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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

10 ANTELOPE VALLEY
11 GROUNDWATER CASES

12 This Pleading Relates to Included Action:
13 REBECCA LEE WILLIS and DAVID
14 ESTRADA, on behalf of themselves and
all others similarly situated,

15 *Plaintiffs,*

16 v.

17 LOS ANGELES COUNTY
18 WATERWORKS DISTRICT NO. 40;
19 CITY OF LANCASTER; CITY OF
PALMDALE; PALMDALE WATER
20 DISTRICT; LITTLEROCK CREEK
IRRIGATION DISTRICT; PALM
21 RANCH IRRIGATION DISTRICT;
QUARTZ HILL WATER DISTRICT;
22 ANTELOPE VALLEY WATER CO.;
ROSAMOND COMMUNITY SERVICE
23 DISTRICT; PHELAN PINON HILL
COMMUNITY SERVICE DISTRICT; and
24 DOES 1 through 1,000;

25 *Defendants.*
26
27
28

RELATED CASE TO JUDICIAL COUNCIL
COORDINATION PROCEEDING NO. 4408

**WILLIS CLASS' DISCLOSURE OF
WITNESSES AND EXHIBITS PURSUANT TO
SECOND AMENDED CASE MANAGEMENT
ORDER DATED MARCH 27, 2015**

Date: August 3, 2015
Time: 10:00 am
Place:

Superior Court of California
County of Los Angeles
111 North Hill Street, Room 222
Los Angeles, CA 90012

Judge: Hon. Jack Komar

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that pursuant to the Court's Second Amended Case
3 Management Order dated March 27, 2015 ("CMO"), the Willis Class submits the following list of
4 Percipient and Expert Witnesses who may be called to testify at the hearings/trial beginning on
5 August 3, 2015 and its list of Exhibits. Further, the Court and All Parties and their Attorneys of
6 Record should take Notice that by submitting the list of Witnesses and Exhibits, the Willis Class
7 does not waive and hereby expressly incorporates and reserves all of its previously-filed
8 objections to the CMO, the Wood Class Settlement, and the Stipulated Judgment and Proposed
9 Physical Solution ("SPPS").
10

11 **Willis Class' Percipient Witness List:**

- 12 1. Gloria Molina, (Former) Chair, Board of Supervisors, Los Angeles County
13 Waterworks District No. 40, who may testify on issues relating to the Willis Class
14 Stipulation of Settlement, including but not limited to, her understanding of the
15 bargained for consideration and agreement not to impair the rights of the Willis Class.
16
- 17 2. Michael D. Antonovich, Los Angeles County Board of Supervisors, who may testify
18 on directing his subordinates to inform Willis Class Members that they will not be
19 able to obtain a permit for a well to pump groundwater.
20
- 21 3. James Markman, City Attorney, City of Palmdale, who may testify on issues relating
22 to the Willis Class Stipulation of Settlement, including but not limited to, his
23 understanding of the bargained for consideration and agreement not to impair the
24 rights of the Willis Class.
- 25 4. Brad Bones, Manager, Littlerock Creek Irrigation District, who may testify on issues
26 relating to the Willis Class Stipulation of Settlement, including but not limited to, his
27

1 understanding of the bargained for consideration and agreement not to impair the
2 rights of the Willis Class.

3 5. Dennis D. LaMoreaux, General Manager, Palmdale Water District, who may testify on
4 issues relating to the Willis Class Stipulation of Settlement, including but not limited
5 to, his understanding of the bargained for consideration and agreement not to impair
6 the rights of the Willis Class.
7

8 6. Phillip R. Shott, Manager, Palm Ranch Irrigation District, who may testify on issues
9 relating to the Willis Class Stipulation of Settlement, including but not limited to, his
10 understanding of the bargained for consideration and agreement not to impair the
11 rights of the Willis Class.
12

13 7. Allan G. Flick, Sr., President, Board of Directors, Quartz Hill Water District, who may
14 testify on issues relating to the Willis Class Stipulation of Settlement, including but
15 not limited to, his understanding of the bargained for consideration and agreement not
16 to impair the rights of the Willis Class.

17 8. Kathleen Spoor, Director, Rosamond Community Services District, who may testify
18 on issues relating to the Willis Class Stipulation of Settlement, including but not
19 limited to, her understanding of the bargained for consideration and agreement not to
20 impair the rights of the Willis Class.
21

22 9. Dollie D. Kostopoulos, General Manager, Desert Lake Community Services District
23 and North Edwards Water District, who may testify on issues relating to the Willis
24 Class Stipulation of Settlement, including but not limited to, her understanding of the
25 bargained for consideration and agreement not to impair the rights of the Willis Class.
26

27 10. Eric L. Garner, Attorney at Best Best & Krieger, who may testify regarding *de*
28 *minimus* use exemption for Wood Class Members and related declaration.

1 11. All members of the Willis Class or a representative Sample. The names, address,
2 parcel number, and contact information for all Willis Class Members are in the
3 custody and control of District 40, the Claims Administrator for the Willis Class. The
4 Willis Class will amend their Witness List as soon as Class Counsel is able to
5 ascertain which members of the Willis Class will testify at the hearings/trial. Class
6 members will testify as to:

- 7
- 8 a. Issues relating to their ownership and intended uses; the impact on property values
9 and ability to use their property if the Wood Class Settlement and incorporated
10 SPPS obtains Final Approval (as is) by the Court.

11 12. David Estrada, Class Representative for the Willis Class will testify as to:

- 12
- 13 a. Issues relating to ownership and his intended uses and timing for pumping
14 groundwater; the impact on his property values and ability to use his property if
15 the Wood Class Settlement and incorporated SPPS obtains Final Approval (as is)
16 by the Court.

