

COURT OF APPEAL, <u>Fourth</u> APPELLATE DISTRICT, DIVISION <u>Two</u>		COURT OF APPEAL CASE NUMBER (if known):
ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: NAME: David A. Niddrie (SBN 89990), Victoria E. Fuller (SBN 216494) FIRM NAME: Niddrie Addams Fuller, LLP STREET ADDRESS: 600 West Broadway, Suite 1200 CITY: San Diego STATE: CA ZIP CODE: 92101 TELEPHONE NO.: 619-238-6065 FAX NO. (if available): 619-232-2553 E-MAIL ADDRESS (if available): dniddrie@appealfirm.com; vfuller@appealfirm.com ATTORNEY FOR (Name): Rebecca Willis, David Estrada, and all others similarly situated		FOR COURT USE ONLY
APPELLANT: Rebecca Willis, David Estrada, and all others similarly situated RESPONDENT: Los Angeles County Waterworks District No. 40, et al.		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara STREET ADDRESS: 191 North First Street MAILING ADDRESS: Same CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Downtown Superior Court		
JUDGES (all who participated in case): Hon. Jack Komar		
CIVIL CASE INFORMATION STATEMENT		SUPERIOR COURT CASE NUMBER: JCCP 4408
NOTE TO APPELLANT: You must file this form with the clerk of the Court of Appeal within 15 days after the clerk mails you the notification of the filing of the notice of appeal required under rule 8.100(e)(1). You must attach to this form (1) a copy of the judgment or order being appealed that shows the date it was entered (see Cal. Rules of Court, rule 8.104 for definition of "entered"); and (2) proof of service of this form on all parties to the appeal. (CAUTION: An appeal in a limited civil case (Code Civ. Proc., § 85) may be taken ONLY to the appellate division of the superior court (Code Civ. Proc., § 904.2) or to the superior court (Code Civ. Proc., § 116.710 [small claims cases]).		

A. APPEALABILITY

PART I - APPEAL INFORMATION

1. Appeal is from:

- ☐ Judgment after jury trial
☐ Judgment after court trial
☐ Default judgment
☐ Judgment after an order granting a summary judgment motion
☐ Judgment of dismissal under Code Civ. Proc., § 581d, 583.250, 583.360, or 583.430
☐ Judgment of dismissal after an order sustaining a demurrer
☒ An order after judgment under Code Civ. Proc., § 904.1(a)(2)
☐ An order or judgment under Code Civ. Proc., § 904.1(a)(3)-(13)
☐ Other (describe and specify code section that authorizes this appeal):

2. Does the judgment appealed from dispose of all causes of action, including all cross-actions between the parties?

- ☐ Yes ☒ No (If no, please explain why the judgment is appealable): Judgment on other issues has been previously entered. This post-judgment order simply denies Appellants' motion for fees/costs.

B. TIMELINESS OF APPEAL (Provide all applicable dates.)

1. Date of entry of judgment or order appealed from: April 25, 2016
 2. Date that notice of entry of judgment or a copy of the judgment was served by the clerk or by a party under California Rules of Court, rule 8.104: April 25, 2016
 3. Was a motion for new trial, for judgment notwithstanding the verdict, for reconsideration, or to vacate the judgment made and denied?

- ☐ Yes ☒ No (If yes, please specify the type of motion):

Date notice of intention to move for new trial (if any) filed:

Date motion filed:

Date motion denied:

Date denial served:

4. Date notice of ☒ appeal or ☐ cross-appeal filed: May 25, 2016

C. BANKRUPTCY OR OTHER STAY

Is there a related bankruptcy case or a court-ordered stay that affects this appeal? ☐ Yes ☒ No
 (If yes, please attach a copy of the bankruptcy petition [without attachments] and any stay order.)

APPELLATE CASE TITLE:

Rebecca Willis, et al. v. Los Angeles County Waterworks District No. 40, et al.

APPELLATE COURT CASE NUMBER:

D. APPELLATE CASE HISTORY *(Provide additional information, if necessary, on attachment I.D.)* Is there now, or has there previously been, any appeal, writ, or other proceeding related to this case pending in any California appellate court?☒ Yes ☐ No (If yes, insert name of appellate court): Fourth Appellate District, Division Two

Appellate court case no.: See Attachment

Title of case: See Attachment

Name of trial court: See Attachment

Trial court case no.: See Attachment

E. SERVICE REQUIREMENTS

Is service of documents in this matter, including a notice of appeal, petition, or brief, required on the Attorney General or other nonparty public officer or agency under California Rules of Court, rule 8.29 or a statute?

