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INDIAN WELLS VALLEY GROUNDWATER  
AUTHORITY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF ORANGE, CIVIL COMPLEX CENTER**

MOJAVE PISTACHIOS, LLC; et al.,  
  
Plaintiffs,  
  
v.  
  
INDIAN WELLS VALLEY WATER  
DISTRICT; et al.,  
  
Defendants.

Case No. 30-2021-01187275-CU-OR-CJC

(Related to Case Nos.:  
30-2021-01187589-CU-WM-CXC;  
30-2021-01188089-CU-WM-CXC;  
30-2022-01239487-CU-MC-CJC; 30-2022-  
01239479-CU-MC-CJC; 30-2022 01249146-  
CU-MC-CJC)

**NOTICE OF RULING ON  
STIPULATION TO CONTINUE  
STATUS CONFERENCE AND  
HEARING ON MOTION FOR CLASS  
CERTIFICATION AND  
APPOINTMENT OF CLASS COUNSEL**

AND CROSS-COMPLAINTS AND  
RELATED ACTIONS

Action Filed: November 19, 20  
Trial Date: None Set

Hon. William D. Claster

[Exempt from filing fees pursuant to Govt. Code § 6103]

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on October 18, 2023 the Court entered the attached order continuing the hearing on Cross-Defendant Indian Wells Valley Groundwater Authority's Motion for Class Certification and Appointment of Class Counsel, originally set for November 3, 2023, to **December 15, 2023, at 10:00 a.m.**, in Department CX101. Any opposition to and reply in support of the Class Motion shall be filed and served pursuant to California Rules of Court, Rule 3.764. The Court further ordered that the Status Conference currently set for November 3, 2023, is also continued to December 15, 2023, at 10:00 a.m., in Department CX101. The deadline to file and serve a joint status conference statement shall run from the continued Status Conference date.

Dated: October 19, 2023

RICHARDS, WATSON & GERSHON  
A Professional Corporation  
JAMES L. MARKMAN  
B. TILDEN KIM  
KYLE H. BROCHARD  
JACOB C. METZ

By: /s/ Kyle H. Brochard  
KYLE H. BROCHARD  
Attorneys for Cross-Defendant  
INDIAN WELLS VALLEY GROUNDWATER  
AUTHORITY

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Exempt From Fees Per  
Govt. Code § 6103

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Attorneys for Defendant, Cross-Complainant, & Cross-Defendant  
INDIAN WELLS VALLEY WATER DISTRICT

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF ORANGE, CIVIL COMPLEX CENTER

MOJAVE PISTACHIOS, LLC; et al.,  
  
Plaintiffs,  
  
v.  
  
INDIAN WELLS VALLEY WATER  
DISTRICT; et al.,  
  
Defendants.

Case No. 30-2021-01187275-CU-OR-CJC

Assigned For All Purposes To:  
The Honorable William Claster, Dept. CX101

**STIPULATION TO CONTINUE STATUS  
CONFERENCE AND HEARING ON  
INDIAN WELLS VALLEY  
GROUNDWATER AUTHORITY'S  
MOTION FOR CLASS  
CERTIFICATION AND APPOINTMENT  
OF CLASS COUNSEL;  
[PROPOSED] ORDER**

**Reservation No. 74094184**

**Date: November 3, 2023**

**Time: 10:00 a.m.**

**Dept.: CX101**

**Proposed New Date: December 8, 2023**

{00265262.1 }

STIPULATION TO CONTINUE STATUS CONFERENCE AND HEARING ON IWVGA'S MOTION  
FOR CLASS CERTIFICATION AND APPOINTMENT OF CLASS COUNSEL; [PROPOSED] ORDER

INDIAN WELLS VALLEY WATER  
DISTRICT,

Cross-Complainant,

v.

