1	ERIC N. ROBINSON, State Bar No. 191781	
2	erobinson@kmtg.com STANLEY C. POWELL, State Bar No. 254057	
3	spowell@kmtg.com JENIFER N. RYAN, State Bar No. 311492	
4	jryan@kmtg.com KRONICK, MOSKOVITZ, TIEDEMANN & G	IRARD
5	A Professional Corporation 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 ANGEL 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
15	ANTELOPE VALLEY GROUNDWATER	Proceeding No. 4408
16	CASES,	DECLARATION OF JENIFER N. RYAN IN SUPPORT OF DEFENDANTS' EX
17	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.	PARTE APPLICATION TO CONTINUE HEARING ON ZAMRZLAS' MOTION TO SET ASIDE OR MODIFY
18	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.	JUDGMENT
19	Wm Bolthouse Farms, Inc. v. City of	Date: April 19, 2022 Time: 1:00 p.m.
20	Lancaster	The Hon. Jack Komar, Dept. 17
21	Diamond Farming Co. v. City of Lancaster	Santa Clara Case No. 105 CV 049053
22	Diamond Farming Co. v. Palmdale Water District,	Riverside County Superior Court Lead Case No. RIC 344436
23		Case No. RIC 344668
24	AND RELATED ACTIONS	Case No. RIC 353840 Los Angeles Superior Court Case
25		No. BC 325201 Kern County Superior Court Case No. S-1500-CV-254348
26		
27		[Filed concurrently with Ex Parte Application and Proposed Order Continuing Hearing on Motions to Set Aside or Modify Judgment]
28	2200848.1 1351-007] 1

1. I am an attorney duly admitted to practice before this Court. I am an associate with Kronick Moskovitz Tiedemann & Girard, attorneys of record for City of Los Angeles and Los Angeles World Airports, who are among the settling parties. I have personal knowledge of the facts

set forth herein, and if called as a witness, I could and would competently testify thereto.

I, Jenifer N. Ryan, declare as follows:

2. On March 7, 2022 Judge Komar issued an order directing Johnny Zamrzla and Pamella Zamrzla and Johnny Lee Zamrzla and Jeanette Zamrzla ("Zamrzlas") to file a motion addressing the status of the Zamrzlas in the Judgment and Physical Solution entered in 2015 and a process to determine the water right allocation amount that the Zamrzlas may be entitled. The Court set May 3, 2022, at the hearing date.

- 3. On April 11, 2022, the last possible day for filing, the Zamrzlas filed their Motions to Set Aside or Modify the Judgment ("Motions") along with a Compendium of Evidence and set the hearing for May 3, 2022. The thrust of the Motions is that the Zamrzlas did not receive actual or constructive notice of the Antelope Valley groundwater adjudication and should not be bound thereby. Specifically, they claim that they never received any of the Small Pumper Class notices. The Motions reserve for later hearings factual issues as to whether they are entitled to the right to extract groundwater from the Basin.
- 4. At about 4:56 p.m. on Thursday, April 14, 2022, after consulting with counsel for the other Settling Parties, I sent an email to the Zamrzlas' new counsel Nicholas R. Shepard, requesting that the Zamrzlas' stipulate to continue the May 3, 2022, hearing on the Motions for 90 days to allow limited discovery on whether the Zamrzlas received actual or constructive notice of the comprehensive adjudication and to allow for a modified briefing schedule. A true and correct copy of the letter is attached as Exhibit A.
- 5. I forwarded a copy of Exhibit A to Craig Parton, counsel for the Antelope Valley Watermaster, to determine whether the Watermaster would support a brief continuance. Mr. Parton confirmed that the Watermaster would support a brief continuance.
- 6. At the request of Mr. Shepard I arranged a video conference via Zoom on Friday April 2200848.1 1351-007

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

- 7. At approximately 9:47 a.m. on Monday, April 18, 2022, I caused a notice to be sent via email to Mr. Shepard, and also posted to Glotrans advising all counsel of the date, time and place for hearing, as well as the relief being requested, a true and correct copy of which is attached hereto as Exhibit B.
- 8. Our clients and the Settling Parties request a 90-day continuance to allow for limited discovery regarding the issues raised in the Zamrzlas' Motions, including whether the Zamrzlas had notice of the adjudication, their water use history, and any other equitable factors that might bear on the Court's decision to grant the Zamrzlas' requested relief. The Settling Parties make this ex parte application based on the Court's equitable powers, inherent administrative powers and power to control the litigation before it.
- 9. I am not aware of any prejudice that a brief continuance would cause to the Zamrzlas. There is a potential for prejudice to the Watermaster since the Watermaster has been attempting to collect delinquent assessments from the Zamrzlas since 2018. However, I have spoken with Mr. Parton and he concurs that a brief continuance is in the best interest of the Settling Parties and the Watermaster.

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

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

enifer N Ryan

1	PROOF OF SERVICE	
2	Judicial Council Coordination Proceeding No. 4408 For Filing Purposes Only: Santa Clara County Case No.: 1-05-CV-049053	
3	STATE OF CALIFORNIA, COUNTY OF SACRAMENTO	
5	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.	
6 7 8	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:	
9	SEE ATTACHED SERVICE LIST	
10	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.	
11		
12		
13	Executed on April 18, 2022, at Sacramento, California.	
14	Maria	
15	Sherry Ramirez	
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ERIC N. ROBINSON erobinson@kmtg.com

April 14, 2022

VIA ELECTRONIC MAIL ONLY

Nicholas R. Shepard Attorney for Defendants Johnny Zamrzla, Pamella Zamrzla, Johnny Lee Zamrzla and Jeanette Zamrzla Matheny Sears Linkert & Jaime, LLP 3638 American River Drive Sacramento, CA 95864

E-Mail: nshepard@mathenysears.com

Re: Reguest 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 Pamella 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

0.T.S.

Robert G. Kuhs Grimmway Enterprises

THOMAS S. BUNN Palmdale Water District

Christopher M. Sanders

County Sanitation Districts of Los Angeles County Nos. 14 and 20

for

ENR CC:

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



JENIFER N. RYAN jryan@kmtg.com

KRONICK MOSKOVITZ **TIEDEMANN** & GIRARD

April 18, 2022

VIA ELECTRONIC MAIL ONLY

Nicholas R. Shepard Attorney for Defendants Johnny Zamrzla, Pamella Attorneys for Antelope Valley Watermaster 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 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

191

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

JNR