

Attorneys for Plaintiff and the Class

ANTELOPE VALLEY GROUNDWATER CASES

This Pleading Relates to Included Action:
REBECCA LEE WILLIS, on behalf of herself
and all others similarly situated,

Plaintiff,

) PLAINTIFF REBECCA WILLIS'
) RESPONSE TO AGWA'S EX PARTE
) FOR RELIEF FROM EXPERT
) DISCLOSURE DEADLINE

VS.

LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40; CITY OF LANCASTER; CITY OF LOS ANGELES; CITY OF PALMDALE; PALMDALE WATER DISTRICT; LITTLEROCK CREEK IRRIGATION DISTRICT; PALM RANCH IRRIGATION DISTRICT; QUARTZ HILL WATER DISTRICT; ANTELOPE VALLEY WATER CO.; ROSAMOND COMMUNITY SERVICE DISTRICT; MOJAVE PUBLIC UTILITY DISTRICT; and DOES 1 through 1,000;

Defendants.

1 The Willis Class opposes the open-ended deferral of the Phase II trial date requested by
2 AGWA, but agrees that a modest (60 or 90 day) extension of the October 6, 2008 trial date is
3 warranted. In that regard, the Willis Class notes the following new developments that justify
4 such relief:

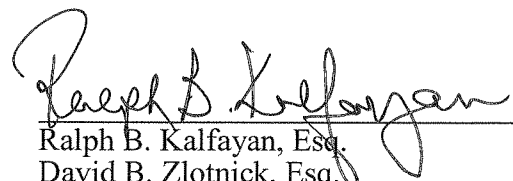
5 First, the Purveyors' counsel recently advised Willis' counsel that they want to send a
6 joint notice to the Willis Class and the small pumper Class, assuming the latter Class is certified.
7 That would require reworking the Class Notice recently approved by the Court and deferring the
8 mailing of the Notice such that an October trial date would not be practical.

9
10 Second, on June 6, 2008 the Municipal Water Purveyors filed a demurrer to the Willis
11 Class' Second Amended Complaint. This filing was not anticipated by the Willis Class as the
12 purveyors had earlier indicated that their previously filed answers would serve as their operative
13 responsive pleading. The Willis Class supported the October trial date in anticipation of the fact
14 that the case would be at issue and there would be little or no limitation on discovery.

15 Third, the Purveyors have delayed the date on which Class counsel may have access to
16 their hydrology expert and his report, thereby hampering counsel's ability to prepare. At this
17 point, the earliest possible date for Class counsel to meet with that expert is June 20. That leaves
18 little time for Class counsel to designate an expert and prepare for trial.
19

20 Dated: June 10, 2008

KRAUSE KALFAYAN BENINK
& SLAVENS LLP

21
22
23
24
25
26
27
28

Ralph B. Kalfayan, Esq.
David B. Zlotnick, Esq.
Attorneys for Plaintiff and the Class

1 **PROOF OF SERVICE**

2 I, Ashley Polyascko, declare:

3 I am a resident of the State of California and over the age of eighteen years, and not a
4 party to the within action; my business address is 625 Broadway, Suite 635, San Diego,
5 Californai, 92101. On **June 10, 2008**, I served the within document(s):

6 **PLAINTIFF REBECCA WILLIS' RESPONSE TO AGWA'S EX PARTE
7 FOR RELIEF FROM EXPERT DISCLOSURE DEADLINE.**

8 ☒ by posting the document(s) listed above to the Santa Clara County
9 Superior Court website in regard to the Antelope Valley Groundwater
10 matter.

11 ☐ by placing the document(s) listed above in a sealed envelope with postage
12 thereon fully prepaid, in the United States mail at San Diego, California
13 addressed as set forth below:

14 ☐ by causing personal delivery by Cal Express of the document(s) listed
15 above to the person(s) at the address(es) set forth below.

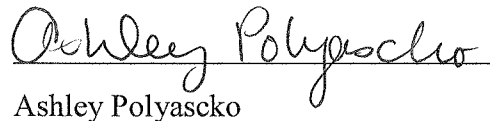
16 ☐ by personally delivering the document(s) listed above to the person(s) at
17 the address(es) set forth below.

18 ☐ I caused such envelope to be delivered via overnight delivery addressed as
19 indicated on the attached service list. Such envelope was deposited for
20 delivery by UPS following the firm's ordinary business practices.

21 I am readily familiar with the firm's practice of collection and processing correspondence
22 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
23 day with the postage thereon fully prepaid in the ordinary course of business. I am aware that on
24 motion of the party served, service is presumed invalid if postal cancellation date or postage
25 meter date is more than one day after date of deposit for mailing in affidavit.

26 I declare under penalty of perjury under the laws of the State of California that the above
27 is true and correct.

28 Executed on **June 10, 2008**, at San Diego, California.


Ashley Polyascko