

EXHIBIT “L”

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16 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
17 **COUNTY OF LOS ANGELES**

18 Coordination Proceeding
19 Special Title (Rule 1550(b))

Judicial Council Coordination
Proceeding No. 4408

20 ANTELOPE VALLEY GROUNDWATER
21 CASES

Lead Case No. BC 325201

22 RICHARD A. WOOD, an individual, on
23 behalf of himself and all others similarly
24 situated,

Case No.: BC 391869

25 Plaintiff,

**RICHARD WOOD'S
SUPPLEMENTAL CASE
MANAGEMENT CONFERENCE
STATEMENT**

26 v.

27 LOS ANGELES COUNTY
28 WATERWORKS DISTRICT NO. 40; et
al.

Date: August 11, 2014
Time: 9:00 a.m.
Dept.: Room 222, Mosk Courthouse

Defendants.

1 In Section II.C of their Case Management Conference Statement, District
2 40 and an unidentified group of other public water suppliers, ironically and
3 rather hypocritically – in light of the objection interposed in the following
4 paragraphs of this filing against Willis Class counsel for discussing settlement
5 matters with the Court – identify for the Court the sole remaining issue of
6 substance preventing settlement: D40's insistence that all other parties to the
7 litigation bear exposure to class counsel fees. To be clear, this includes every
8 party who is not a Defendant in Wood v. Los Angeles County Waterworks
9 District No. 40.

10 Depending up where one draws the arbitrary line on who should be made
11 to pay or not pay for class counsel fees under the D40 plan, the suggestion by
12 D40 is that many hundreds if not thousands of parties to the coordinated
13 proceedings, who Richard Wood is not suing, should be subject to the legal fees
14 under Section 1021.5.¹

15 The Court has spoken very unequivocally on this issue, but apparently D40
16 did not listen. For example, in the context of the ruling on the issue of
17 consolidation of the various actions, the Court stated:

18 * NOW, THE SAME IS TRUE WITH REGARD TO THE ISSUE THAT
19 THE CLASS MEMBERS -- I SHOULD SAY THAT THE OBJECTORS WHO
20 DO NOT WISH TO PAY ATTORNEY FEES TO THE CLASS ACTIONS
21 LAWYERS BASED UPON THE FACT THAT THEY ARE NOT PARTIES TO
22 THAT LAWSUIT, AND I UNDERSTAND THAT, ALSO.

23
24
25 ¹ If one arbitrarily cut off the list of parties to this litigation at those
26 represented by counsel, the list is massive. By way of example, attached as
27 Exhibit 1 is a list developed by Class Counsel in 2012 attempting to list all such
28 parties. That list is certainly not accurate today, and omits perhaps several dozen
other parties.

1 NOTHING IN THIS ORDER IS INTENDED TO CREATE A
2 SITUATION WHEREIN ANY PARTY IS LIABLE TO ANOTHER PARTY
3 WHETHER FOR ATTORNEY FEES OR ANYTHING ELSE TO THE
4 EXTENT THAT THEY HAVE NOT BROUGHT AN ACTION OR BEEN
5 SUED BY THOSE OTHER PARTIES, AND THE ORDER HAS TO MAKE
6 THAT ABUNDANTLY CLEAR.

7 (Hearing Transcript, February 5, 2010, pp. 5:25-6:8 (Consolidation Motion
8 Hearing).)

9 The Court should remind D40 that the Court meant what it said in above-
10 ruling, and that the attempts to evade it will not succeed.

11 D40 and the other smaller public water suppliers have, time and again over
12 the past three years, refused any opportunity to resolve the class claims in a
13 manner consistent with the Willis case, and instead have chosen to prolong the
14 litigation. In consciously choosing this course of continued litigation with the
15 Class, these water suppliers alone have caused the legal fees of class counsel to
16 mount. In effect, after ordering everything on the menu, D40 now wants
17 everybody else in the restaurant to pay the bill.

18
19 DATED: August 8, 2014

LAW OFFICES OF MICHAEL D. McLACHLAN
LAW OFFICE OF DANIEL M. O'LEARY

21
22 By: _____
23 Michael D. McLachlan
24 Attorneys for Plaintiff
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THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
ELECTRONIC FILING - WWW.SCEFILING.ORG

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THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA

Coordination Proceeding Special Title (Rule
1550(b)) ANTELOPE VALLEY GROUNDWATER CASES
(JCCP 4408) Included Actions: Los Angeles
County Waterworks District No. 40

Plaintiff,

vs.

Diamond Farming Co. Superior Court of
California County of Los Angeles, Case No.
BC 325 201 Los Angeles County Waterworks
District No. 40 v. Diamond Farming Co.
Superior Court of California, County of
Kern, Case No. S-1500-CV-254-348 Wm.
Bolthouse Farms, Inc. v. City of Lancaster
Diamond Farming Co. v. City of Lancaster
Diamond Farming Co. v. Palmdale Water Dist.
Superior Court of California, County of
Riverside, consolidated actions, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668

Defendant.

AND RELATED ACTIONS

) Antelope Valley Groundwater Cases (JCCP
) 4408)

) Lead Case No.1-05-CV-049053

) Hon. Jack Komar

) **PROOF OF SERVICE**
) **Electronic Proof of Service**

I am employed in the County of Alameda, State of California.

I am over the age of 18 and not a party to the within action; my business address is 2915 McClure
Street, Oakland, CA 94609.

The documents described on page 2 of this Electronic Proof of Service were submitted via the
worldwide web on Fri. August 8, 2014 at 3:56 PM PDT and served by electronic mail notification.

I have reviewed the Court's Order Concerning Electronic Filing and Service of Pleading Documents and
am readily familiar with the contents of said Order. Under the terms of said Order, I certify the above-described
document's electronic service in the following manner:

The document was electronically filed on the Court's website, <http://www.sceffiling.org>, on Fri. August 8,
2014 at 3:56 PM PDT

Upon approval of the document by the Court, an electronic mail message was transmitted to all parties
on the electronic service list maintained for this case. The message identified the document and provided
instructions for accessing the document on the worldwide web.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and

correct. Executed on August 8, 2014 at Oakland, California.

Dated: August 8, 2014

For WWW.SCEFILING.ORG

Andy Jamieson

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**THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
ELECTRONIC FILING SYSTEM - WWW.SCEFILING.ORG**

**Electronic Proof of Service
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**Document(s) submitted by Michael McLachlan of Law Offices of Michael D. McLachlan APC on Fri. August 8, 2014 at
3:56 PM PDT**

1. Case Mgmt Statement: RICHARD WOOD'S SUPPLEMENTAL CASE MANAGEMENT CONFERENCE STATEMENT