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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

Lead Case No. BC 325201

Case No.: BC 391869

**RICHARD WOOD'S OPPOSITION  
TO DISTRICT NO. 40's *EX PARTE*  
APPLICIATION FOR ORDER  
PERMITTING MEMORANDA IN  
EXCESS OF 15 PAGES**

Location: Telephonic  
Date: March 21, 2016  
Time: 1:30 p.m.

1 Plaintiff Richard Wood opposes District No. 40's Ex Parte Application for  
2 an Order Permitting it, after the fact, to file a 30 page opposition brief in response  
3 to the 15 page moving memorandum of points and authorities.

4 First, the Application is untimely, as it must be made at least 24 hours  
5 *prior* to the filing of the oversized brief. (C.R.C. 3.111(e).) District No. 40 had  
6 over 7 weeks to prepare its opposition, and certainly knew for much of that time  
7 that it intended to exceed 15 pages. Nevertheless, it chose to ignore the  
8 applicable rules and file its 30-page brief without leave from the this Court, or  
9 even notice to opposing counsel. Second, as a predicate for relief, District No. 40  
10 is required to explain why it must have 30 pages to oppose this motion. (*Ibid.*)  
11 Yet, District No. 40 has failed to explain why it cannot oppose the Motion in 15  
12 pages.

13 Third, the excuse that District No. 40 was somehow filing a combined brief  
14 for itself and the City of Palmdale, thereby allowing a double-sized Opposition  
15 brief, is nonsensical. There is no such rule, i.e. when five parties jointly oppose a  
16 motion, they do not get to file a 75 page opposition brief. Furthermore, the  
17 notion that the City of Palmdale has standing to oppose this motion is absurd.  
18 The start of the Motion for Award of Attorneys' Fees states as follows: "Per the  
19 terms of the 2015 Settlement, the City of Palmdale is not subject to attorneys' fees  
20 or costs because it dropped its prescription claims in 2008." (Motion, 3:27-28  
21 [D.E. 11143].) Hence, it is clear that the motion is not targeted at the City of  
22 Palmdale. District No. 40 is just using the City as an excuse for violating the  
23 Rules of Court.

24 Plaintiff will also that Defendants also claim as justification the purported  
25 fact that the memorandum filed by Richard Wood was in excess of 15 pages. (Ex  
26 Parte, 3:20-4:5.) This is also patently false. The memorandum filed by Plaintiff is  
27 only 15 pages, a fact that the Court is readily able to discern.

1 For these reasons, Plaintiff opposes the Application and respectfully  
2 requests that the Court deny it. This rather egregious violation of the Rules of  
3 Court merits the striking of the brief in its entirety, or the last 15 pages of the  
4 brief. (C.R.C. 3.111(g) (“A memorandum that exceeds the page limits of these  
5 rules *must* be filed and considered in the same manner as a late-filed paper.”  
6 (emphasis added).)

7  
8 DATED: March 18, 2016

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11 By: \_\_\_\_\_  
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