

EXHIBIT 9

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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

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8 Coordination Proceeding
9 Special Title (Rule 1550(b))

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11 ANTELOPE VALLEY GROUNDWATER
12 CASES

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

15 Plaintiff,

16 v.

17 LOS ANGELES COUNTY WATERWORKS
18 DISTRICT NO. 40; et al.,

19 Defendants.

20 Judicial Council Coordination Proceeding
21 No. 4408

22 (Honorable Jack Komar)

23 Case No. BC 391869

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27 **DECLARATION OF
JENNIFER M. KEOUGH
REGARDING NOTICE
DISSEMINATION**

I, JENNIFER M. KEOUGH, declare as follows:

1. I am Chief Operating Officer of The Garden City Group, Inc. (“GCG”). The
2 following statements are based on my personal knowledge and information provided by other
3 GCG employees working under my supervision, and if called on to do so, I could and would
4 testify competently thereto.

2. GCG was retained in the above-captioned litigation (the “Litigation”), and
3 appointed pursuant to Section VI.B of the Wood Class Stipulation of Settlement (the “Stipulation
4 of Settlement”) to serve as the Administrator. I submit this Declaration in order to provide the
5 Court and the parties to the Litigation with information regarding: (i) the dissemination of the

1 Notice of Partial Class Action Settlement for the “Small Pumper” Class Action (the “Notice”), as
2 directed by paragraph 1 of the Court’s Order Granting Preliminary Approval of Class Action
3 Partial Settlement and Notice to the Class (the “Order”); and (ii) the list of persons who have
4 requested exclusion from the Class, pursuant to paragraph 7 of the Order.

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DISSEMINATION OF THE NOTICE

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7 3. In paragraph 1 of the Order, the Court found that the form and content of the
8 Notice would provide the best practicable notice to Class Members. Pursuant to the Order, GCG
9 was responsible for disseminating the Notice to the “Wood Class,” as defined in Section III.Y of
10 the Stipulation of Settlement:

11 All private (*i.e.*, non-governmental) persons and entities that own real property
12 within the Basin, as adjudicated, and that have been pumping less than 25 acre-
13 feet per year on their property during any year from 1946 to the present. The
14 Class excludes the defendants herein, any person, firm, trust, corporation, or
15 other entity in which any defendant has a controlling interest or which is
16 related to or affiliated with any of the defendants, and the representatives,
heirs, affiliates, successors-in interest or assigns of any such excluded party.
The Class also excludes all persons and entities that are shareholders in a
mutual water company.

17 4. On or about October 29, 2013, Plaintiff’s Counsel provided GCG with Excel
18 spreadsheets containing data records for 4,312 Class Members (“Class List”), which included
19 Class Members’ names and addresses. However, data records for nine (9) Class Members did
20 not contain a valid mailing address. Those nine (9) records were forwarded to Class Counsel for
21 further research.

22 5. GCG promptly loaded the information into the database created for this Litigation
23 and updated the addresses through the National Change of Address (NCOA) database. Of the
24 4,312 records sent out for search, 366 were returned with address updates, and GCG updated the
25 addresses accordingly. GCG gave unique identifiers to all records in order to maintain the ability
26 to track them throughout the administration process.

6. GCG thereafter formatted the Notice and caused it to be printed, posted for first-class mail, postage prepaid, and delivered to a U.S. Post Office for mailing to each Class Member on October 31, 2013 (the “Main Notice Date”).

7. On the Main Notice Date, 4,303 copies of the Notice were mailed. A copy of the Notice, as mailed, is attached hereto as **Exhibit A**.

8. Pursuant to Section VI.B of the Stipulation of Settlement, on the Main Notice Date, GCG also sent the Notice as a PDF e-mail attachment to the 124 unique Class Member e-mail addresses contained in the Class List. The Notice was successfully delivered to 89 of the 124 e-mail addresses.

