

April 18, 2006

To Attorneys of Record (*via email*):

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Debra W. Yang, U. S. Attorney in L.A.

**RE: Antelope Valley Groundwater Cases: Case Management Statement
And Model Pleadings**

The attached model pleadings are in response to the court's recent order at the informal issues conference. The draft is not endorsed by anyone at this time. We would like to receive your comments on the attachment by April 21st so that we can lodge the documents with the court in advance of the April 28th case management conference.

The purpose of the model pleadings is to supplant to the maximum extent possible all further complaints, cross-complaints, answers and demurrers. On April 28th, we will ask Judge Komar to order the documents posted on the website so they can be used by all parties using the following process:

1. The model cross-complaint will be filed by a party. The model cross-complaint will be deemed against all parties. Any party can become a cross-complainant by filing a "notice of adoption." (For convenience, the notice of adoption is appended to the model answer.)
2. The model answer will also be posted on the court's website, with several options:
 - a. A responding party can disclaim all interests in the waters of the basin;
 - b. A responding party can claim a minimal interest and join a class of minimal producers;
 - c. A responding party can answer the cross-complaint in a "regular" fashion by checking boxes.

We anticipate case management filing a report with the court for discussion at the April 28, 2006, case management conference. We would appreciate receiving your comments as soon as possible.

Very truly yours,

LEMIEUX & O'NEILL

Wayne K. Lemieux

Wayne K. Lemieux
WKL/lms
Enclosures

MEMO

To: Court
From: Wayne K. Lemieux
Subject: Antelope Valley Groundwater Cases: JCCP 4408
Date: April 21, 2006

Attorneys Eduardo Angeles, Richard M. Brown and Jon A. Slezak were dropped from the service list after the mailing of the April 18, 2006, letter at the request of special counsel Janet Goldsmith.

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*Chair, Judicial Council of California Administrative Office of the Courts Attn: Appellate & Trial Court Judicial Services (Civil Case Coordination) 455 Golden Gate Avenue San Francisco, CA 94102-3688	CRC Rule 1511: *Serve only when required to be transmitted to Judicial Council.

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NOTE: This is the current attorney/email list. Attorneys Eduardo Angeles, Richard M. Brown and Jon A. Slezak were dropped from the service list after the mailing of the April 18, 2006, letter at the request of special counsel, Janet Goldsmith.