

# EXHIBIT 14

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11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 FOR THE COUNTY OF LOS ANGELES  
13

14 THE CITY OF LOS ANGELES, )

15 Plaintiff, )

16 vs. )

17 CITY OF SAN FERNANDO, et al., )

18 Defendants. )  
19

No. 650079

REMAND  
PROCEDURE ORDER NO. 1

20 RECITALS

21 (a) Original Trial Court Proceedings. The complaint in this  
22 matter was filed on September 30, 1955. After reference to the  
23 State Water Rights Board (now State Water Resources Control Board)  
24 for a report on the relevant facts, and following 104 days of  
25 pretrial and 188 court days in trial, the final arguments ended  
26 July 20, 1967. Two additional days were taken on October 27, 1967  
27 (when all counsel assembled in court and the Judge's Memorandum of  
28 Decision was delivered to counsel and further procedure discussed)

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1 and on October 30, 1968 (when the matter of further proceedings to  
2 be had and procedure to be taken was further discussed). The  
3 Judge's Memorandum of Decision was filed October 30, 1968.  
4

5 Thereafter, in accordance with the pretrial conference order,  
6 further proceedings were had on issues left open pending the rul-  
7 ing of the court on the major contentions of the parties, presen-  
8 tation of evidence and arguments on that phase of the case took an  
9 additional 13 days.

10 This was followed by hearings on the proposed findings of  
11 fact and conclusions of law and evidence in support thereof and on  
12 the proposed judgment and the objections thereto which required  
13 another ten days.

14 On March 14, 1968, comprehensive findings of fact and con-  
15 clusions of law were signed and filed, and on the same day judg-  
16 ment after Trial by Court was filed. The judgment was entered the  
17 following day, March 15, 1968.

18 Altogether, 317 days were taken in pretrial, trial and sub-  
19 sequent proceedings before judgment was entered.

20 (b) Appellate Review and Decision. Los Angeles appealed  
21 from the trial court judgment. On May 12, 1975, the Supreme Court  
22 issued its opinion reversing the trial court decision and remanded  
23 the cause to the trial court for further proceedings consistent  
24 with its opinion. (14 Cal.3d 199.) On July 30, 1975, that opin-  
25 ion was modified in the order denying rehearing. (14 Cal.3d 952a  
26 [The full decision, as modified, is also set forth at 132 Cal.  
27 Rept. 1].)

28 (c) Remittitur and Proceedings on Remand. The remittitur of  
the Supreme Court was issued on August 1, 1975; and is on file  
44

1 herein. The parties thereafter entered into informal negotiations  
2 to resolve the issues remaining by reason of the Supreme Court  
3 decision. On February 25, 1977, the Presiding Judge assigned this  
4 case to this Court for all purposes. It is the function of this  
5 Remand Procedure Order No. 1 to set forth the initial procedural  
6 rules and criteria to be followed in bringing this matter to final  
7 judgment.

8 ORDER

9 Based upon preliminary conference discussion with counsel for  
10 the respective parties, and good cause appearing, IT IS HEREBY  
11 ORDERED that the following procedures shall govern and control  
12 proceedings on remand in the above-entitled matter:

13 1. Proposed Form of Findings, Conclusions and Judgment as to  
14 Matters Not in Dispute. Los Angeles shall submit on or before  
15 April 18, 1977, a proposed form of Findings of Fact, Conclusions  
16 of Law and Judgment covering factual and legal issues not in  
17 dispute and consistent with the decision of the Supreme Court.  
18 Each of the defendants shall have to May 30, 1977, in which to  
19 file objections to the form or substance of said proposed docu-  
20 ments. Thereafter, the court will make and enter an interlocutory  
21 order ~~settling~~ <sup>adjudicating</sup> said Findings, Conclusions and Judgment provisions  
22 on all undisputed issues of fact and law. (~~said settled documents~~  
23 ~~will then constitute a framework for specific findings, conclu-~~  
24 ~~sions and judgment provisions to be thereafter entered upon reso-~~  
25 ~~lution of remaining disputed issues~~) Objections by defendants to  
26 proposed findings, conclusions or judgment provisions, therefore,  
27 may be either (a) by way of correction or addition to proposed  
28 findings and conclusions, or (b) by a statement that the subject

1 matter remains in issue and should be the subject of further  
2 proceedings. If the court shall determine that the latter objec-  
3 tion raises a bona fide issue under the decision and order of the  
4 Supreme Court, no preliminary finding, conclusions or judgment  
5 provisions will be settled on that issue.

6 2. Interlocutory Judgments. It has been represented to the  
7 Court that the remaining issues as to many parties and hydrologic  
8 areas may well be subject to negotiation and stipulation, whereas  
9 significant dispute may remain as to other parties or hydrologic  
10 areas. Accordingly, the Court contemplates separating considera-  
11 tion of these several areas of agreement or disagreement and  
12 entering, where practical, <sup>an</sup>interlocutory order <sup>or orders</sup> disposing of those  
13 matters which can be agreed upon. <sup>Additional interlocutory</sup>~~Similar~~ orders will be entered  
14 following appropriate rulings on motions, or determination of  
15 disputed issues of fact following trial and the taking of evidence.  
16 It is then contemplated that final findings, conclusions and judg-  
17 ment will be entered incorporating ~~the substance of~~ each of the  
18 interlocutory orders.

19 Based upon preliminary discussions with counsel, it appears  
20 that separate interlocutory orders will be utilized at least for  
21 the following specific subject matters:

22 (a) Verdugo Basin

23 (b) Sylmar Basin

24 (c) San Fernando Basin

25 (The San Fernando Basin interlocutory  
26 order may well result from separate  
27 consideration of the issues relative  
28 to three defendant groupings:

1 [1] Glendale and Burbank

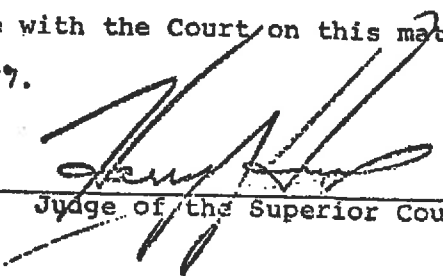
2 [2] Nonconsumptive or Minimal Users

3 [3] Other Defendants.)

4 3. Further Trial on Contested Issues. To the extent that  
5 contested issues of fact or law remain, counsel for the respective  
6 parties involved are requested to prepare preliminary pretrial  
7 statements designating the factual and legal issues remaining and  
8 to seek appropriate stipulation as to factual and evidentiary  
9 material.

10 4. Subsequent Remand Procedure Orders. Because of the com-  
11 plexity and long history of this litigation, the Court deems it  
12 appropriate to fashion the procedures on remand as the occasion  
13 and circumstances develop. ~~It is contemplated that a~~ full proced-  
14 ure conference will be held in this matter ~~on~~ <sup>at 9:30 A.M.</sup> ~~in~~ <sup>on</sup> ~~early~~ <sup>June 17, 1977</sup> ~~et~~  
15 ~~at a date to be set by subsequent order of the Court.~~ Thereafter,  
16 from time to time, subsequent numbered remand procedure orders  
17 will be issued to govern and guide the conduct of proceedings  
18 herein. The parties are urged, in the meantime, to continue the  
19 informal, cooperative negotiations which have been evidenced in  
20 the preliminary conference with the Court on this matter.

21 DATED: March 18, 1977.

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23   
24 Judge of the Superior Court  
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