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Attorneys for Plaintiff and the Class

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

**ANTELOPE VALLEY  
GROUNDWATER CASES**

This Pleading Relates to Included Action:

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

Plaintiff,

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.

) RELATED CASE TO JUDICIAL  
) COUNCIL COORDINATION  
) PROCEEDING NO. 4408  
)  
)  
) REQUEST BY THE WILLIS CLASS TO  
) DISMISS THE MOJAVE PUBLIC  
) UTILITY DISTRICT FROM THE  
) SECOND AMENDED CLASS ACTION  
) COMPLAINT; DECLARATION OF  
) RALPH B. KALFAYAN IN SUPPORT  
) THEREOF

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Gene R. McMurtrey  
Robert W. Hartsock  
James A. Worth

Isaac L. St. Lawrence  
Rebecca A. Bon

LAW OFFICES  
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August 7, 2008

Ralph B. Kalfayan, Esq.  
Krause, Kalfayan, Benink & Slavens  
625 Broadway, Suite 635  
San Diego, CA 92101

RE: Rebecca Lee Willis v. Los Angeles County Waterworks,  
Mojave Public Utility District, et al. (Judicial Council  
Coordination Proceeding No. 4408)

Dear Mr. Kalfayan:

As you are aware, this office is legal counsel to Mojave Public Utility District (Mojave PUD), one of the defendants named in the Plaintiffs' Second Amended Class Action Complaint for Damages and Equitable Relief.

As we discussed over the telephone on the afternoon of August 8, 2008, I have had an opportunity to review the Revised Order After Hearing on Jurisdictional Boundaries, dated March 12, 2007 by Judge Jack Komar (Order), and discovered that neither the town of Mojave, nor the boundaries of Mojave PUD, are within the area of adjudication (Jurisdictional Boundary) as described and depicted in the Order.

A review of the Order and the map (Map) attached as Exhibit A thereto indicates that the Jurisdictional Boundary is located approximately 10 miles to the south and approximately 7 miles to the southwest of Mojave. Mojave PUD's boundaries extend less than three miles to the southwest (from the center of town<sup>1</sup>) and less than 5 miles to the south (from the center of town). In effect, Mojave PUD is located outside of the Jurisdictional Boundaries as determined by the Court, and in fact is overlying a different groundwater basin.

Based upon our telephone call, it is my understanding that in light of the fact that Mojave PUD is not within the Jurisdictional Boundaries as determined by the Court, Plaintiff will be dismissing Mojave PUD from this litigation. I would appreciate receipt of a copy of the Request for Dismissal when sent to the court (or advised of same if filed electronically).

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<sup>1</sup> Town, for purposes of the discussion herein, is depicted as that area of development shown on the Map that is immediately adjacent to the airstrip located at the intersection of 11N and 12W.

Ralph B. Kalfayan, Esq.  
Krause, Kalfayan, Benink & Slavens  
August 7, 2008  
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If my understanding of this matter is incorrect in any way, please contact me immediately.

As an aside, I wish to thank you for the courtesies which you have extended. I am appreciative that you (1) first contacted me by telephone regarding this matter; (2) provided me a courtesy copy of the complaint; and (3) allowed me time to review and investigate this matter. It is my belief that your courtesies and cooperation have saved us both unnecessary time and expense. Thank you again.

Sincerely,



Robert W. Hartsock

RWH:gg

cc: Mojave Public Utility District  
Attn.: Bruce Gaines, General Manager