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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

**[proposed] ORDER GRANTING
PRELIMINARY APPROVAL OF
CLASS ACTION PARTIAL
SETTLEMENT AND NOTICE TO
THE CLASS**

1 On October 25, 2013, this matter has come before the Court on Richard Wood and
2 various settling defendants' Motion for Preliminary Approval of Partial Class Action
3 Settlement ("Motion") between and among Richard Wood and the Wood Class, on the
4 one hand, and California Water Service Company, City of Lancaster, Palmdale Water
5 District, Rosamond Community Services District, Quartz Hill Water District, and Phelan
6 Piñon Hills Community Services District (collectively, "Settling Defendants") on the
7 other hand, all of whom are referred to herein as the "Settling Parties."

8 The Motion having come on for hearing before the above Court; the Court having
9 reviewed and considered all documents, evidence and arguments presented by counsel in
10 support of and opposition to said Motion; the Court being fully advised in the premises
11 and good cause appearing, the Court enters its order and, subject to final determination by
12 the Court as to the fairness, reasonableness, and adequacy of the Settlement following
13 Notice to the Class and a final fairness hearing, finds and orders as follows:

14 The Stipulation of Settlement (filed as Exhibit "___" to the Motion) and the Settlement
15 set forth therein are *preliminarily* approved as fair, reasonable, and adequate, subject to a
16 final fairness hearing to be held after notice has been provided to the Class.

- 17 1. The Court finds that the form and content of the notice of the proposed Settlement
18 (as set forth in the Notice of Proposed Wood Class Action Partial Settlement
19 lodged as Exhibit "___" to the Motion) (the "Class Notice") will provide the best
20 practicable notice to Class Members, certified by this Court's Order of September
21 2, 2008. Accordingly, class counsel and the Settling Defendants shall cause the
22 administrator to provide notice of the proposed Settlement by mailing the Class
23 Notice via first class U.S. mail to the last known address of Class Members. The
24 Class Notice will also be posted on the Class website.
- 25 2. Class counsel and the Settling Defendants shall also cause to be published a
26 Summary Notice of Proposed Class Action Settlement ("Summary Notice") in
27 three widely read newspapers papers in the area. The costs and expenses of said
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1 Class Notice and Summary Notice shall be paid by the Settling Defendants. The
2 Court authorizes the Settling Parties to make minor, non-substantive revisions to
3 the Class Notice as they may jointly deem necessary or appropriate, without the
4 necessity of further Court action or approval.

5 3. A final approval hearing shall be held by this Court on December _____,
6 2013 at 9:00 A.M. in Department __ of the Los Angeles Superior Court to
7 consider and finally determine:

- 8 a. Whether the Settlement should be finally approved as fair, reasonable, and
9 adequate;
10 b. The merits of any objections to the Stipulation and the Settlement set forth
11 therein, or any of its terms; and
12 c. Whether attorneys' fees, costs and expenses should be awarded to
13 Plaintiff's Counsel and an incentive award made to the Representative
14 Plaintiff.

15 4. Any Class Member who objects to approval of the proposed Settlement may
16 appear at the final approval hearing in person or through counsel to show cause
17 why the proposed Settlement should or should not be approved as fair, reasonable,
18 or adequate. Any member of the Class who seeks to intervene in the Action may
19 file and serve a motion to intervene in accordance with applicable law.

20 5. However, no class member may be heard at the final approval hearing nor file any
21 papers or briefs with respect thereto, unless at least five court days before the
22 hearing, such person files with the Clerk of the Court and serves on counsel for the
23 Class and Settling Defendants a timely written objection and notice of intent to
24 appear, in accordance with the procedures specified in the Class Notice. Any
25 Class Member who does not make his or her objection to the Settlement or request
26 for intervention in the manner provided herein and in the Class Notice, shall be
27 deemed to have waived such objection or right to intervene for purposes of appeal,
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collateral attack, or otherwise. Other parties to these Coordinated Proceedings must file any objections to the motion for final approval of the partial settlement by way of written opposition filed and served in accord with the California Code of Civil Procedure.

6. The dissemination of the Class Notice, as directed by this Order, constitutes the best notice practicable under the circumstances and sufficient notice to all Class Members. The contents of the Class Notice and the manner of its dissemination satisfy the requirements of Rule 3.769 of the California Rules of Court, other applicable California laws, and state and federal due process.
7. Any and all persons who timely excluded themselves from the Class and did not rejoin the Class shall *not* be Class Members and shall have no rights and obligations with respect to the Settlement.
8. If the Settlement is finally approved, the Court shall enter a Judgment approving the Settlement, which shall be binding on the Settling Parties, including all Class Members.
9. In the event, for any reason, the proposed Settlement as provided in the Stipulation is not approved by the Court, or the Court does not enter the Judgment, then the Stipulation, and all drafts, negotiations, discussions, and documentation relating thereto, shall become null and void.
10. The dates of performance of this Order are as follows:
 - a. The Class Notice shall be disseminated by website posting and U.S. mail. A Summary Notice shall also be published in three widely read newspapers in the area. The administrator will mail the Class Notice within five days of the grant of preliminary approval.
 - b. By December 1, 2013, the Settling Parties shall certify to the Court that it has complied with the notice requirements set forth in this Order.

- 1 c. Plaintiff shall file a motion for final approval of the Settlement and
2 supporting papers for hearing on December __, 2013, at 9:00 A.M. The
3 Final Settlement Hearing shall take place in Room ____ of the above Court.
4 d. Any objections or oppositions to the Settlement, requests for intervention
5 and notices of intention to appear and be heard at the final approval hearing
6 shall be deemed timely only if filed with the Court and served on counsel
7 for the parties by _____, 2013.

8 IT IS SO ORDERED.

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11 Dated: _____

Judge of the Superior Court