

CIVIL CASE INFORMATION STATEMENT		Court of Appeal Case Number (if known) B237726
COURT OF APPEAL, <u>Second</u> APPELLATE DISTRICT, DIVISION <u>P</u>		FOR COURT USE ONLY
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): — ERIC L. GARNER, SBN#130665; JEFFREY V. DUNN, SBN#131926 BEST BEST & KRIEGER 5 PARK PLAZA, SUITE 1500, IRVINE, CA 92614 TELEPHONE NO.: 949-263-2600 FAX NO. (Optional): 949-260-0972 E-MAIL ADDRESS: eric.garner@bbklaw.com; jeffery.dunn@bbklaw.com ATTORNEY FOR (Name): Los Angeles County Waterworks District No. 40		
APPELLANT: Los Angeles County Waterworks District No. 40 RESPONDENT:		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Stanley Mosk		
JUDGES (all who participated in case): Honorable Jack Komar		Superior Court Case Number: JCCP4408
NOTE TO APPELLANT: You must file this form with the clerk of the Court of Appeal within 10 days after the clerk mails you a notice that this form must be filed. You must attach to this form (1) a copy of the judgment or order being appealed that shows the date it was entered (see Cal. Rules of Court, rule 8.104 for definition of "entered"); and (2) proof of service of this form on all parties to the appeal. (CAUTION: An appeal in a limited civil case (Code Civ. Proc., § 85) may be taken ONLY to the appellate division of the superior court (Code Civ. Proc., § 904.2) or to the superior court (Code Civ. Proc., § 116.710 [small claims cases]).		

PART I – APPEAL INFORMATION**A. APPEALABILITY**

1. Appeal is from:

- ☐ Judgment after jury trial
☐ Judgment after court trial
☐ Default judgment
☐ Judgment after an order granting a summary judgment motion
☐ Judgment of dismissal under Code Civ. Proc., § 581d, 583.250, 583.360, or 583.430
☐ Judgment of dismissal after an order sustaining a demurrer
☐ An order after judgment under Code Civ. Proc., § 904.1(a)(2)
☐ An order or judgment under Code Civ. Proc., § 904.1(a)(3)–(13)
☒ Other (describe and specify code section that authorizes this appeal): Judgment CCP, 904.1 (a)(1)

2. Does the judgment appealed from dispose of all causes of action, including all cross-actions between the parties?

☒ Yes ☐ No (If no, please explain why the judgment is appealable):

B. TIMELINESS OF APPEAL (Provide all applicable dates.)

1. Date of entry of judgment or order appealed from: 9 / 22 / 11
2. Date that notice of entry of judgment or a copy of the judgment was served by the clerk or by a party under California Rules of Court, rule 8.104: 9 / 27 / 11
3. Was a motion for new trial, for judgment notwithstanding the verdict, for reconsideration, or to vacate the judgment made and denied? ☐ Yes ☒ No (If yes, please specify the type of motion):
 Date notice of intention to move for new trial (if any) filed: ____/____/____
 Date motion filed: ____/____/____ Date motion denied: ____/____/____ Date denial served: ____/____/____
4. Date notice of ☒ appeal or ☐ cross-appeal filed: 11 / 28 / 11

C. BANKRUPTCY OR OTHER STAY

Is there a related bankruptcy case or a court-ordered stay that affects this appeal? ☐ Yes ☒ No (If yes, please attach a copy of the bankruptcy petition [without attachments] and any stay order.)

APPELLATE CASE TITLE:

Antelope Valley Groundwater Cases

APPELLATE COURT CASE NUMBER:

B237726

D. APPELLATE CASE HISTORY (Provide additional information, if necessary, on attachment I.D.)

Is there now, or has there previously been, any appeal, writ, or other proceeding related to this case pending in any California appellate court? ☒ Yes ☐ No (If yes, insert name of appellate court): Fourth Appellate District, Division 2

Appellate court case no.: E050437

Title of case: Petition for Writ of Mandate

Name of trial court: Los Angeles County

Trial court case no.: JCCP4408

E. SERVICE REQUIREMENTS

Is service of documents in this matter, including a notice of appeal, petition, or brief, required on the Attorney General or other nonparty public officer or agency under California Rules of Court, rule 8.29 or a statute? Yes ☐ No ☒ (If yes, please indicate the rule or statute that applies):

