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**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

**SUPPLEMENTAL DECLARATION  
OF MICHAEL D. MCLACHLAN IN  
SUPPORT OF MOTION FOR  
PRELIMINARY APPROVAL OF  
CLASS SETTLEMENT**

Date: June 16, 2011  
Time: 9:00 a.m.  
Dept: 316

**SUPPLEMENTAL DECLARATION OF MICHAEL D. MCLACHLAN IN  
SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS  
SETTLEMENT**

1                   **SUPPLEMENTAL DECLARATION OF MICHAEL D. MCLACHLAN**

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3 I, Michael D. McLachlan, declare:

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

7           2.       I am co-counsel of record of record for Plaintiff Richard Wood and the  
8 Class, and am duly licensed to practice law in California. I make this declaration in  
9 support of the joint motion for preliminary approval of the settlement agreement.

10          3.       After removing opt-outs and those who do not meet the class definition,  
11 there are currently about 3,750 parcels that received the class notice and are in currently  
12 in the Class. There are approximately 160 additional parcels that were on the initial class  
13 notice list, but for which class notice was returned as undeliverable after multiple  
14 attempts, including title search address updating. The Court will have to determine  
15 whether it has jurisdiction over the owners of those 160 parcels by way of the published  
16 notice, which was given consistent with the relevant orders.

17          4.       In conjunction with the initial class notice, we delivered a court-approved  
18 class member response form with a number of questions. We received approximately  
19 719 of those response forms by mail or electronically through the class website for this  
20 case. Only 16 of those who responded indicated annual water use above five acre-feet  
21 per year and below the class cutoff of 25 acre-feet per year. Of those who did specify a  
22 legible water usage, all but a small number responded with a number between zero and  
23 three acre-feet per year.

24          5.       After the class notice for the settlement is completed, and additional opt-  
25 outs or opt-ins are processed, class counsel will file a final class list.

1 I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct. Executed this 9<sup>th</sup> day of June, 2011, at Los Angeles,  
3 California.

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6 Michael D. McLachlan  
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**PROOF OF SERVICE**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and am not a party to the within action. My business address is 10490 Santa Monica Blvd., Los Angeles, California 90025.

On June 9, 2011, I caused the foregoing document(s) described as **SUPPLEMENTAL DECLARATION OF MICHAEL D. MCLACHLAN IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT** 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](http://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.

\_\_\_\_\_  
//s//  
Ana Horga