

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,

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.

Plaintiff Rebecca Willis and the dormant landowner class continue to object to the request by the Public Water Suppliers for entry of the [Proposed] Order re Jurisdiction Over

1 Transferees of Property, which was lodged in January 2008 by (former) counsel for Tejon
2 Ranchcorp. The request is not only procedurally improper, but is also based on the erroneous
3 suggestion that the Court intended to enter the Proposed Order, but inadvertently failed to do so.
4 In fact, the Court's Minute Order of January 14, 2008 makes clear that the Court recognized that
5 there were substantial problems with the Proposed Order and deliberately declined to enter it and
6 instead continued consideration of the underlying issues. Finally, to the extent the Proposed
7 Order purports to govern absent Class Members, it is improper for many reasons – including that
8 the Public Water Suppliers never gave notice of that Order to the Willis Class Members. In that
9 regard, we adopt the arguments we made in greater detail in our May 5, 2010 submission.

11 Based on conversations we have had with counsel for the Suppliers, we believe that the
12 Suppliers now recognize that the initial Class Notice did not adequately address Class members'
13 obligation to inform transferees of the pendency of this litigation and that a new Notice is
14 necessary. We are hopeful that we will finalize a settlement with the Suppliers in the near future,
15 by the end of June 2010, and that the transferee issue can be addressed in the context of a notice
16 of proposed settlement. In any event, a new Notice is necessary before the proposed Order can
17 properly bind members of the Willis Class.

19 For all of the above reasons, the Court should deny the Suppliers' request that it enter the
20 Proposed Order, at least insofar as that Order governs the Willis Class.

21 Dated: June 3, 2010

KRAUSE KALFAYAN BENINK
& SLAVENS LLP

24
25 /s/Ralph B. Kalfayan, Esq.
26 Ralph B. Kalfayan, Esq.
27 David B. Zlotnick, Esq.
28 Attorneys for Plaintiff and the Class