- | | |
|--|--|
| ☐ Rule 8.29 (e.g., constitutional challenge; state or county party) | ☐ Code Civ. Proc., § 1355 (Escheat) |
| ☐ Bus. & Prof. Code, § 16750.2 (Antitrust) | ☐ Gov. Code, § 946.6(d) (Actions against public entities) |
| ☐ Bus. & Prof. Code, § 17209 (Unfair Competition Act) | ☐ Gov. Code, § 4461 (Disabled access to public buildings) |
| ☐ Bus. & Prof. Code, § 17536.5 (False advertising) | ☐ Gov. Code, § 12656(a) (False Claims Act) |
| ☐ Civ. Code, § 51.1 (Unruh, Ralph, or Bane Civil Rights Acts; antiboycott cause of action; sexual harassment in business or professional relations; civil rights action by district attorney) | ☐ Health & Saf. Code, § 19954.5 (Accessible seating and accommodations) |
| ☐ Civ. Code, § 55.2 (Disabled access to public conveyances, accommodations, and housing) | ☐ Health & Saf. Code, § 19959.5 (Disabled access to privately funded public accommodations) |
| | ☐ Pub. Resources Code, § 21167.7 (CEQA) |
| | ☐ Other (specify statute): |

NOTE: The rule and statutory provisions listed above require service of a copy of a party's notice of appeal, petition, or brief on the Attorney General or other public officer or agency. Other statutes requiring service on the Attorney General or other public officers or agencies may also apply.

PART II – NATURE OF ACTION

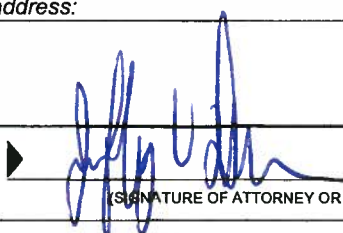
A. Nature of action (check all that apply):

1. ☐ Conservatorship
2. ☐ Contract
3. ☐ Eminent domain
4. ☐ Equitable action a. ☐ Declaratory relief b. ☐ Other (describe):
5. ☐ Family law
6. ☐ Guardianship
7. ☐ Probate
8. ☐ Real property rights a. ☐ Title of real property b. ☐ Other (describe):
9. ☐ Tort
 - a. ☐ Medical malpractice
 - b. ☐ Product liability
 - c. ☐ Other personal injury
 - d. ☐ Personal property
 - e. ☐ Other tort (describe):
10. ☐ Trust proceedings
11. ☐ Writ proceedings in superior court
 - a. ☐ Mandate (Code Civ. Proc., § 1085)
 - b. ☐ Administrative mandate (Code Civ. Proc., § 1094.5)
 - c. ☐ Prohibition (Code Civ. Proc., § 1102)
 - d. ☐ Other (describe):
12. ☒ Other action (describe): Groundwater adjudication

