

1 ERIC N. ROBINSON, State Bar No. 191781

erobinson@kmtg.com

2 STANLEY C. POWELL, State Bar No. 254057

spowell@kmtg.com

3 JENIFER N. RYAN, State Bar No. 311492

jryan@kmtg.com

4 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD

A Professional Corporation

5 1331 Garden Highway, 2nd Floor

Sacramento, California 95833

6 Telephone: (916) 321-4500

Facsimile: (916) 321-4555

7 MICHAEL N. FEUER, State Bar No. 111529

8 Los Angeles City Attorney

JOSEPH BRAJEVICH, General Counsel, Water and Power

9 Attorneys for Defendant CITY OF LOS ANGELES and

LOS ANGELES WORLD AIRPORTS

10 Attorneys for Cross-Defendants City of Los

11 Angeles and Los Angeles World Airports

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

13 **COUNTY OF LOS ANGELES**

14 Coordination Proceeding

Judicial Council Coordination
Proceeding No. 4408

15 ANTELOPE VALLEY GROUNDWATER
16 CASES,

17 Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.

18 Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.

19 Wm Bolthouse Farms, Inc. v. City of
20 Lancaster

21 Diamond Farming Co. v. City of Lancaster

22 Diamond Farming Co. v. Palmdale Water
23 District,

24 AND RELATED ACTIONS

**DECLARATION OF JENIFER N. RYAN
IN SUPPORT OF DEFENDANTS' EX
PARTE APPLICATION TO CONTINUE
HEARING ON ZAMRZLAS' MOTION
TO SET ASIDE OR MODIFY
JUDGMENT**

Date: April 19, 2022

Time: 1:00 p.m.

The Hon. Jack Komar, Dept. 17
Santa Clara Case No. 105 CV 049053

Riverside County Superior Court

Lead Case No. RIC 344436

Case No. RIC 344668

Case No. RIC 353840

Los Angeles Superior Court Case
No. BC 325201

Kern County Superior Court Case
No. S-1500-CV-254348

[Filed concurrently with Ex Parte Application
and Proposed Order Continuing Hearing on
Motions to Set Aside or Modify Judgment]

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2

3
4
5
6

7
8
9
10
11

12
13
14
15
16
17
18

19
20
21
22
23
24

25
26
27

28

1 15, 2022, with Mr. Shepard, counsel for the Settling Parties, and counsel for the Watermaster. We
2 advised Mr. Shepard regarding the need to conduct discovery relating to factual issues raised in the
3 Motions. Mr. Shepard said that he would speak with his client and advise us of their decision. Later
4 that afternoon Mr. Shepard sent an email stating that he was not “authorized to enter into a
5 stipulation.” At about 2:33 p.m. that afternoon Robert Kuhs sent an email advising Mr. Shepard that
6 we would be bringing this ex-parte application on Tuesday, April 19, 2022, at 1:00 p.m.


7 7. At approximately 9:47 a.m. on Monday, April 18, 2022, I caused a notice to be sent via
8 email to Mr. Shepard, and also posted to Glotrans advising all counsel of the date, time and place for
9 hearing, as well as the relief being requested, a true and correct copy of which is attached hereto as
10 Exhibit B.

11 8. Our clients and the Settling Parties request a 90-day continuance to allow for limited
12 discovery regarding the issues raised in the Zamrzlas’ Motions, including whether the Zamrzlas had
13 notice of the adjudication, their water use history, and any other equitable factors that might bear on
14 the Court’s decision to grant the Zamrzlas’ requested relief. The Settling Parties make this ex parte
15 application based on the Court’s equitable powers, inherent administrative powers and power to
16 control the litigation before it.

17 9. I am not aware of any prejudice that a brief continuance would cause to the Zamrzlas.
18 There is a potential for prejudice to the Watermaster since the Watermaster has been attempting to
19 collect delinquent assessments from the Zamrzlas since 2018. However, I have spoken with Mr.
20 Parton and he concurs that a brief continuance is in the best interest of the Settling Parties and the
21 Watermaster.

22 I declare under penalty of perjury under the laws of the State of California that the foregoing is
23 true and correct.

24 Executed on this 18th day of April, 2022, at Sacramento, California.

25
26 
27 Jenifer N. Ryan
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

Judicial Council Coordination Proceeding No. 4408
For Filing Purposes Only: Santa Clara County Case No.: 1-05-CV-049053

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 1331 Garden Hwy, 2nd Floor, Sacramento, CA 95833.

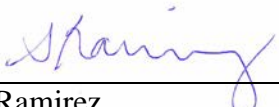
On April 18, 2022, I served true copies of the following document(s) described as **DECLARATION OF JENIFER N. RYAN IN SUPPORT OF DEFENDANTS' EX PARTE APPLICATION TO CONTINUE HEARING ON ZAMRZLAS' MOTION TO SET ASIDE OR MODIFY JUDGMENT** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY E-MAIL OR ELECTRONIC TRANSMISSION: By submitting an electronic version of the document(s) to the parties, through the user interface at avwatermaster.org.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 18, 2022, at Sacramento, California.