ALL PERSONS WHO CLAIM A RIGHT  
TO EXTRACT GROUNDWATER IN THE  
INDIAN WELLS VALLEY  
GROUNDWATER BASIN NO. 6-54  
WHETHER BASED ON  
APPROPRIATION, OVERLYING RIGHT,  
OR OTHER BASIS OF RIGHT, AND/OR  
WHO CLAIM A RIGHT TO USE OF  
STORAGE SPACE IN THE BASIN; et al.,

Cross-Defendants.

SEARLES VALLEY MINERALS INC.,

Cross-Complainant,

v.

ALL PERSONS WHO CLAIM A RIGHT  
TO EXTRACT GROUNDWATER IN THE  
INDIAN WELLS VALLEY  
GROUNDWATER BASIN NO. 6-54  
WHETHER BASED ON  
APPROPRIATION, OVERLYING RIGHT,  
OR OTHER BASIS OF RIGHT, AND/OR  
WHO CLAIM A RIGHT TO USE OF  
STORAGE SPACE IN THE BASIN; et al.,

Cross-Defendants.

AND RELATED CASES.

*[Related to: Case No. 30-2021-01187589-CU-  
WM-CXC; Case No. 30-2021-01188089-CU-  
WM-CXC; Case No. 30-2022-01239479-CU-  
MC-CJC; Case No. 30-2022-01239487-CU-  
MC-CJC; Case No. 30-2022-01249146-CU-  
MC-CJC]*

Complaint Filed: November 19, 2019  
Trial Date: None Set

1 Plaintiffs and Cross-Defendants Mojave Pistachios, LLC, John Thomas Conaway, John  
2 Thomas Conaway Trust, John Thomas Conaway Living Trust u/d/t August 7, 2008, Nugent  
3 Family Trust, and Sierra Shadows Ranch LP (collectively, “Plaintiffs”); Defendant,  
4 Cross-Complainant, and Cross-Defendant Indian Wells Valley Water District (the “District”);  
5 Defendant, Cross-Defendant, and Cross-Complainant Searles Valley Minerals Inc. (“Searles”);  
6 Defendants and Cross-Defendants Meadowbrook Dairy Real Estate, LLC, Big Horn Fields,  
7 LLC, Brown Road Fields, LLC, Highway 395 Fields, LLC, and the Meadowbrook Mutual Water  
8 Company (collectively, “Meadowbrook”); and Cross-Defendant Indian Wells Valley  
9 Groundwater Authority (“Authority”); (together, Plaintiffs, the District, Searles, Meadowbrook,  
10 and the Authority are referred to as the “Parties”), through their respective counsel of record,  
11 enter into this Stipulation and request the [Proposed] Order with reference to the following facts  
12 and circumstances:

13 **RECITALS**

14 A. On June 16, 2021, the District initiated a comprehensive groundwater  
15 adjudication of the Indian Wells Valley Groundwater Basin No. 6-54 when it filed a  
16 Cross-Complaint for Comprehensive Adjudication pursuant to the California Streamlined  
17 Groundwater Adjudication Statutes (Code Civ. Proc., §§ 830-852).

18 B. At the September 1, 2023 Status Conference, the Court reserved (Reservation  
19 No. 74094184) November 3, 2023 at 10:00 a.m. for the hearing on Authority’s Motion for Class  
20 Certification and Appointment of Class Counsel (“Class Motion”).

21 C. The Authority filed and served its Class Motion on October 12, 2023.

22 D. Plaintiffs, the District, Searles, and Meadowbrook objected to the Authority’s  
23 filing and service of the Class Motion as untimely under California Rules of Court, Rule 3.764.

24 E. After meeting and conferring, the Parties have agreed to request that the Court  
25 continue the hearing on the Authority’s Class Motion, as well as the Status Conference, to  
26 December 8, 2023.

27 F. The Parties have also agreed to a briefing schedule pursuant to California Rules of  
28 Court, Rule 3.764 for any opposition to and reply in support of the Class Motion.

