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Attorneys for Plaintiff

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

Coordination Proceeding
Special Title (Rule 1550(b))

ANTELOPE VALLEY GROUNDWATER
CASES

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

Plaintiff,

v.

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

Defendants.

Judicial Council Coordination
Proceeding No. 4408

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

Case No.: BC 391869

**RICHARD WOOD'S
SUPPLEMENTAL BRIEF RE:
MOTION TO STAY**

Date: August 17, 2009
Time: 9:00 a.m.
Dept.: 1

1 Subsequent to filing its brief in opposition to the motion to stay, counsel for the
2 classes were invited to participate in the “principals-only” settlement negotiations.
3 Today, the City of Palmdale, by and through its counsel, Richards, Watson & Gershon,
4 formally objected to the participation of the Small Pumper Class in these settlement talks.
5 Therefore, the settlement talks will continue with the exclusion of the classes.

6 A stay of the litigation for the purpose of the engaging in comprehensive
7 settlement talks is not appropriate when two of the biggest parties (the classes), are
8 prohibited from participating.

9
10 DATED: August 7, 2009

LAW OFFICES OF MICHAEL D. McLACHLAN
LAW OFFICE OF DANIEL M. O’LEARY

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14 By: _____//s//
15 Michael D. McLachlan
16 Attorneys for Plaintiff
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1 **PROOF OF SERVICE**

2 I am employed in the County of Los Angeles, State of California. I am over the age of 18
3 and am not a party to the within action. My business address is 523 West Sixth Street, Suite 215,
4 Los Angeles, California 90014.

5 On August 7, 2009, I caused the foregoing document(s) described as **RICHARD WOOD'S
SUPPLEMENTAL BRIEF RE: MOTION TO STAY**

6 to be served on the parties in this action, as follows:

7 (X) (BY ELECTRONIC SERVICE) by posting the document(s) listed above to the Santa
8 Clara County Superior Court website: www.scefiling.org regarding the Antelope Valley
Groundwater matter.

9 () (BY U.S. MAIL) I am readily familiar with the firm's practice of collection and
10 processing of documents for mailing. Under that practice, the above-referenced
11 document(s) were placed in sealed envelope(s) addressed to the parties as noted above,
12 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:

13 () (BY FEDERAL EXPRESS) I served a true and correct copy by Federal Express or other
14 overnight delivery service, for delivery on the next business day. Each copy was
15 enclosed in an envelope or package designed by the express service carrier; deposited in a
16 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.

17 () (BY FACSIMILE TRANSMISSION) I am readily familiar with the firm's practice of
18 facsimile transmission of documents. It is transmitted to the recipient on the same day in
the ordinary course of business.

19 (X) (STATE) I declare under penalty of perjury under the laws of the State of California that
20 the above is true and correct.

21 () (FEDERAL) I declare under penalty of perjury under the laws of the United States of
22 America that the foregoing is true and correct.

23 _____ //s//
24 Carol Delgado