Sherry Ramirez

EXHIBIT A



ERIC N. ROBINSON
erobinson@kmtg.com

April 14, 2022

VIA ELECTRONIC MAIL ONLY

Nicholas R. Shepard
Attorney for Defendants Johnny Zamrzla, Pamela
Zamrzla, Johnny Lee Zamrzla and Jeanette
Zamrzla
Matheny Sears Linkert & Jaime, LLP
3638 American River Drive
Sacramento, CA 95864
E-Mail: nshepard@mathenyscars.com

Re: Request to continue May 3, 2022, hearing on Motion to Set Aside or Modify Judgment

Dear Counsel:

This letter is on behalf of the City of Los Angeles, Los Angeles World Airports, Grimmway Enterprises, Palmdale Water District, and County Sanitation Districts of Los Angeles County Nos. 14 and 20. We are writing in regard to the moving papers filed in support of Johnny Zamrzla and Pamela Zamrzla, and Johnny Lee Zamrzla and Jeanette Zamrzla's respective motions to set aside or modify the judgment in the Antelope Valley Groundwater Cases Judgment (JCCP No. 4408).

As representatives of Exhibit 3 and Exhibit 4 parties to the Judgment and Physical Solution ("Judgment"), we represent Stipulating Parties with standing to make procedural or legal objections to claims to produce groundwater from the basin by Non-Stipulating Parties. (Judgment, 5.1.10). Accordingly, we are reaching out to request that the parties stipulate to continue the May 3, 2022, hearing on the Zamrzlas' motions by 90 days to allow for 60 days of discovery regarding the notice issue and a modified briefing schedule. Please let us know if the parties are agreeable to this stipulation by **4:30 p.m., Friday, April 15, 2022**. If you are agreeable, we will prepare a formal stipulation and order. Otherwise, we will file an ex parte application with the Court.

Sincerely,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation

ERIC N. ROBINSON
STANLEY C. POWELL
JENIFER N. RYAN
Attorneys for City of Los Angeles, Los Angeles World Airports

Nicholas R. Shepard
April 14, 2022
Page 2



for

Robert G. Kuhs
Grimmway Enterprises



for

THOMAS S. BUNN
Palmdale Water District



for

Christopher M. Sanders
County Sanitation Districts of Los Angeles County Nos. 14 and 20

ENR
CC:

Craig A. Parton, cparton@ppplaw.com
Timothy E. Metzinger, tem@ppplaw.com
Cameron Goodman, cgoodman@ppplaw.com
Attorneys for Antelope Valley Watermaster

EXHIBIT B



JENIFER N. RYAN
jryan@kmtg.com

April 18, 2022

VIA ELECTRONIC MAIL ONLY

Nicholas R. Shepard
Attorney for Defendants Johnny Zamrzla, Pamela
Zamrzla, Johnny Lee Zamrzla and Jeanette
Zamrzla
Matheny Sears Linkert & Jaime, LLP
3638 American River Drive
Sacramento, CA 95864
E-Mail: nshepard@mathenysears.com

Craig Parton and Cameron Goodman
Attorneys for Antelope Valley Watermaster
Price, Postel & Parma LLP
200 East Carrillo Street, Suite 400
Santa Barbara, California 93101
E-Mail: cparton@ppplaw.com;
cgoodman@ppplaw.com

Re: Antelope Valley Groundwater Cases (JCCP No. 4408)
Notice of Ex Parte Application

To Counsel for the Zamrzlas, the Watermaster, and all parties of record:


NOTICE IS HEREBY GIVEN that on Tuesday, April 19, 2022 at 1:00 p.m. or as soon thereafter as the matter may be heard in Department 17 of the Santa Clara County Superior Court by CourtCall appearance, the City of Los Angeles, Los Angeles World Airports, Grimmway Enterprises, Palmdale Water District, and County Sanitation Districts of Los Angeles County Nos. 14 and 20 (collectively, "Settling Parties") will apply ex-parte to the Court for an order continuing the May 3, 2022, hearing on the Zamrzlas' respective Motions to Set Aside or Modify the Judgment at least 90 days to allow opposing parties time to conduct discovery on the issues raised in the Motions and prepare comprehensive opposition. Counsel for defendants has stated he is not authorized to stipulate to the requested relief. Counsel for the Watermaster supports a brief continuance.

Sincerely,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation

JENIFER N. RYAN

Nicholas R. Shepard
Craig Parton and Cameron Goodman
April 18, 2022
Page 2



for

Robert G. Kuhs
Grimmway Enterprises



for

THOMAS S. BUNN
Palmdale Water District



for

Christopher M. Sanders
County Sanitation Districts of Los Angeles County Nos. 14 and 20

JNR