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Attorneys for Plaintiff 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.

A.V. MATERIALS, INC.; et al.

Defendants.

Judicial Council Coordination
Proceeding No. 4408

(Honorable Jack Komar)

Case No.: BC 509546

**DECLARATION OF MICHAEL D.
MCLACHLAN IN SUPPORT OF
REQUEST FOR DISMISSAL OF
ENTIRE ACTION**

1 **DECLARATION OF MICHAEL D. MCLACHLAN**

2

3 I, Michael D. McLachlan, declare:

4 1. I make this declaration of my own personal knowledge, except where

5 stated on information and belief, and if called to testify in Court on these matters,

6 I could do so competently.

7 2. I am co-counsel of record of record for Plaintiff Richard Wood and

8 the Class, and am duly licensed to practice law in California. I make this

9 declaration in support of the request for dismissal of the action styled *Wood v.*

10 *A. V. Materials, Inc. et al.* (Los Angeles Superior Court Case Number BC 509546)

11 (the “Action”).

12 3. Richard Wood filed the Action in 2013 for the purpose of pursuing

13 claims directly against certain overlying landowner parties potentially opposed to

14 the public water suppliers’ agreement to pursue a settlement by all name

15 defendants in *Wood v. Los Angeles County Waterworks District No. 40 et al.* By

16 order of this Court, dated September 6, 2013, this Court assumed jurisdiction

17 over the Action by adding it on to JCCP 4408. (Exhibit 1 [Dkt. No. 7094].)

18 4. All but a few of the defendants *Wood v. Los Angeles County*

19 *Waterworks District No. 40 et al.* refused to settle that matter in 2013. As such,

20 the Complaint was never served.

21 5. Given the tentative approval of the “global” Judgment and Physical

22 Solution, the Action should appropriately be dismissed. Richard Wood and Class

23 Counsel have received no consideration from any of the defendants in the Action,

24 nor any future promise of any consideration. The only consideration Wood and

25 his counsel have receive or anticipate receiving is from the defendants in *Wood v.*

26 *Los Angeles County Waterworks District No. 40 et al.*, as previously ordered or

27 to be ordered by this Court.

28

1 I declare under penalty of perjury under the laws of the State of California
2 that the foregoing is true and correct. Executed this 18^h day of November 2015,
3 at Hermosa Beach, California.
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7 Michael D. McLachlan
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Exhibit 1

1 BEST BEST & KRIEGER LLP
ERIC L. GARNER, Bar No. 130665
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LOS ANGELES COUNTY WATERWORKS
6 DISTRICT NO. 40

EXEMPT FROM FILING FEES
UNDER GOVERNMENT CODE
SECTION 6103

7 OFFICE OF COUNTY COUNSEL
COUNTY OF LOS ANGELES
8 JOHN F. KRATTLI, Bar No. 82149
COUNTY COUNSEL
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12 Attorneys for Cross-Complainant LOS ANGELES
13 COUNTY WATERWORKS DISTRICT NO. 40

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA

15 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

16 ANTELOPE VALLEY GROUNDWATER
17 CASES

Included Actions:
18 Los Angeles County Waterworks District No.
40 v. Diamond Farming Co., Superior Court
19 of California, County of Los Angeles, Case
No. BC 325201;

20 Los Angeles County Waterworks District No.
21 40 v. Diamond Farming Co., Superior Court
of California, County of Kern, Case No. S-
22 1500-CV-254-348;

23 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v. City of
24 Lancaster, Diamond Farming Co. v. Palmdale
Water Dist., Superior Court of California,
25 County of Riverside, Case Nos. RIC 353 840,
RIC 344 436, RIC 344 668

26 RICHARD WOOD, on behalf of himself and
27 all other similarly situated v. V. Materials,
Inc., et al. Case No. BC509546
28

Judicial Council Coordination Proceeding
No. 4408

CLASS ACTION

Santa Clara Case No. 1-05-CV-049053
Assigned to the Honorable Jack Komar

~~PROPOSED~~ ORDER GRANTING LOS
ANGELES COUNTY WATERWORKS
DISTRICT NO. 40'S PETITION TO ADD-
ON CASE


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[PROPOSED] ORDER GRANTING LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40'S PETITION TO ADD-
ON CASE

1 This matter having come before the court for hearing on July 29, 2013 on Cross-
2 Complainant Los Angeles County Waterworks District No. 40's Petition to Add-On Case; and the
3 Court having considered and reviewed the Petition, the responsive papers filed by other parties,
4 and having considered the file in this matter and the arguments presented at the hearing on the
5 motion, and good cause appearing thereon;

6 IT IS HEREBY ORDERED that the following case be an "add-on" case to the Antelope
7 Valley Groundwater Cases, Judicial Council Coordination Proceeding No. 4408: *Richard Wood,*
8 *on behalf of himself and all other similarly situated v. A.V. Materials, Inc., et al.,* Los Angeles
9 County Superior Court Case No. BC509546.

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11 Dated: 9-6-2013

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13 HON. JACK KOMAR
14 JUDGE OF THE SUPERIOR COURT
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