

1 **MICHAEL T. FIFE (State Bar No. 203025)**  
2 **STEPHANIE OSLER. HASTINGS (State Bar No.: 186716)**  
3 **BRADLEY J. HERREMA (State Bar No. 228976)**  
4 **HATCH & PARENT, A LAW CORPORATION**  
5 **21 East Carrillo Street**  
6 **Santa Barbara, California 93101**  
7 **Telephone No: (805) 963-7000**  
8 **Facsimile No: (805) 965-4333**

9 **Attorneys for:** B.J. Calandri, John Calandri, John Calandri as Trustee of the John and B.J. Calandri  
10 2001 Trust, Forrest G. Godde, Forrest G. Godde as Trustee of the Forrest G. Godde Trust, Lawrence  
11 A. Godde, Lawrence A. Godde and Godde Trust, Kootenai Properties, Inc., Gailen Kyle, Gailen  
12 Kyle as Trustee of the Kyle Trust, James W. Kyle, James W. Kyle as Trustee of the Kyle Family  
13 Trust, Julia Kyle, Wanda E. Kyle, Eugene B. Nebeker, R and M Ranch, Inc., Edgar C. Ritter Paula  
14 E. Ritter, Paula E. Ritter as Trustee of the Ritter Family Trust, Trust, Hines Family Trust , Malloy  
15 Family Partners, Consolidated Rock Products, Calmat Land Company, Marygrace H. Santoro as  
16 Trustee for the Marygrace H. Santoro Rev Trust, Marygrace H. Santoro, Helen Stathatos, Savas  
17 Stathatos, Savas Stathatos as Trustee for the Stathatos Family Trust, Dennis L. & Marjorie E.  
18 Groven Trust, Scott S. & Kay B. Harter, Habod Javadi, Eugene V., Beverly A., & Paul S. Kindig,  
19 Paul S. & Sharon R. Kindig, Jose Maritorena Living Trust, Richard H. Miner, Jeffrey L. & Nancee J.  
20 Siebert, Barry S. Munz, Terry A. Munz and Kathleen M. Munz, Beverly Tobias, Leo L. Simi, White  
21 Fence Farms Mutual Water Co. No. 3., William R. Barnes & Eldora M. Barnes Family Trust of 1989  
22 **collectively known as the Antelope Valley Ground Water Agreement Association ("AGWA")**

23 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
24 **FOR THE COUNTY OF SANTA CLARA**

25 **ANTELOPE VALLEY**  
26 **GROUNDWATER CASES**

27 Included Actions:

- 28 Los Angeles County Waterworks District No.
- 29 40 v. Diamond Farming Co. Superior Court of
- 30 California County of Los Angeles, Case No. BC
- 31 325 201 Los Angeles County Waterworks
- 32 District No. 40 v. Diamond Farming Co.
- 33 Superior Court of California, County of Kern,
- 34 Case No. S-1500-CV-254-348Wm. Bolthouse
- 35 Farms, Inc. v. City of Lancaster Diamond
- 36 Farming Co. v. City of Lancaster Diamond
- 37 Farming Co. v. Palmdale Water Dist. Superior
- 38 Court of California, County of Riverside,
- 39 consolidated actions, Case No. RIC 353 840,
- 40 RIC 344 436, RIC 344 668

Judicial Council Coordination Proceeding  
No. 4408

**Santa Clara Case No. 1-05-CV-049053**  
Assigned to The Honorable Jack Komar

**OBJECTION TO PLAINTIFF WILLIS'**  
**CASE MANAGEMENT STATEMENT**

Hearing Date: November 5, 2007  
Time: 10:00 A.M  
Department: 1

1 The Antelope Valley Groundwater Agreement Association ("AGWA") objects to the Case  
2 Management Statement and Proposed Class Notice filed by Rebecca Willis on November 2, 2007.  
3 The Proposed Class Notice contains no exclusion of landowner parcels of any size and is premised  
4 on the certification of a class that includes all private landowners in the Antelope Valley, regardless  
5 of the size of their property ownership or the magnitude of their water use.

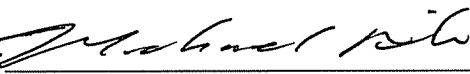
6 The use of a class structure was supposed to be an orderly way to satisfy the McCarran Act  
7 requirement for a comprehensive adjudication by bringing in small parties and dormant landowners  
8 who would normally be left out of the adjudication. Instead, it has morphed into an opportunity to  
9 conduct an adjudication with minimal landowner participation by avoiding direct service on  
10 landowners and by having virtually all landowners "represented" by counsel with questionable  
11 expertise to be responsible for protecting a fundamental property right of many thousands of  
12 landowners.

13 In light of these recent changes, AGWA believes it will be important, and in fact necessary,  
14 for the Court to conduct a hearing to receive evidence about the appropriateness of the proposed  
15 class, the suitability of the use of the class structure in a lawsuit such as this adjudication, whether  
16 the proposed class representatives truly represent the members of the class, and whether the  
17 proposed class counsel possess the expertise and resources to vigorously pursue and defend the  
18 water rights of the class members.

19 AGWA was willing to support the use of a class in this case in order to satisfy the McCarran  
20 Act jurisdictional concerns, but believes the use of a class structure has become an unacceptable  
21 mechanism the primary consequence of which is to minimize landowner participation in this case to  
22 the detriment of the public and the due process rights of thousands of people.

23  
24 Dated: November 2, 2007

HATCH & PARENT, A LAW CORPORATION

25  
26 By: 

27 MICHAEL T. FIFE  
BRADLEY J. HERREMA  
ATTORNEYS FOR AGWA

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**PROOF OF SERVICE**

**STATE OF CALIFORNIA,  
COUNTY OF SANTA BARBARA**

I am employed in the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action; my business address is: 21 E. Carrillo Street, Santa Barbara, California 93101.

On November 2, 2007, I served the foregoing document described as:

**OBJECTION TO WILLIS' CASE MANAGEMENT STATEMENT**

on the interested parties in this action.

By posting it on the website at 2:00 p.m. on November 2, 2007. This posting was reported as complete and without error.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed in Santa Barbara, California, on November 2, 2007.

HATCH AND PARENT  
21 East Carrillo Street  
Santa Barbara, CA 93101

*Rachel Roberto*

TYPE OR PRINT NAME

*Rachel Roberto*

SIGNATURE