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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 NOTICE OF
INTENT TO CALL NON-RETAINED
WITNESSES AT TRIAL**

1 Per the Court's May 25, 2010 order, Plaintiff Richard Wood respectfully submits
2 the following notice of intent to offer testimony of non-retained witnesses at the Phase 3
3 trial. Plaintiff will offer either one or two such witnesses from Los Angeles County
4 Department of Public Works and/or Los Angeles County Waterworks District Number
5 40.

6 These corporate designee witnesses will testify about the content of water supply
7 assessments and "will-serve" notices issued by the County during the pendency of this
8 litigation. While asserting in this litigation that the basin is in a state of serious overdraft,
9 the County has issued numerous reports, assessments and other land use related
10 documents stating that there is sufficient water resources available in the Antelope Valley
11 basin to support substantial future development and growth. The approved water
12 allocations for future developments total in the tens of thousands of acre-feet per year.

13 Plaintiff Richard Wood plans to offer this testimony of County representatives and
14 the related records to undermine the testimony of the County's paid experts, who Plaintiff
15 believes will testify that the basin is in a state of serious overdraft. Plaintiff anticipates
16 that the examination of these witnesses will take two hours.

17 Because these depositions are not completed, Plaintiff cannot identify for certain
18 the names of the appropriate corporate designee witnesses from the County. However,
19 Plaintiff believes the likely witnesses are: (1) Donald L. Wolfe, former Director of
20 Public Works [if not then potentially Gail Farber or other senior technical representative
21 from Public works, such as Christopher Stone]; (2) Dean Efstathiou, former Deputy
22 Director of Public Works primarily responsible for Waterworks District No. 40 during
23 much of the relevant time period.

24 DATED: July 15, 2010

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

25 By: _____//s//

26 Michael D. McLachlan
27 Attorneys for Plaintiff

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 10490 Santa Monica Boulevard,
4 Los Angeles, California, 90025.

5 On July 15, 2010, I caused the foregoing document(s) described as **RICHARD WOOD'S**
6 **NOTICE OF INTENT TO CALL NON-RETAINED WITNESSES AT TRIAL**
7 to be served on the parties in this action, as follows:

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

11 () (BY U.S. MAIL) I am readily familiar with the firm's practice of collection and
12 processing of documents for mailing. Under that practice, the above-referenced
13 document(s) were placed in sealed envelope(s) addressed to the parties as noted above,
14 with postage thereon fully prepaid and deposited such envelope(s) with the United States
15 Postal Service on the same date at Los Angeles, California, addressed to:

16 () (BY FEDERAL EXPRESS) I served a true and correct copy by Federal Express or other
17 overnight delivery service, for delivery on the next business day. Each copy was
18 enclosed in an envelope or package designed by the express service carrier; deposited in a
19 facility regularly maintained by the express service carrier or delivered to a courier or
20 driver authorized to receive documents on its behalf; with delivery fees paid or provided
21 for; addressed as shown on the accompanying service list.

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

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

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

29 _____
30 //s//
31 Ana Horga