B. ☐ This appeal is entitled to calendar preference/priority on appeal (cite authority):

APPELLATE CASE TITLE: Antelope Valley Groundwater Cases	APPELLATE COURT CASE NUMBER: B237726
PART III – PARTY AND ATTORNEY INFORMATION	
<i>In the spaces below or on a separate page or pages, list all the parties and all their attorneys of record who will participate in the appeal. For each party, provide all of the information requested on the left side of the page. On the right side of the page, if a party is self-represented please check the appropriate box and provide the party's mailing address, telephone number, fax number, and e-mail address. If a party is represented by an attorney, on the right side of the page, check the appropriate box and provide all of the requested information about that party's attorney.</i>	
☐ Responses to Part III are attached instead of below	
Name of Party: Los Angeles County Waterworks District. No. 40 Appellate court designation: ☒ Appellant ☐ Respondent Trial court designation: ☐ Plaintiff ☒ Defendant ☐ Other (specify):	☒ Represented by attorney ☐ Self-represented Name of attorney: Jeffrey V. Dunn State Bar no: 131926 Firm name: Best Best & Krieger Mailing address: 5 Park Plaza, Suite 1500 Irvine, CA 92614 Telephone no.: 949-263-2600 Fax no: 949-260-0972 E-Mail address: jeffrey.dunn@bbklaw.com
Name of Party: Rebecca Lee Wills Willis Class Appellate court designation: ☐ Appellant ☒ Respondent Trial court designation: ☒ Plaintiff ☐ Defendant ☐ Other (specify):	☒ Represented by attorney ☐ Self-represented Name of attorney: Ralph Kalfayan/David Zlotnick State Bar no: 133464/195607 Firm name: Krause Kalfayan Benink & Slavens Mailing address: 550 W "C" St., Suite 530 San Diego, CA 92101 Telephone no.: 619-232-0331 Fax no: 619-232-4019 E-Mail address: rkalfayan@kkbs-law.com
Name of Party: Appellate court designation: ☐ Appellant ☐ Respondent Trial court designation: ☐ Plaintiff ☐ Defendant ☐ Other (specify):	☐ Represented by attorney ☐ Self-represented Name of attorney: State Bar no: Firm name: Mailing address: Telephone no.: Fax no: E-Mail address:
Name of Party: Appellate court designation: ☐ Appellant ☐ Respondent Trial court designation: ☐ Plaintiff ☐ Defendant ☐ Other (specify):	☐ Represented by attorney ☐ Self-represented Name of attorney: State Bar no: Firm name: Mailing address: Telephone no.: Fax no: E-Mail address:
☐ Additional pages attached Date:	

This statement is prepared and submitted by:


 (SIGNATURE OF ATTORNEY OR SELF-REPRESENTED PARTY)

1 Appellate Case Number: Unknown
2 Title of Case: Petition for Writ of Mandate in The First Instance Prohibition or Other Appropriate Relief
3 Name of trial court: Los Angeles County Superior Court
4 Trial Court Case Number: JCCP4408
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26 *(Required for verified pleading)* The items on this page stated on information and belief are *(specify item numbers, not line numbers)*:
27

This page may be used with any Judicial Council form or any other paper filed with the court.

Page 1

PROOF OF SERVICE

I, Kerry V. Keefe, 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, 5 Park Plaza, Suite 1500, Irvine, California, 92614. On December 19, 2011, I served the within document(s):

CIVIL CASE INFORMATION STATEMENT



by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.



by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Irvine, California addressed as set forth below.



by causing personal delivery by ASAP Corporate Services of the document(s) listed above to the person(s) at the address(es) set forth below.



by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.



I caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by Federal Express following the firm's ordinary business practices.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on December 19, 2011, at Irvine, California.


Kerry V. Keefe

SERVICE LIST

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17 18 19 20 21	Michael Duane Davis Gresham Savage Nolan & Tilden, a Professional Corporation 3750 University Avenue, Suite 250 Riverside, CA 92501-3335 Phone: Tel: 951-684-2171 Fax: 951-684-2150 Email: michael.davis@greshamsavage.com	Attorney for White Fence Farms Mutual Water Co. Inc., A.V. United Mutual Group, Sheep Creek Water Company, Service Rock Products, L.P. (originally named as Service Rock Products Corporation), U.S. Borax, Inc., Antelope Valley Ground Water Agreement Association, Bolthouse Properties, LLC., Wm. Bolthouse Farms, Inc., Adams Bennett Investments, LLC, GLDEN SANDS MOBILE HOME PARK
22 23 24 25 26 27 28	Charles West Gordon Thomas Honeywell LLP 1201 Pacific Avenue, Suite 2100 Tacoma, WA 98041 Phone: Tel: 253-620-6446 Fax: 253-620-6565 Email: wwest@gth-law.com	Attorney for County Sanitation Districts Nos. 14 and 20 of Los Angeles County, Phelan Pinon Hills Community Services District, Willis, Rebecca Lee, U.S. Borax, Inc., City of Palmdale, WDS California II, LLC, Rosamond Community Services District, Grimmway Enterprises, Inc., White Fence Farms Mutual Water Co. Inc., Palmdale Water District, A.V. United Mutual Group, Lapis Land Company, LLC, Antelope Valley East-Kern Water Agency, Antelope Valley Ground Water Agreement Association, Bolthouse Properties, LLC., Tejon Ranchcorp, Wm. Bolthouse

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25		Quartz Hill Water District
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