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9 Attorneys for Plaintiff and the Class

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

12 REBECCA LEE WILLIS, on behalf of herself
13 and all others similarly situated,

14 Plaintiff,

15 vs.

16 LOS ANGELES COUNTY WATERWORKS
17 DISTRICT NO. 40; CITY OF LANCASTER;
18 CITY OF LOS ANGELES; CITY OF
19 PALMDALE; PALMDALE WATER
20 DISTRICT; LITTLEROCK CREEK
21 IRRIGATION DISTRICT; PALM RANCH
22 IRRIGATION DISTRICT; QUARTZ HILL
23 WATER DISTRICT; ANTELOPE VALLEY
24 WATER CO.; ROSAMOND COMMUNITY
25 SERVICE DISTRICT; MOJAVE PUBLIC
26 UTILITY DISTRICT; CALIFORNIA
27 WATER SERVICE COMPANY and DOES 2
28 through 1,000;

Defendants.

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408
Santa Clara Case No. 1-05-CV-049053
Assigned to The Honorable Jack Komar

**DECLARATION OF RALPH B.
KALFAYAN IN SUPPORT OF EX PARTE
APPLICATION FOR RELIEF FROM
EXPERT DISCLOSURE DEADLINE**

**DATE: June 25, 2008
TIME: 8:15 a.m.
DEPT: 17**

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1 I, Ralph B. Kalfayan, declare:

- 2 1. I am an attorney at law duly licensed to practice before all courts of the State of
3 California and a partner with the law firm of Krause, Kalfayan, Benink & Slavens, LLP
4 who are the attorneys of record herein for the Willis Class.
5
6 2. I am informed that the earliest date the defendant purveyors can make their lead expert
7 witness, Joseph Scalmanini, available for an informal conference with class counsel is
8 Friday, June 27, 2008.
9
10 3. The Willis Class has not had the benefit of participating in technical committee meetings
11 which has allowed experts for the purveyors to spend years in research, analysis, and
12 exchange of information in order to arrive at conclusions relevant to the next phase of
13 trial. The Willis Class has not had an opportunity to evaluate the issues, review data, and
14 hire experts for the next phase of trial.
15
16 4. At the May 22, 2008 hearing, defendant purveyors offered to make their lead expert
17 witness, Joseph Scalmanini, available for an informal conference to class counsel and
18 offered to make his report available for review. On Friday, June 20, 2008, a copy of the
19 report was produced. The report is approximately 1000 pages long. Counsel for the
20 Willis class needs time to review the information contained in the report, evaluate the
21 need to retain an expert, and then locate and retain a qualified expert.
22
23 5. On May 29, 2008, the Willis class propounded discovery on all the defendant purveyors.
24 Responses are due on June 27, 2008. Counsel for LA county water works has requested
25 an extension of time to respond to the outstanding discovery. It is believed that the
26 request was on behalf of all the water purveyors. While no extension has been given, the
27 parties are scheduled to meet and confer on Tuesday, June 24, 2008.
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1 6. I declare under penalty of perjury under the laws of the State of California
2 that the foregoing is true and correct.
3

4 Dated: June 23, 2008

KRAUSE KALFAYAN BENINK &
SLAVENS LLP

7 /s/ Ralph B. Kalfayan, Esq.

8 Ralph B. Kalfayan, Esq.

9 Attorney for Plaintiff and the Class
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