

1 Michael D. McLachlan (State Bar No. 181705)
2 **LAW OFFICES OF MICHAEL D. McLACHLAN, APC**
3 523 West Sixth Street, Suite 215
4 Los Angeles, California 90014
5 Telephone: (213) 630-2884
6 Facsimile: (213) 630-2886
7 mike@mclachlanlaw.com

8 Daniel M. O'Leary (State Bar No. 175128)
9 **LAW OFFICE OF DANIEL M. O'LEARY**
10 523 West Sixth Street, Suite 215
11 Los Angeles, California 90014
12 Telephone: (213) 630-2880
13 Facsimile: (213) 630-2886
14 dan@danolearylaw.com

15 Attorneys for Plaintiff

16
17 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
18 **COUNTY OF LOS ANGELES**

19 Coordination Proceeding
20 Special Title (Rule 1550(b))

Judicial Council Coordination
Proceeding No. 4408

21 ANTELOPE VALLEY GROUNDWATER
22 CASES

(Santa Clara Case No. 1-05-CV-049053,
Honorable Jack Komar)

23 RICHARD A. WOOD, an individual, on
24 behalf of himself and all others similarly
25 situated,

Case No.: BC 391869

26 Plaintiff,

**DECLARAION OF TIMOTHY J.
THOMPSON IN SUPPORT OF
MOTION FOR APPOINTMENT OF
EXPERT**

27 v.

Date: March 5, 2009
Time: 9:00 a.m.
Dept.: 17

28 LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 40; et al.

Defendants.

1 I, Timothy J. Thompson, declare:

2 1. I make this declaration of my own personal knowledge, except where stated
3 on information and belief, and if called to testify in Court on these matters, I could do so
4 competently.

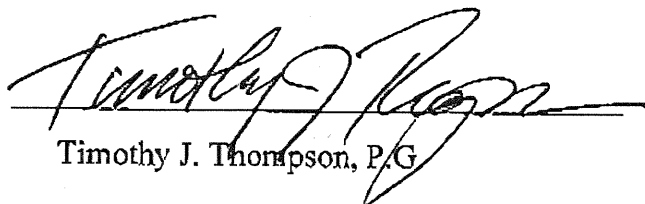
5 2. I am a Vice President at Entrix, and a certified hydrogeologist in the State
6 of California with extensive experience in consulting on public water supply issues. My
7 background and experience are discussed at more length in my curriculum vitae, a true
8 and correct copy of which is attached as Exhibit 1 to this declaration.

9 3. Pending successful resolution of this Motion, I have agreed to serve as an
10 expert consultant in this case, on various matters relevant to the members of the Small
11 Pumpers' Class, including developing evidence to support claims of "beneficial use" and
12 the "self-help", as well as general consulting on areas of expert opinion on the subjects of
13 safe yield and overdraft. A copy of my proposal for presently anticipated consulting
14 services is attached as Exhibit 2.

15 4. My time is currently billed at \$275 per hour for general consulting work,
16 and at \$412 per hour for deposition and trial testimony. I anticipate a number of Entrix
17 staff members will be called on to work on this project, and the billing rates for the
18 various classes of Entrix staff members are generally consistent with the billing rates for
19 similar firms in California, many of whom are actively engaged in this litigation.

20 I declare under penalty of perjury under the laws of California and the United
21 States of America that the foregoing is true and correct. Executed this 9th day of
22 February, 2009, at Santa Barbara, California.

23
24
25
26
27
28


Timothy J. Thompson, P.G.

2
**DECLARATION OF TIMOTHY J. THOMPSON IN SUPPORT OF MOTION FOR
APPOINTMENT OF EXPERT**

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

On February 9, 2008, I caused the foregoing document(s) described as **DECLARATION OF TIMOTHY J. THOMPSON IN SUPPORT OF MOTION FOR APPOINTMENT OF EXPERT** to be served on the parties in this action, as follows:

- (X) (BY ELECTRONIC SERVICE) by posting the document(s) listed above to the Santa Clara County Superior Court website: www.scefiling.org regarding the Antelope Valley Groundwater matter.
- () (BY U.S. MAIL) I am readily familiar with the firm's practice of collection and processing of documents for mailing. Under that practice, the above-referenced document(s) were placed in sealed envelope(s) addressed to the parties as noted above, with postage thereon fully prepaid and deposited such envelope(s) with the United States Postal Service on the same date at Los Angeles, California, addressed to:
- () (BY FEDERAL EXPRESS) I served a true and correct copy by Federal Express or other overnight delivery service, for delivery on the next business day. Each copy was enclosed in an envelope or package designed by the express service carrier; deposited in a facility regularly maintained by the express service carrier or delivered to a courier or driver authorized to receive documents on its behalf; with delivery fees paid or provided for; addressed as shown on the accompanying service list.
- () (BY FACSIMILE TRANSMISSION) I am readily familiar with the firm's practice of facsimile transmission of documents. It is transmitted to the recipient on the same day in the ordinary course of business.
- (X) (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- () (FEDERAL) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Carol Delgado