☐ Yes ☒ No (If yes, please indicate the rule or statute that applies)☐ Rule 8.29 (e.g., constitutional challenge; state or county party) ☐ Code Civ. Proc., § 1355 (Escheat)☐ Bus. & Prof. Code, §16750.2 (Antitrust)☐ Gov. Code, § 946.6(d) (Actions against public entities)☐ Bus. & Prof. Code, § 17209 (Unfair Competition Act)☐ Gov. Code, § 4461 (Disabled access to public buildings)☐ Bus. & Prof. Code, § 17536.5 (False advertising)☐ Gov. Code, § 12656(a) (False Claims Act)☐ Civ. Code, § 51.1 (Unruh, Ralph, or Bane Civil Rights Acts; antiboycott cause of action; sexual harassment in business or professional relations; civil rights action by district attorney)☐ Health & Saf. Code, § 19954.5 (Accessible seating and accommodations)☐ Health & Saf. Code, § 19959.5 (Disabled access to privately funded public accommodations)☐ Civ. Code, § 55.2 (Disabled access to public conveyances, accommodations, and housing)☐ Pub. Resources Code, § 21167.7 (CEQA)☐ Other (specify statute):

NOTE: The rule and statutory provisions listed above require service of a copy of a party's notice of appeal, petition, or brief on the Attorney General or other public officer or agency. Other statutes requiring service on the Attorney General or other public officers or agencies may also apply.

PART II – NATURE OF ACTION

A. Nature of action *(check all that apply)*:1. ☐ Conservatorship2. ☐ Contract3. ☐ Eminent domain4. ☒ Equitable action a. ☒ Declaratory relief b. ☒ Other *(describe)*: Groundwater Basin Adjudication5. ☐ Family law6. ☐ Guardianship7. ☐ Probate8. ☐ Real property rights a. ☐ Title of real property b. ☐ Other *(describe)*:9. ☐ Torta. ☐ Medical malpracticeb. ☐ Product liabilityc. ☐ Other personal injuryd. ☐ Personal propertye. ☐ Other tort *(describe)*:10. ☐ Trust proceedings11. ☐ Writ proceedings in superior courta. ☐ Mandate (Code Civ. Proc., § 1085)b. ☐ Administrative mandate (Code Civ. Proc., § 1094.5)c. ☐ Prohibition (Code Civ. Proc., § 1102)d. ☐ Other *(describe)*:12. ☐ Other action *(describe)*:B. ☐ This appeal is entitled to calendar preference/priority on appeal *(cite authority)*:

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PART III – PARTY AND ATTORNEY INFORMATION

In the spaces below or on a separate page or pages, list all the parties and all their attorneys of record who will participate in the appeal. For each party, provide all of the information requested on the left side of the page. On the right side of the page, if a party is self-represented please check the appropriate box and provide the party's mailing address, telephone number, fax number, and e-mail address. If a party is represented by an attorney, on the right side of the page, check the appropriate box and provide all of the requested information about that party's attorney.

☒ Responses to Part III are attached instead of below

Name of Party: Appellate court designation: <input type="checkbox"/> Appellant <input type="checkbox"/> Respondent Trial court designation: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (specify):	<input type="checkbox"/> Represented by attorney <input type="checkbox"/> Self-represented Name of attorney: State Bar no: Firm name: Mailing address: Telephone no.: Fax no: E-Mail address:
Name of Party: Appellate court designation: <input type="checkbox"/> Appellant <input type="checkbox"/> Respondent Trial court designation: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (specify):	<input type="checkbox"/> Represented by attorney <input type="checkbox"/> Self-represented Name of attorney: State Bar no: Firm name: Mailing address: Telephone no.: Fax no: E-Mail address:
Name of Party: Appellate court designation: <input type="checkbox"/> Appellant <input type="checkbox"/> Respondent Trial court designation: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (specify):	<input type="checkbox"/> Represented by attorney <input type="checkbox"/> Self-represented Name of attorney: State Bar no: Firm name: Mailing address: Telephone no.: Fax no: E-Mail address:
Name of Party: Appellate court designation: <input type="checkbox"/> Appellant <input type="checkbox"/> Respondent Trial court designation: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (specify):	<input type="checkbox"/> Represented by attorney <input type="checkbox"/> Self-represented Name of attorney: State Bar no: Firm name: Mailing address: Telephone no.: Fax no: E-Mail address:

☒ Additional pages attached

Date: June 10, 2016

This statement is prepared and submitted by:

(SIGNATURE OF ATTORNEY OR SELF-REPRESENTED PARTY)