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9 Class Counsel for the Willis Class

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

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**ANTELOPE VALLEY
GROUNDWATER CASES**

13 This Pleading Relates to Included Action:
14 REBECCA LEE WILLIS and DAVID
15 ESTRADA, on behalf of themselves and
16 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

**DECLARATION OF LYNNE M. BRENNAN IN
SUPPORT OF WILLIS CLASS' EX PARTE
APPLICATION FOR ORDER SHORTENING
TIME**

Date: TBD

Time: TBD

Place: Telephonic

Judge: Hon. Jack Komar

1
2 I, Lynne M. Brennan, declare:

3 1. I have personal knowledge of the facts below, and if called upon to do so, I could and
4 would testify competently thereto in a court of law.
5

6 2. I am an attorney licensed to practice law in the State of California. I am Of Counsel to
7 law firm of Krause, Kalfayan, Benink & Slavens, LLP, Class Counsel and attorneys of record for
8 the Willis Class.

9 3. On Saturday, July 11, 2015, Wood Class Counsel filed a Motion to Strike the Willis
10 Class' Motion to Withdraw Based on Conflict of Interest or, in the Alternative, Motion to Continue
11 the Phase VI/Physical Solution Trial ("Motion to Withdraw") as untimely. I filed the Motion to
12 Withdraw on behalf of the Willis Class at 11:15 p.m. on July 10, 2015 and noticed the Hearing
13 Date for August 3, 2015. Therefore, the Motion to Withdraw was filed 6 hours and 15 minutes past
14 the 5 p.m. filing deadline for service and filing in accordance with C.C.P. section 1005.
15

16 4. Good cause exists to shorten the time to file and serve the Motion to Withdraw by 6 hours
17 and 15 minutes. Mr. Kalfayan informed the Court and all Parties during the Telephonic CMC on
18 Friday, July 10, 2015, that the Willis Class would be filing an important motion later that day
19 regarding a recently-discovered conflict of interest within both classes that directly impacts the true
20 number of objectors to the Wood Settlement Agreement within the Wood Class. Willis Class
21 Counsel had intended to file the Motion to Withdraw by 5:00 p.m., but various factors resulted in
22 the filing being made at 11:15 p.m. instead. The main factor in the delay related to technological
23 (software) problems generating the required Table of Authorities and the correct pagination. I
24 worked with our firm's paralegal/legal secretary Cindy Barba to ensure that the filing complied
25 with the California Rules of Court. Unfortunately, the technological difficulties made it impossible
26 to file the Motion to Withdraw and accompanying declarations by 5:00 p.m.
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1 5. I was copied on an email that Mr. Kalfayan sent to Mr. McLachlan on July 13, 2015,
2 offering to extend the time for the Wood Class to file an Opposition to the Motion to Withdraw to
3 help accommodate Mr. McLachlan's vacation schedule. Mr. Kalfayan also stated in the same
4 email that the Motion to Withdraw must be heard on or before the date of the hearing on the
5 Wood Class' Motion for Final Approval of the Wood Class Settlement because the Court cannot
6 hear objections to the Wood Class Settlement without resolving this conflict of interest issue. Mr.
7 Kalfayan further stated that he did not understand why any of the other Stipulating Parties or Mr.
8 Oleary cannot prepare and file an opposition and that the conflict impacts many parties to the
9 adjudication.
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11
12 I certify and declare under penalty of perjury under the laws of the State of California that
13 the foregoing is true and correct.
14

15 Executed on July 13, 2015 at San Diego, California.
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18 By: 

Lynne M. Brennan
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