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SUPERIOR COURT OF THE STATE OF CALIFORNIA
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
15 all others similarly situated,

16 *Plaintiffs,*

17 v.

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

Defendants.

RELATED CASE TO JUDICIAL COUNCIL
COORDINATION PROCEEDING NO. 4408

**WILLIS CLASS' CASE MANAGEMENT
CONFERENCE STATEMENT**

Date: March 26, 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. Judge Komar

1 The Willis Class respectfully submits the following Case Management Conference
2 Statement in advance of the March 26, 2015 status conference.

3 On March 4, 2015, the Wood Class and the Public Water Suppliers jointly filed a Motion
4 for Preliminary Approval of Settlement, which Motion incorporated a Stipulation for Entry of
5 Judgment and Proposed Physical Solution (the "SPPS"). The Willis Class filed its Opposition to
6 the Motion on March 13, 2015. On March 11, 2015, the Public Water Suppliers informed the Court
7 that "approximately 140 parties, including the Wood Class, have approved and executed the" SPPS.
8 (See District 40's Case Management Conference Statement dated March 11, 2015). District 40's
9 CMC Statement was completely unnecessary, irrelevant, and a thinly-veiled attempt to pressure
10 this Court into accepting the SPPS as is.
11

12 While 140 parties may have approved the SPPS, the 65,000 Willis Class Members did not
13 and the Willis Class Members object to its terms. The 140 parties who approved and signed the
14 SPPS received a permanent allocation of water from the NSY free of replacement assessment. As
15 set forth in the Willis Class' Opposition to the Preliminary Approval, this Court correctly **rejected**
16 a permanent allocation of groundwater in the proposed Wood Class Settlement in 2012 because
17 such an allocation would impact the rights of nonsettling parties. Because the 140 parties do **not**
18 represent all of the parties in this action, the Court must again reject the Wood Class' attempt to
19 obtain a permanent allocation of groundwater in the proposed Wood Class Settlement.
20

21 These water rights are extremely valuable and worth almost one billion dollars to the
22 Stipulating Parties. *See*, Associated Press Article discussing a current sale of water at \$700 AFY
23 dated March 14, 2015, attached as Exhibit 1. The land and property values of the 140 parties have
24 been enhanced in the SPPS, while the land and property values of the Willis Class Members have
25 been diminished even further. *See* Groundwater Valuation Chart, attached as Exhibit 2.
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1 In addition, those same 140 parties have agreed among themselves in the SPPS to abrogate
2 the correlative rights of the Willis Class: the Willis Class does not share in the Native Safe Yield
3 ("NSY"), must meet onerous and costly requirements before it will be determined whether the Class
4 member can pump any amount of groundwater, and must pay a replacement assessment on the
5 amount of any groundwater pumped (with the possible exception of water pumped for domestic
6 use). The abrogation of Willis Class Members' water rights in the SPPS was done by agreement
7 among the other parties without a pleading or notice to the class. Furthermore, the abrogation
8 materially deviates from the significant benefits obtained by the Willis Class in the Willis
9 Settlement and Willis Class Judgment. The SPPS cannot be approved by this Court as is, even at
10 the Preliminary Approval stage. In rejecting the previously-proposed Wood Class Settlement
11 which included a permanent allocation of groundwater for the Wood Class Members, this Court
12 recognized that it cannot grant Preliminary Approval when nonsettling parties' rights would be
13 negatively impacted and diminished by the proposed settlement. Because the 65,000-Member
14 Willis Class' rights are negatively impacted and diminished by the SPPS, the Court cannot grant
15 Preliminary Approval for the SPPS.

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18 As detailed in the Willis Class' Motion for Court-Appointed Expert, a Court-appointed
19 expert is critical to the Willis Class' ability to oppose the SPPS as well as to present the alternative
20 proposed physical solutions or APPS to the Court.

21
22 The Archdiocese should be added as a class representative to ensure adequate representation
23 for the Willis Class for decades to come as the Court sits in Equity over the Physical Solution
24 ultimately adopted by this Court.

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1 Finally, the Court should approve the Willis Class' Motion for an Order Permitting Class
2 Counsel to Seek Attorneys' Fees which was filed pursuant to the express terms of the Willis
3 Stipulation of Settlement and Willis Judgment.
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6 Dated: March 19, 2015

Respectfully submitted,

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