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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF LOS ANGELES

10 ANTELOPE VALLEY  
11 GROUNDWATER CASES

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

14 *Plaintiff,*

15 v.

16 LOS ANGELES COUNTY  
17 WATERWORKS DISTRICT NO. 40;  
18 CITY OF LANCASTER; CITY OF  
19 PALMDALE; PALMDALE WATER  
DISTRICT; LITTLEROCK CREEK  
20 IRRIGATION DISTRICT; PALM  
RANCH IRRIGATION DISTRICT;  
21 QUARTZ HILL WATER DISTRICT;  
ANTELOPE VALLEY WATER CO.;  
22 ROSAMOND COMMUNITY SERVICE  
DISTRICT; PHELAN PINON HILL  
23 COMMUNITY SERVICE DISTRICT; and  
DOES 1 through 1,000;

24 *Defendants.*  
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RELATED CASE TO JUDICIAL COUNCIL  
COORDINATION PROCEEDING NO. 4408

**WILLIS CLASS' REPLY BRIEF TO LOS  
ANGELES COUNTY WATERWORKS  
DISTRICT NO. 40'S LIMITED OPPOSITION  
TO WILLIS CLASS' MOTION FOR LEAVE  
TO ADD OR SUBSTITUTE CLASS  
REPRESENTATIVES**

Date: November 4, 2014  
Time: 10:00 AM  
Place: Department 3 Room 224  
Judge: Hon. Judge Komar

**TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

1 The Willis Class respectfully submits the following reply brief to Los Angeles County  
2 Waterworks District No. 40's Limited Opposition to Willis Class' Motion for Leave to Add or  
3 Substitute Class Representatives.

4 On October 22, 2014, District 40 filed a limited opposition to the Willis Class' Motion to  
5 Add or Substitute arguing that the Archdiocese of Los Angeles (the "Archdiocese") is not a Willis  
6 class member since it was (1) a named party in District 40's First Amended Cross-complaint, (2)  
7 attorney Allan Graf appeared on behalf of the "Leslie Property" which is owned by the  
8 Archdiocese, and (3) the Archdiocese failed to provide an opt-in form as required by past Court  
9 orders certifying the Willis Class given its purported participation in the litigation.  
10

11 District 40's arguments have no merit. *First*, while District 40 may have named the  
12 Archdiocese in its First Amended Complaint, the Archdiocese as a separate legal entity has never  
13 appeared in this action. See Declaration of Michael T. Davitt, Director of Real Estate for the  
14 Archdiocese attached to this Reply Brief. The only appearance made in these proceedings that  
15 may remotely be associated with the Archdiocese was by attorney Allan Graf for one parcel of  
16 property named the "Leslie Property." The "Leslie Property" however is not a legal entity. Any  
17 appearance on its behalf has no legal significance. *Second*, even if there was any doubt about the  
18 appearance of the Archdiocese in these proceedings or whether the Archdiocese actively  
19 participated in this case, which does not appear to be the case, the Archdiocese has clarified its  
20 position and now submits an opt in form in conformity with the Court's prior class certification  
21 orders. See Exhibit A attached to the declaration of Mr. Davitt. *Lastly*, District 40 should be  
22 estopped from challenging the Archdiocese's request to be named as class representative. District  
23 40, as the administrator of the Willis class action notice program, identified and mailed notice of  
24 the Willis action to the Archdiocese as part of the Willis action notice program. See declaration of  
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1 Ralph B. Kalfayan. Clearly, District 40 considered the Archdiocese as part of the Willis Class and  
2 the Archdiocese relied on this notice and did not opt out of the Willis Class.

3 The Archdiocese respectfully requests that it be named a Willis Class representative. The  
4 Archdiocese represents that it owns 11 different properties within the Antelope Valley  
5 Groundwater Adjudication and that groundwater has never been pumped from these properties. It  
6 qualifies to be a Willis Class member. For all the foregoing reasons, the Court should grant its  
7 request.  
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10 Dated: October 28, 2014

Krause Kalfayan Benink & Slavens, LLP

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13 By:

  
14 Ralph B. Kalfayan, Esq.  
15 Attorney for the Willis Class  
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