9. On or about November 2, 2013, Class Counsel provided contact information for the nine (9) Class Members for whom contact information was missing on the original Class List. Two (2) of the nine (9) Class Members had additional contact addresses. GCG caused eleven (11) copies of the Notice to be printed, posted for first-class mail, postage prepaid, and delivered to a U.S. Post Office for mailing to each Class Member on November 6, 2013 (the “Supplemental Notice Date”).

10. Notices that were returned by the U.S. Postal Service with forwarding address information were promptly re-mailed using the updated address information received from the U.S. Postal Service. As of December 2, 2013, GCG had re-mailed eleven (12) Notices to updated addresses received from the U.S. Postal Service.

11. As of December 2, 2013, a total of 690 Notices had been returned undeliverable without forwarding address information.

REQUESTS FOR EXCLUSION

12. Pursuant to Section VI.C of the Stipulation of Settlement, Class Members who wished to exclude themselves from the Settlement had to do so in writing by submitting a signed and dated opt-out request to GCG, postmarked no later than December 2, 2013. As of December 2, 2013, GCG had received six (6) timely requests for exclusions from the Class.

1 A list of the Class Members who have requested exclusion is attached to this Declaration as
2 **Exhibit B.**

OBJECTIONS TO THE SETTLEMENT

5 13. Pursuant to paragraph 10(d) of the Order, Class Members who wish to object to
6 the Settlement have to do so in writing by submitting their objections to the Court and the
7 parties' Counsel by December 4, 2013. As of December 2, 2013, the Administrator had not
8 received any objections.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge and belief.

Executed on December 3, 2013, at Seattle, Washington.

Jean M. Keay

JENNIFER M. KEOUGH

Exhibit A

CLASS MEMBERSHIP

5. How do I know if I am part of the class subject to this settlement?

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d r r d d r r i.e. r r d r r
r d r r d r r r r r r r r r
r r r r r r r r d d d

6. Are there exceptions to being included in the settlement?

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THE PARTIAL SETTLEMENT OF THIS LAWSUIT

7. Who is included in the settlement?

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8. What does the settlement provide?

9. What happens with class claims against the defendants who are not part of the settlement?

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10. Does this settlement give me a water right?

11. What claims against the Settling Defendants am I releasing?

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Mr. Fred M. F. Mr. Fred M. F. Mr. Fred M. F.

12. Who are the lawyers for the class?

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M M
M M rd
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d □ □ d □ □ r □ □ □ □ □

13. How will the lawyers be paid?

YOUR OPTIONS

14. What happens if I do nothing at all?

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15. What if I do not want to participate in the settlement?

A decorative horizontal bar consisting of a repeating pattern of small squares and rectangles. In the center of the bar is a vertical column of three squares.

16. What happens if I exclude myself from the settlement?

17. How do I tell the Court that I don't like the settlement?

Richard Wood v. Los Angeles County Waterworks District No. 40, et al

COURT:

CLASS COUNSEL:

DEFENSE COUNSEL:

Attorneys for Palmdale Water District

18. When and where will the Court decide whether to grant final approval?

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rr d d rr rr rr dr rr rr rr rr
rr d d rr rr rr dr rr rr rr

19. May I speak at the hearing?

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GETTING MORE INFORMATION □

20. How do I get more information about the settlement?

**PLEASE DO NOT CALL OR WRITE THE COURT OR CLERK'S OFFICE. IF YOU HAVE ANY
QUESTIONS, PLEASE CONSULT YOUR OWN COUNSEL, VISIT THE WEB SITES LISTED ABOVE, OR
WRITE TO CLASS COUNSEL AT THE ADDRESS ABOVE. ▀**

Exhibit B

Antelope Valley Groundwater Litigation

**List of Class Members Requesting Exclusion from the
Small Pumper Class Action**

Frank Small

Bennie and Annette Moore

Edward Shelton

William Basner

The George and Charlene Lane Family Trust and George M. Lane

Raymond Eyherabide