

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
HYDEE FELDSTEIN SOTO, State Bar No. 106866
8 Los Angeles City Attorney
JULIE CONBOY RILEY, General Counsel, Water and Power
9 BRIAN C. OSTLER, General Counsel, Los Angeles World Airports
NARGIS CHOUDHRY, Deputy City Attorney, Los Angeles World Airports
10 Attorneys for Defendant CITY OF LOS ANGELES and
LOS ANGELES WORLD AIRPORTS
11
Attorneys for Cross-Defendants City of Los
12 Angeles and Los Angeles World Airports

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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **COUNTY OF LOS ANGELES**

16 Coordination Proceeding
17
18 ANTELOPE VALLEY GROUNDWATER
CASES,
19 Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
20
21 Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
22 Wm Bolthouse Farms, Inc. v. City of
Lancaster
23
24 Diamond Farming Co. v. City of Lancaster
25 Diamond Farming Co. v. Palmdale Water
District,

Judicial Council Coordination
Proceeding No. 4408

LEAD CASE: LASC Case No. BC 325201

**SETTLING PARTIES AND
WATERMASTER'S OBJECTIONS TO
ZAMRZLAS' REPLY BRIEFS**

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

Riverside County Superior Court
Case No. RIC 344436
Case No. RIC 344668
Case No. RIC 353840
Kern County Superior Court Case
No. S-1500-CV-254348

26 AND RELATED ACTIONS
27
28

1 The City of Los Angeles, Los Angeles World Airports, Grimmway Enterprises, Palmdale
2 Water District and County Sanitation Districts of Los Angeles No. 14 and 20 (collectively, "Settling
3 Parties") and the Antelope Valley Watermaster ("Watermaster") hereby object to arguments made by
4 Johnny and Pamela Zamrzla and Johnny Lee and Jeanette Zamrzla in their reply briefs based on
5 evidence that was not introduced at trial and other improper matters on the following grounds:

6 1. **J&P Reply Brief page 12:23-13:10 and JL&J Reply Brief page 11:14-12:2 and**
7 **Exhibit A:** The Zamrzlas improperly attach as Exhibit A to their reply briefs discovery responses
8 from Bolthouse Properties dating back to May 2013. The Bolthouse discovery was not admitted or
9 even offered during the hearing. The untimely evidence is a distraction from the Zamrzlas' inequitable
10 conduct, constitutes inadmissible hearsay, lacks foundation and is irrelevant. (Evid. Code §§ 350, 356,
11 400, 403, 410, 412, 1200(b), and 1520). In contrast to the Zamrzlas, Bolthouse Properties was a
12 plaintiff and cross-defendant that actively participated in the adjudication, not a Small Pumper Class
13 member who ignored actual notice of the adjudication for more than a decade. The argument is
14 without merit.

15 2. **J&P Reply Brief page 20:3-4 and JL&J Reply Brief page 16:13-14:** The Zamrzlas'
16 claim that they were not informed that the Settling Parties would contact the Court Clerk for a hearing
17 on the Settling Parties' request to file a single combined brief is false. The Settling Parties informed
18 Zamrzlas' counsel in a May 10, 2023, email that the Settling Parties would reach out to the Court if
19 the Zamrzlas objected. A true and correct copy of the Settling Parties' request and the Zamrzlas'
20 objection is attached hereto as Exhibit A.

21 DATED: June 1, 2023

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation

22
23
24 By:



Eric N. Robinson

Jenifer N. Ryan

Attorneys for Defendant CITY OF LOS
ANGELES and
LOS ANGELES WORLD AIRPORTS

1 DATED: June 1, 2023

LEBEAU THELEN LLP

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6 DATED: June 1, 2023

LAGERLOF, LLP

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10 DATED: June 1, 2023

ELLISON, SCHNEIDER, HARRIS & DONLAN LLP

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17 DATED: June 1, 2023

PRICE, POSTEL & PARMA LLP

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By: 

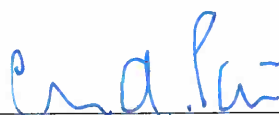
Robert G. Kuhs
Attorneys for GRIMMWAY ENTERPRISES

By: 

Thomas S. Bunn
Attorneys for PALMDALE WATER DISTRICT

By: 

Christopher M. Sanders
Attorneys for COUNTY SANITATION
DISTRICTS OF LOS ANGELES COUNTY NOS.
14 AND 20

By: 

Craig Parton
Attorneys for ANTELOPE VALLEY
WATERMASTER

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PROOF OF SERVICE

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 June 1, 2023, I served true copies of the following document(s) described as **SETTLING PARTIES AND WATERMASTER'S OBJECTIONS TO ZAMRZLAS' REPLY BRIEFS** on the interested parties in this action as follows:

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address sramirez@kmtg.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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

Executed on June 1, 2023, at Sacramento, California.



Sherry Ramirez

EXHIBIT A

From: [Nick Shepard](#)
To: [Ryan, Jenifer](#)
Cc: [Robinson, Eric](#); [Powell, Stanley](#); [Robert Kuhs](#); [Chris Sanders \(cms@eslawfirm.com\)](#); [Thomas S. Bunn](#); [Hoffman, Derek](#); [Sloan, William M.](#); [Wesley A. Miliband](#); [Craig A. Parton](#); [Cameron Goodman](#)
Subject: RE: Antelope Valley Groundwater Cases (JCCP No. 4408) - Settling Parties' closing brief
Date: Wednesday, May 10, 2023 3:48:37 PM
Attachments: [image001.png](#)

I'd prefer we stick to the page limits as previously agreed/ordered.

Thanks,

Nicholas R. Shepard
Partner

T (916)978-3434
F (916)978-3430


From: Ryan, Jenifer <jryan@kmtg.com>
Sent: Wednesday, May 10, 2023 9:45 AM
To: Nick Shepard <nshepard@mathenysears.com>
Cc: Robinson, Eric <erobinson@kmtg.com>; Powell, Stanley <spowell@kmtg.com>; Robert Kuhs <rkuhs@lebeauthelen.com>; Chris Sanders (cms@eslawfirm.com) <cms@eslawfirm.com>; Thomas S. Bunn <tombunn@lagerlof.com>; Hoffman, Derek <dhoffman@fennemorelaw.com>; Sloan, William M. <WMSloan@Venable.com>; Wesley A. Miliband <Wes.Miliband@aalrr.com>; Craig A. Parton <Cparton@ppplaw.com>; Cameron Goodman <cgoodman@ppplaw.com>
Subject: Antelope Valley Groundwater Cases (JCCP No. 4408) - Settling Parties' closing brief

Hi, Nick.

In lieu of filing two separate 20-page briefs, for a combined 40 pages, in response to the separate briefs from Johnny and Pamella Zamrzla and Johnny Lee and Jeanette Zamrzla, the Settling Parties propose to file one combined opposition brief totaling 40 pages or less. Please let us know whether you have an objection. If so, we will arrange a short call with Judge Komar to secure Court approval.

Sincerely,
Jenifer

Jenifer Ryan
Attorney


Kronick Moskovitz Tiedemann & Girard
1331 Garden Hwy, 2nd Floor

Sacramento, CA 95833

916.321.4500 | T

916.321.4555 | F

kmtg.com | [vCard](#) | [map](#) | jryan@kmtg.com

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