July 5, 2016, in Los Angeles County Waterworks District No. 40's Appeal, Case No. JCCP 4408; Court of Appeal No. E065512.**

## Attachment 5.b.2

**ATTACHMENT 5.b.(2)**

**5.b. Proceedings**

I request that the following proceedings in the superior court be included in the reporter's transcript.\*

<b>No.</b>	<b>Date</b>	<b>Department</b>	<b>Full/Partial</b>	<b>Description</b>	<b>Reporter's Name</b>	<b>Previously Prepared</b>
81.	10/18/2016	Dept. 1 (LA)/Room 222 Judge Jack Komar	<input type="checkbox"/> Full <input checked="" type="checkbox"/> Partial	Election of Periodic Payment	David A. Salyer, CSR #4410	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

**\* Pursuant to CRC 8.147, the parties hereby incorporate Appellant's Notice Designating Record on Appeal, filed on October 21, 2016, for Los Angeles County Waterworks District No. 40, et al.'s Appeal, filed on October 11, 2016, for Case No. JCCP 4408 (Court of Appeal Case No. E065512).**

**A certified copy of this transcript is lodged with this notice.**

26345.00000\29314824.1

**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 15, 2016, I served the following documents(s):

**NOTICE OF DESIGNATING RECORD ON 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](mailto:sandra.rosales@bbklaw.com)

Attorneys for Richard Wood and the Wood Class

Michael D. McLachlan  
LAW OFFICES OF MICHAEL D.  
McLACHLAN, APC  
44 Hermosa Avenue  
Hermosa Beach, California 90254  
(310) 954-8270; (310) 954-8271 fax  
Email: [mike@mclachlan-law.com](mailto:mike@mclachlan-law.com)

Attorneys for Richard Wood and the Wood Class

Daniel M. O'Leary  
LAW OFFICE OF DANIEL M. O'LEARY  
2300 Westwood Boulevard, Suite 105  
Los Angeles, California 90064  
(310) 481-2020; (310) 481-0049 fax  
Email: [dan@danolearylaw.com](mailto:dan@danolearylaw.com)

Attorneys for City of Palmdale

James L. Markman  
RICHARDS WATSON & GERSHON  
355 S. Grand Avenue, 40th Floor  
Los Angeles, CA 90071-3101  
(213) 626-8484; (213) 626-0078 fax  
Email: [jmarkman@rwglaw.com](mailto:jmarkman@rwglaw.com)

Attorneys for Littlerock Creek Irrigation District, Palm Ranch Irrigation District, Desert Lake Community Services District, North Edwards Water District, and Quartz Hill Water District

W. Keith Lemieux  
Lemieux & O'Neill  
4165 E. Thousand Oaks Blvd., Ste. 350  
Westlake Village, CA 91362  
(805) 495-4770; (805) 495-2787 fax  
Email: [keith@lemieux-oneill.com](mailto:keith@lemieux-oneill.com)

Attorneys for California Water Service  
Company

John Tootle  
California Water Service Company  
2632 West 237th Street  
Torrance, CA 90505  
(310) 257-1488; (310) 325-4605 fax  
Email: [jtootle@calwater.com](mailto:jtootle@calwater.com)

Attorneys for Phelan Piñon Hills Community  
Services District

June Ailin  
Aleshire & Wynder, LLP  
18881 Von Karman Ave., Ste. 400  
Irvine, CA 92612  
Phone: 949-223-1170  
Fax: 949-223-1180  
Email: [jailin@awattorneys.com](mailto:jailin@awattorneys.com)

Attorneys for City of Lancaster and Rosamond  
Community Services District

Douglas J. Evertz  
MURPHY & EVERTZ LLP  
650 Town Center Drive, Suite 550  
Costa Mesa, CA 92626  
(714) 277-1700; (714) 277-1777 fax  
Email: [devertz@murphyevertz.com](mailto:devertz@murphyevertz.com)

Attorneys for Palmdale Water District

Thomas Bunn  
Lagerlof, Senecal, Gosney & Kruse, LLP  
301 North Lake Avenue, 10th Floor  
Pasadena, CA 91101-4108  
(626) 793-9400; (626) 793-5900 fax  
Email: [TomBunn@lagerlof.com](mailto:TomBunn@lagerlof.com)

I declare under penalty of perjury under the laws of the State of California that the above  
is true and correct. Executed on November 15, 2016, at Los Angeles, California.

  
Sandra Rosales

26345.00000\29059067.1