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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

*[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]*

Assigned For All Purposes To:
The Honorable William Claster, Dept. CX104

**NOTICE OF RULING FROM THE
9/1/23 STATUS CONFERENCE**

Next Status Conference:
Date: November 3, 2023
Time: 10:00 a.m.
Dept.: CX104

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.

**Hearing on IWVGA's Motion to Appoint
Class Counsel:**

Date: November 3, 2023

Time: 10:00 a.m.

Dept.: CX104

Complaint Filed: November 19, 2019

Trial Date: None Set

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on September 1, 2023 at 2:30 p.m., the Court held a
3 Status Conference in the above-captioned action and related actions. A true and correct copy of
4 the Court's September 1, 2023 Minute Order is attached as Exhibit "A" and incorporated by this
5 reference.

6 The Court made the following rulings:

7 1. Hearing on Motion to Appoint Class Counsel: The Court set a hearing on
8 Cross-Defendant Indian Wells Valley Groundwater Authority's anticipated motion for order to
9 appoint class counsel for **November 3, 2023 at 10:00 a.m. in Department CX104** of the
10 Orange County Superior Court, Civil Complex Center, located at 751 West Santa Ana
11 Boulevard, Santa Ana, California 92701, with briefing to be filed under Case No. 30-2021-
12 01187275-CU-OR-CJC pursuant to the Code of Civil Procedure.

13 2. Next Status Conference: The Court set a Status Conference for
14 **November 3, 2023 at 10:00 a.m. in Department CX104** of the Orange County Superior Court,
15 Civil Complex Center, located at 751 West Santa Ana Boulevard, Santa Ana, California 92701.
16 The November 3, 2023 Status Conference is scheduled in each of the following related cases:
17 Case No. 30-2021-01187275-CU-OR-CJC; Case No. 30-2021-01187589-CU-WM-CXC,
18 consolidated with Case No. 30-2021-01188089-CU-WM-CXC; Case No. 30-2022-01239479-
19 CU-MC-CJC; Case No. 30-2022-01239487-CU-MC-CJC; and Case No. 30-2022-01249146-CU-
20 MC-CJC.

21 3. Joint Status Conference Statement: The Court ordered the parties to submit one
22 Joint Status Conference Statement, which shall be filed under Case No. 30-2021-01187275-CU-
23 OR-CJC no later than October 27, 2023.

4. Notice: The Court ordered Defendant, Cross-Complainant, and Cross-Defendant Indian Wells Valley Water District to give notice.

DATED: September 7, 2023 MURPHY & EVERTZ LLP

By: /s/ Emily L. Madueno

Douglas J. Evertz

Emily L. Madueno

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

INDIAN WELLS VALLEY WATER DISTRICT

EXHIBIT A

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

MINUTE ORDER

DATE: 09/01/2023

TIME: 02:30:00 PM

DEPT: CX104

JUDICIAL OFFICER PRESIDING: William Claster

CLERK: G. Hernandez

REPORTER/ERM: Karen Phillips CSR# 4425

BAILIFF/COURT ATTENDANT: B. Allen, None

CASE NO: **30-2021-01187275-CU-OR-CJC** CASE INIT.DATE: 02/16/2021

CASE TITLE: **Mojave Pistachios, LLC vs. Indian Wells Valley Water District**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other Real Property

EVENT ID/DOCUMENT ID: 74029222

EVENT TYPE: Status Conference

APPEARANCES

Hearing held, participants appearing remotely and in person.

Appearances noted by way of copy of business cards, and/or CourtCall Appearance Calendar, attached hereto and incorporated herein by reference.

Counsel for Defendants/Respondents Indian Wells Valley Groundwater Authority states that a motion for appointment of class counsel will be filed. The Court reserves 11/03/2023 at 10:00 AM for the hearing. The clerk provides a reservation number to counsel for the filing of the motion in open court.

A Status Conference is scheduled for 11/03/2023 at 10:00 AM in Department CX101.

Event: 09:00 AM - Motion for Preliminary Injunction

Participant	Role	Attorney for	Law Firm/Company Name	Specially Appearing
Jonathan Shardlow	Real Party in Interest	1902 Ocean Way, LLC	Allen Matkins	No
Philip D Kohn	Attorney	City of Laguna Beach and Laguna Beach City Council	Rutan & Tucker, LLP	No
Susan Brandthawley	Attorney	Laguna Beach Historic Preservation Coalition	Brandt-Hawley Law Group	No

Calendar #10 Case Number: 30-2022-01281583-CU-BT-CXC Case Title: Aerotek Affiliated Services, Inc. vs. Golledge

Event: 01:30 PM - Status Conference

Participant	Role	Attorney for	Law Firm/Company Name	Specially Appearing
Adam E Wagmeister	Attorney	Defendants	Morgan, Lewis & Bockius LLP	No

Calendar #12 Case Number: 30-2022-01239479-CU-MC-CJC Case Title: Indian Wells Valley Groundwater Authority vs. Mojave Pistachios, LLC,

