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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
20 PALMDALE; PALMDALE WATER
21 DISTRICT; LITTLEROCK CREEK
22 IRRIGATION DISTRICT; PALM
23 RANCH IRRIGATION DISTRICT;
24 QUARTZ HILL WATER DISTRICT;
ANTELOPE VALLEY WATER CO.;
25 ROSAMOND COMMUNITY SERVICE
DISTRICT; PHELAN PINON HILL
COMMUNITY SERVICE DISTRICT; and
DOES 1 through 1,000;

26 *Defendants.*
27
28

RELATED CASE TO JUDICIAL COUNCIL
COORDINATION PROCEEDING NO. 4408

**WILLIS CLASS' RESPONSE TO CASE
MANAGEMENT STATEMENT OF UNITED
STATES**

Date: May 15, 2015
Time: 1:30 pm
Place: Court Call - Telephonic
Judge: Hon. Jack Komar

1 The Willis Class respectfully submits the following Response to Case Management
2 Conference Statement of the United States in advance of the May 15, 2015, status conference.

3 The United States has requested "confirmation from the Court that resubmission of the
4 previously presented evidence is redundant and unnecessary for the next phase of hearings." The
5 Willis Class hereby objects to the United States' "request." Phase VI or the Physical Solution trial
6 proceedings in this case will fundamentally impact the property rights of all 65,000 Members of
7 the Willis Class. If the United States and all other Stipulating Parties succeed in convincing this
8 Court to adopt the SPPS as is, then the combined real property values of land owned by Willis Class
9 Members now worth in excess of \$1 Billion will plummet to zero. Accordingly, Willis Class
10 Members, through Willis Class Counsel, have the fundamental due process right to cross-examine
11 all evidence to be submitted by the United States at the Phase VI or Physical Solution trial:
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14 **"A person's right to cross-examination and confrontation of witnesses against him in**
15 **noncriminal proceedings is a part of procedural due process guaranteed by the Fifth**
16 **Amendment and the Fourteenth Amendment of the federal Constitution, where there is a**
threat to life, liberty, or property." (*August v. Department of Motor Vehicles* (1968) 264
Cal.App.2d 52, 60, 70 Cal.Rptr. 172.)

17 *CACH LLC v. Rodgers*, 229 Cal.App.4th Supp. 1, 6-7 (2014) (emphasis supplied).

18 The Willis Class was never a party to any lawsuit other than the case against the Public
19 Water Suppliers. That case settled and resulted in an Amended Final Judgment on September 11,
20 2011. Pursuant to the Court's Second Amended Case Management Order dated March 27, 2015,
21 the Willis Class will now participate in the upcoming Phase VI/Physical Solution trial and has a
22 fundamental due process right to cross-examine all witnesses listed on the United States' (and all
23 other Stipulating Parties') Witness Lists filed with this Court. Likewise, the Willis Class has a
24 fundamental due process right to object as necessary to any documentary evidence listed on the
25 United States' (and all other Stipulating Parties') Exhibit Lists filed with this Court in accordance
26 with the CMO.
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1 Therefore, this Court must deny the United States' request for "confirmation from the
2 Court that resubmission of the previously presented evidence is redundant and unnecessary for
3 the next phase of hearings."

4 Dated: May 14, 2015

Respectfully submitted,

6 KRAUSE KALFAYAN BENINK &
7 SLAVENS, LLP

8 By: 

9 Ralph B. Kalfayan, Esq.
10 Lynne M. Brennan, Esq.
11 Class Counsel for the Willis Class
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PROOF OF SERVICE

I, Lynne M. Brennan, declare:

I am a citizen of the United States and employed in San Diego County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is Krause Kalfayan Benink & Slavens, LLP 550 West C Street, Suite 530, San Diego, California 92101. On May 14, 2015, I caused the following document(s):

WILLIS CLASS' RESPONSE TO CASE MANAGEMENT STATEMENT OF UNITED STATES

to be served on the parties in this action, as follows:

☒ (BY ELECTRONIC SERVICE) by posting the document(s) listed above to the Santa Clara County Superior Court website: www.scefiling.org regarding the Antelope Valley Groundwater matter.

☐ (BY U.S. Mail) I am readily familiar with the firm's practice of collection and processing of documents for mailing. Under that practice, the above-referenced documents(s) were placed in sealed envelope(s) addressed to the parties as noted above, with postage thereon fully prepaid and deposited such envelope(s) with the United States Postal Service on the same date at San Diego, California, addressed to:

☐ (BY FEDERAL EXPRESS) I served a true and correct copy by Federal Express or other overnight delivery service, for the delivery on the next business day. Each copy was enclosed in an envelope or package designed by the express service carrier; deposited in a facility regularly maintained by the express service carrier or delivered to a courier or driver authorized to receive documents on its behalf; with delivery fees paid or provided for; addressed as shown on the accompanying service list.

☐ (BY FACSIMILE TRANSMISSION) I am readily familiar with the firm's practice of facsimile transmission of documents. It is transmitted to the recipient on the same day in the ordinary course of business.

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

☐ (FEDERAL) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.


Lynne M. Brennan