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and Cross-Defendant CITY OF PALMDALE

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA**

**ANTELOPE VALLEY GROUNDWATER
CASES**

Judicial Council Coordination
Proceeding No. 4408

**OBJECTION TO WILLIS'
PROPOSED ORDER OVERRULING
DEMURRERS TO THIRD AND
FOURTH CAUSES OF ACTION OF
WILLIS' AMENDED COMPLAINT
AND STAYING FURTHER
PROCEEDINGS THEREON**

Phase 2 Trial: October 6, 2008
(Hon. Jack Komar)

The City of Palmdale, City of Lancaster, Los Angeles County Waterworks District No. 40, Palmdale Water District, Littlerock Creek Irrigation District, Palm Ranch Irrigation District, North Edwards Water District, Desert Lakes Community Services District, Rosamond Community Services District, California Water Service Company (collectively "Public Water Suppliers") hereby object to paragraph 3 of the [Proposed] Order Overruling Demurrers to Third and Fourth Causes of Action of Willis' Amended Complaint and Staying Further Proceedings Thereon.

1 Notwithstanding the stay of further proceedings, Paragraph 3 of Willis' proposed
2 order directs the Public Water Suppliers to answer the second amended complaint. The
3 Court made no such order at the August 11, 2008 hearing. Such a provision is, moreover,
4 utterly inconsistent with a stay, and would cause the undesirable procedural result of
5 possibly requiring the Public Water Suppliers to file cross-complaints for indemnity,
6 among other claims, against other pumpers or parties that may have contributed to Willis'
7 alleged damages.

8
9 Dated: August 25, 2008

LEMIEUX & O'NEILL
WAYNE K. LEMIEUX
W. KEITH LEMIEUX

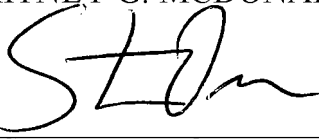
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22
23 By: 
24 STEVEN R. ORR
25 Attorneys for Defendant, Cross-
26 Complainant, and Cross-Defendant
27 CITY OF PALMDALE
28

PROOF OF SERVICE

I, Kelley Herrington, 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 Richards, Watson & Gershon, 355 South Grand Avenue, 40th Floor, Los Angeles, California 90071. On August 25, 2008, I served the within documents:

OBJECTION TO WILLIS' PROPOSED ORDER OVERRULING DEMURRERS TO THIRD AND FOURTH CAUSES OF ACTION OF WILLIS' AMENDED COMPLAINT AND STAYING FURTHER PROCEEDINGS THEREON

- ☐ by causing facsimile transmission of the document(s) listed above from (213) 626-0078 to the person(s) and facsimile number(s) set forth below on this date before 5:00 P.M. This transmission was reported as complete and without error. A copy of the transmission report(s), which was properly issued by the transmitting facsimile machine, is attached. Service by facsimile has been made pursuant to a prior written agreement between the parties.
- ☒ 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 and affixing a pre-paid air bill, and causing the envelope to be delivered to an agent for delivery, or deposited in a box or other facility regularly maintained by , in an envelope or package designated by the express service carrier, with delivery fees paid or provided for, addressed 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.
- ☐ by causing personal delivery by First Legal Support Services, 1511 West Beverly Boulevard, Los Angeles, California 90026 of the document(s) listed above to the person(s) at the address(es) set forth below.

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

Executed on August 25, 2008.


Kelley Herrington