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Attorneys for Plaintiff Richard Wood and the Class

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

**SMALL PUMPER CLASS' JOINDER
IN TEJON ET AL.'S *EX PARTE*
APPLICATION TO CONTINUE
TRIAL AND PRETRIAL DATES**

1 Plaintiff Richard Wood joins the Application of Tejon Ranch et al. to continue the
2 trial and pretrial dates.

3 By virtue of the way in which this litigation has come to be structured, Richard
4 Wood and the absent class members are adverse to the vast majority of the parties to this
5 litigation. The structure of the depositions, as well as the sheer volume of documents
6 produced by the parties, makes it impossible for class counsel to adequately represent the
7 class in the ongoing discovery. There is not sufficient time to meaningfully review the
8 tens of thousands of pages of documents produced and prepare for depositions, nor is it
9 possible for class counsel to cover as many as 50 depositions or more in a week. The
10 current structure of the Phase Four trial and discovery proceedings raise very serious due
11 process concerns as the ability of class counsel to adequately represent the interests of the
12 Class.

13 The Court should intervene now and set a more reasonable schedule, and issue
14 further orders to address the issue of double-tracking of depositions, as well as the
15 minimum notice required for setting depositions. As of this day, the position of District
16 40 is that it can set depositions by e-mail, without posting a deposition notice, on less
17 than 24 hours' notice.

18 Plaintiff also requests clarification on whether the depositions are strictly limited
19 to the matters set forth in the Case Management Order, and whether the deposition of any
20 witness taken in this round of discovery will be the only deposition permitted of such
21 witness in this litigation. Plaintiff also requests an order that all depositions be conducted
22 in Los Angeles County.

23 DATED: January 10, 2013

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

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26 By: //s// Michael D. McLachlan
27 Michael D. McLachlan
28 Attorneys for Plaintiff