

1 JOHN C. CRUDEN,  
2 Assistant Attorney General  
3 Environment & Natural Resources Division  
4 R. LEE LEININGER, Trial Attorney  
5 JAMES DUBOIS, Trial Attorney  
6 United States Department of Justice  
7 Environment and Natural Resources Division  
8 999 18th Street, South Terrace, Suite 370  
9 Denver, Colorado, 80202  
10 Tel: (303) 844-1464  
11 Fax: (303) 844-1350  
12 Email: lee.leininger@usdoj.gov  
13 Email: james.dubois@usdoj.gov

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Attorneys for Cross-Defendant United States of America

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

Coordination Proceeding  
Special Title (Rule 1550 (b)),  
**ANTELOPE VALLEY  
GROUNDWATER CASES**

Judicial Council Coordination  
Proceeding No. 4408  
[Assigned to the Honorable Jack Komar,  
Judge Santa Clara County Superior Court,  
Dept. 17]  
Santa Clara Court Case No. 1-05-CV-049053  
**CASE MANAGEMENT STATEMENT**

1           The United States concurs with the Joint Case Management Conference Report (“Joint  
2 Report”) filed by the Public Water Suppliers on September 21, 2015. The Joint Report proposes  
3 an order of proof for the next phase of trial commencing September 28, 2015, beginning with a  
4 determination of non-stipulating parties’ water rights. Included in this process, the United States  
5 understands the Court will take up the Motion by Willis Class to Enforce Settlement Agreement  
6 with Public Water Suppliers; Motion to Enforce Due Process; and Motion for Court Order for  
7 Payment of Expert Witness Fees for the Willis Class for Physical Solution Proceedings.  
8 Following hearing on non-stipulating parties’ claims, the Joint Report proposes a showing of  
9 reasonable and beneficial use by the settling parties in support of the proposed Judgment and  
10 Physical Solution. After the Court receives all evidence of the settling parties’ rights to  
11 groundwater, the Joint Report recommends the Court receive evidence regarding the proposed  
12 Physical Solution.

13           The United States is a settling party to the proposed Judgment and Physical Solution.  
14 Unlike all other settling parties, however, the United States’ claim to groundwater was subject to  
15 an evidentiary hearing in the Phase V trial. The evidence previously presented to, and admitted  
16 by, the Court is sufficient to prove-up the provisions of the Proposed Judgment and Physical  
17 Solution related to the claims of the United States. Moreover, notice of the Phase V trial on the  
18 United States’ water rights claims was provided to all parties prior to the 3-day trial.

19           On April 27, 2015, the United States identified potential witnesses and exhibits for the  
20 upcoming Phase VI hearing. All of the exhibits, with the exception of the Phase V trial  
21 transcripts, were previously admitted into evidence during the Phase V trial proceeding. In its  
22 Case Management Statement dated May 13, 2015, the United States respectfully requested  
23 confirmation from the Court that resubmission of the previously presented evidence is redundant  
24 and unnecessary for the Phase VI phase of hearings. For purposes of planning for the Phase VI  
25 trial, the United States renews its request for confirmation that evidence previously presented is  
26 sufficient for prove-up of the provisions of the Proposed Judgment and Physical Solution related  
27 to the claims of the United States.

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RESPECTFULLY SUBMITTED this 21st day of September 2015.

/s/ R. Lee Leininger  
R. LEE LEININGER  
JAMES J. DuBOIS  
ATTORNEYS FOR THE UNITED  
STATES OF AMERICA