Event: 02:30 PM - Status Conference

Participant	Role	Attorney for	Law Firm/Company Name	Specially Appearing
Elaine Mead	Interested Party			No
Keith Lemieux	Attorney	City of Ridgecrest	Aleshire & Wynder	No
Phillip Hall	Attorney	Indian Wells Valley Groundwater Authority	Kern County Counsel	No
Elisabeth Esposito	Attorney	Mojave Pistachios, LLC	Brownstein Hyatt Farber Schreck, LLP	No
Ivo Keller	Attorney	California Water Service Company	SSL Law Firm LLP	No
Briar Keeler	Attorney	Granite Construction Company	LeBeau - Thelen, LLP	No
Jeffrey V Dunn	Defendant	Searles Valley Minerals Inc	Best Best & Krieger LLP	No
Judith Coleman	Attorney	United States of America	Department of Justice	No
Lee Leiningner	Attorney	United States	U.S. Department of Justice	No
James Worth	Attorney	Indian Wells Valley Water District	McMurtrey, Hartsock, Worth & St.Lawrence	No

Calendar #13 Case Number: 30-2022-01249146-CU-MC-CJC Case Title: Mojave Pistachios, LLC vs. Indian Wells Valley Groundwater Authority

Event: 02:30 PM - Status Conference

Participant	Role	Attorney for	Law Firm/Company Name	Specially Appearing
James L Markman	Attorney	Indian Wells Valley Groundwater Authority	Richards, Watson & Gershon	No
Phillip Hall	Attorney	Indian Wells Valley Groundwater Authority	Kern County Counsel	No
Briar Keeler	Attorney	Granite Construction Company	LeBeau - Thelen, LLP	No
Gary Arnold	Attorney	Little Lake Ranch	Arnold LaRoche Mathews	No
Jeffrey V Dunn	Attorney	Searles Valley Minerals Inc.	Best Best & Krieger LLP	No
Noah Golden	Attorney	California Department of Fish and Wildlife	California Attorney General's Office	No
Judith Coleman	Attorney	United States of America	Department of Justice	No

Calendar #14 Case Number: 30-2021-01187275-CU-OR-CJC Case Title: Mojave Pistachios, LLC vs. Indian Wells Valley Water District

Event: 02:30 PM - Status Conference

Participant	Role	Attorney for	Law Firm/Company Name	Specially Appearing
ANN SIMSHAUSER	Cross-Defendant	In pro per		No
Emily L. Madueno	Attorney	Indian Wells Valley Water District	Murphy & Evertz LLP	No
Alexandra Abbey	Cross-Defendant		Dep't of the Navy	No
Nick Karno	Cross-Defendant	The City of Los Angeles, acting by and through its Department of Water and Power ("LADWP")	Los Angeles City Attorney's Office	No
Phillip Hall	Attorney	County of Kern; Indian Wells Valley Groundwater Authority	Kern County Counsel	No
Elisabeth Esposito	Attorney	Mojave Pistachios, LLC et al.	Brownstein Hyatt Farber Schreck, LLP	No
Ron Kicinski	Other			No
Briar Keeler	Attorney	Granite Construction Company	LeBeau - Thelen, LLP	No
Derek Hoffman	Attorney	Defendants and Cross-Defendants Meadowbrook Dairy Real Estate, LLC; Big Horn Fields, LLC; Brown Road Fields, LLC; Highway 395 Fields, LLC; and the Meadowbrook Mutual Water Company (collectively, "Meadowbrook")	Fennemore LLP	No
Stan Rajtora	Cross-Complainant			No

Andrea Morales	Other		BHFS	No
Jeffrey V Dunn	Attorney	Searles Valley Minerals Inc.	Best Best & Krieger LLP	No
Brett Stroud	Attorney	BT-OH, LLC	Young Wooldridge, LLP	No
Pat and Don Quist	Cross- Defendant			No
Scott Slater	Cross- Defendant	Brownstein for Mojave Pistachio	Brownstein	No

Calendar #15 Case Number: 30-2021-01187589-CU-WM-CXC Case Title: Mojave Pistachios, LLC vs. Indian Wells Valley Groundwater Authority

Event: 02:30 PM - Status Conference

Participant	Role	Attorney for	Law Firm/Company Name	Specially Appearing
Elisabeth Esposito	Attorney	Mojave Pistachios, LLC	Brownstein Hyatt Farber Schreck, LLP	No
Briar Keeler	Attorney	Granite Construction Company	LeBeau - Thelen, LLP	No

Calendar #16 Case Number: 30-2022-01239487-CU-MC-CJC Case Title: Indian Wells Valley Groundwater Authority vs. Searles Valley Minerals Inc.

Event: 02:30 PM - Status Conference

Participant	Role	Attorney for	Law Firm/Company Name	Specially Appearing
Phillip Hall	Attorney	Indian Wells Valley Groundwater Authority	Kern County Counsel	No
Briar Keeler	Attorney	Granite Construction Company	LeBeau - Thelen, LLP	No
Jeffrey V Dunn	Attorney	Searles Valley Minerals Inc	Best Best & Krieger LLP	No

IN PERSON APPEARANCES:

DOUGLAS J. EVERTZ for Respondent, Interested Party
KYLE H. BROCHARD for Defendant/Respondents