17 13. Michael Davitt (and other employees of the Archdiocese of Los Angeles, if necessary)
18 as Willis Class Member will testify as to:

- 19
- 20 a. Issues relating to the Archdiocese' intended uses and timing for pumping
21 groundwater; the impact on their property values and ability to use his property if
22 the Wood Class Settlement and incorporated SPPS obtains Final Approval (as is)
23 by the Court.

24 14. Lloyd E. Lewis, Willis Class Member will testify as to:

- 25
- 26 a. Issues relating to Mr. Lewis' intended uses and timing for pumping groundwater;
27 the impact on his property values and ability to use his property if the Wood Class
28 Settlement and incorporated SPPS obtains Final Approval (as is) by the Court.

1 15. Person most knowledgeable at Best Best & Krieger regarding the composition of the
2 Willis Class.

3 16. Mark Wildermuth, expert retained by Best Best & Krieger to evaluate and determine
4 the composition of the Willis Class and identification of Class members.

5 17. James Waldo and/or William West regarding the Waldo Accord and the parties'
6 consent thereto.
7

8 The Court and All Parties and their Attorneys of Record should take Notice that by
9 submitting the below Expert Witness List, the Willis Class does not waive and hereby expressly
10 incorporates and reserves all of its previously-filed Motions for Court-Appointed Experts. The
11 Willis Class further notes that the Court's appointment of an expert to address the groundwater
12 needs of the 3700-Member Wood Class and later refusal to appoint an expert to address the
13 groundwater needs of the 65,000-Member Willis Class is unfair and prejudicial to the Willis
14 Class. Finally, the Willis Class expressly reserves the right to seek expert fees as taxable costs
15 against the Public Water Suppliers (other than Phelan Pinon Hills because Phelan did not breach
16 the Willis Stipulation of Settlement by becoming a signatory to the SPPS).
17

18 Subject to and without waiving any of the foregoing, the Willis Class' Expert Witness List
19 is as follows:
20

21 1. Rod Smith, Ph.D., Stratecon Inc.

- 22 a. Economic Valuation of Overlying Groundwater Rights in the Antelope Valley
23 Basin;
24 b. Right to produce groundwater in the future;
25 c. Alternative Proposed Physical Solutions;
26 d. Economic comparison between Willis Class Judgment and SPPS;
27 e. Diminution of real property values if the SPPS is approved.
28

2. David Sunding, Ph.D., Professor, University of California at Berkeley and The Brattle Group
 - a. Ability to quantify Willis Class' Members Prospective Groundwater Use;
 - b. Alternative Proposed Physical Solutions.
3. Brian E. Gray, Professor of Law, UC Hastings
 - a. Impact of the SPPS on Willis Class' Rights
4. Steven D. Roach, Jones, Roach & Caringella, Inc., Real Estate Valuation Expert
 - a. Diminution in Property Values Without Right to Pump Groundwater.
5. Robert P. Caringella, Jones, Roach & Caringella, Inc., Real Estate Valuation Expert
 - a. Diminution in Property Values Without Right to Pump Groundwater

The Willis Class' percipient and expert witness lists do not include any rebuttal witnesses and the Willis Class reserves its right to later name additional witnesses before the hearings/trial.

The Willis Class further reserves its right to call witnesses designated by other parties.

Exhibit List

Willis 1 - Willis Stipulation of Settlement dated July 13, 2010

Willis 2 - Willis Final Judgment dated May 12, 2011

Willis 3 - Willis Amended Final Judgment dated September 22, 2011

Willis 4 - Wood Class Motion to Decertify dated June 13, 2012

Willis 5 - Hearing Transcript dated June 16, 2011

Willis 6 - Hearing Transcript dated August 30, 2011

Willis 7 - Hearing Transcript dated November 9, 2012

Willis 8 - Hearing Transcript dated January 16, 2013

Willis 9 - Hearing Transcript dated November 4, 2014

Willis 10 - Hearing Transcript dated January 22, 2015

1 **Willis 11** - Hearing Transcript dated March 26, 2015

2 **Willis 12** - Declaration of Eric Garner in Support of Motion for Preliminary Approval of The
3 Wood Class Settlement dated May 2, 2011

4 **Willis 13** - Chino Basin Judgment

5 **Willis 14** - Antelope Valley Accord dated July 12, 2010

6 **Willis 15** - Chart depicting the acreage, number of Willis Class Members, and number of parcels
7 for Willis Class Members and other parties

8 **Willis 16** - Twentieth Annual Report of the Mojave Basin Area Watermaster for Water Year
9 2012-2013

10 **Willis 17** - News bulletin from Department of Water and Resources website dated February 10,
11 2015

12 **Willis 18** - L.A. County Form Application to pump groundwater

13 **Willis 19** - Letter dated February 13, 2015, from Dr. Sunding

14 **Willis 20** - List of Willis Class Members maintained by Best Best & Krieger

15 **Willis 21** - Excel Spreadsheet of Values of Groundwater Permanently Allocated Contrary to Law
16 in the SPPS


17 **Willis 22** - Associated Press article dated March 14, 2015, entitled "Southern California Water
18 Agencies Look North for Water Sale"

19 The Willis Class reserves the right to supplement or add to this list of exhibits as necessary.

20 Dated: April 27, 2015

21 Respectfully submitted,

22 KRAUSE KALFAYAN BENINK &
23 SLAVENS, LLP

24 
25 Ralph B. Kalfayan
26 Lynne M. Brennan

27 7 Class Counsel for the Willis Class