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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))

Judicial Council Coordination
Proceeding No. 4408

**ANTELOPE VALLEY GROUNDWATER
CASES**

Lead Case No. BC 325201

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

Case No.: BC 391869

Plaintiff,

**RICHARD WOOD'S CONDITIONAL
NON-OPPOSITION TO *EX PARTE*
APPLICATION TO CONTINUE
PHASE 5 TRIAL**

v.

Date: March 6, 2014
Time: 9:00 a.m.
Place: Telephonic

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

Defendants.

1 Plaintiff Richard Wood submits the following conditional non-opposition to the
2 Ex Parte Application to further continue the Phase 5 trial date.

3 Richard Wood generally believes the settlement discussions of February 19
4 through 21 were productive, but significant barriers remain unresolved, particularly with
5 the United States. The Court should not continue the remaining portion of the Phase 5
6 trial date unless there is a firm commitment by the parties, or order by the Court, that all
7 parties, including the United States, attend further settlement discussions on March 10,
8 2014, and continuing the remainder of that week until resolution or intractable impasse.
9 However, if the United States will not be in a position to meaningfully participate by
10 March 10, the Court should not continue the trial.

11 If the Court does order further discussions in lieu of trial next week, those
12 discussions should occur in Los Angeles.

13 As to the continued trial date, the proposed date of April 28, 2014 is not workable
14 due to a conflicting trial date of class counsel on another matter than has already been
15 thrice continued. Furthermore, that proposed date is too far out in time, and too close to
16 the Phase 6 trial date. Plaintiff suggests a new trial date of March 24, April 1, or April 7,
17 2014. Plaintiff knows of no reason why the parties should need more than two weeks to
18 complete the settlement discussions.

19
20 DATED: March 5, 2014

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23 By: _____
24 Michael D. McLachlan
25 Attorneys for Plaintiff
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