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1. The hearing on the Authority's Class Motion currently set for November 3, 2023, at 10:00 a.m., shall be continued to **December 8, 2023**.
2. The Status Conference currently set for November 3, 2023, at 10:00 a.m., shall be continued to **December 8, 2023**.
3. Any opposition to and reply in support of the Class Motion shall be filed and served pursuant to California Rules of Court, Rule 3.764.
4. The deadline for any joint status conference statement shall run from the continued Status Conference date.

DATED: October 16, 2023

By: /s/ Elisabeth L. Esposito

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Scott S. Slater  
Robert J. Saperstein  
Amy M. Steinfeld  
Elisabeth L. Esposito  
Attorneys for Plaintiffs & Cross-Defendants  
MOJAVE PISTACHIOS, LLC;  
JOHN THOMAS CONAWAY;  
JOHN THOMAS CONAWAY TRUST;  
JOHN THOMAS CONAWAY LIVING TRUST u/d/t  
August 7, 2008;  
NUGENT FAMILY TRUST;  
SIERRA SHADOWS RANCH LP

*(Signatures continue on the following page)*

1 DATED: October 16, 2023

MURPHY & EVERTZ LLP

2  
3 /s/ Emily L. Madueno

4 By: \_\_\_\_\_

5 Douglas J. Evertz

6 Emily L. Madueno

7 Attorneys for Defendant, Cross-Complainant, &  
Cross-Defendant

8 INDIAN WELLS VALLEY WATER DISTRICT

9 DATED: October 16, 2023

BEST BEST & KRIEGER LLP

10  
11 /s/ Jeffrey V. Dunn

12 By: \_\_\_\_\_

13 Eric L. Garner

14 Jeffrey V. Dunn

15 Wendy Wang

16 Alison K. Toivola

17 Attorneys for Defendant, Cross-Defendant, &  
Cross-Complainant

18 SEARLES VALLEY MINERALS INC.

19 DATED: October 16, 2023

FENNEMORE LLP

20  
21 /s/ Derek R. Hoffman

22 By: \_\_\_\_\_

23 Derek R. Hoffman

24 Darien Key

25 Attorneys for Defendants & Cross-Defendants

26 MEADOWBROOK DAIRY REAL ESTATE, LLC;

27 BIG HORN FIELDS, LLC;

BROWN ROAD FIELDS, LLC;

HIGHWAY 395 FIELDS, LLC;

THE MEADOWBROOK MUTUAL WATER  
COMPANY

28 *(Signatures continue on the following page)*

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DATED: October 16, 2023

RICHARDS, WATSON & GERSHON

/s/ Kyle Brochard

By: \_\_\_\_\_

James L. Markman

B. Tilden Kim

Kyle Brochard

Darrelle M. Field

Jacob Metz

Attorneys for Cross-Defendant

INDIAN WELLS VALLEY GROUNDWATER  
AUTHORITY

*([Proposed] Order on the following page)*



1 **ORDER**

2 For good cause shown, and upon stipulation of the parties, through their respective  
3 above-signed attorneys of record, **IT IS HEREBY ORDERED** as follows:

4 1. The hearing on Cross-Defendant Indian Wells Valley Groundwater Authority's  
5 Motion for Class Certification and Appointment of Class Counsel ("Class Motion") that is  
6 currently set for November 3, 2023, at 10:00 a.m., shall be continued to December 15, 2023, at  
7 10:00 a.m., in Department CX101.

8 2. The Status Conference that is currently set for November 3, 2023, at 10:00 a.m.,  
9 shall be continued to December 15, 2023, at 10:00 a.m., in Department CX101.

10 3. Any opposition to and reply in support of the Class Motion shall be filed and  
11 served pursuant to California Rules of Court, Rule 3.764.

12 4. The deadline to file and serve a joint status conference statement shall run from  
13 the continued Status Conference date.

14 5. Cross-Defendant Indian Wells Valley Groundwater Authority to give notice of  
15 this Order.

16 **IT IS SO ORDERED.**

17  
18 Dated: 10/18/2023



19 The Honorable William Cluster

20 JUDGE OF THE SUPERIOR COURT  
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