

1 James A. Worth, State Bar No. 147207
2 McMURTREY, HARTSOCK, WORTH & ST LAWRENCE
3 2001 22nd Street, Suite 100
4 Bakersfield, California 93301
5 Telephone No.: 661.322.4417
6 Fax No.: 661.322.8123
7 Email: jim@mhwslegal.com

Exempt From Fees Per
Govt. Code § 6103

6 John C. Murphy, State Bar No. 94192
7 Douglas J. Evertz, State Bar No. 123066
8 Emily L. Madueno, State Bar No. 251721
9 MURPHY & EVERTZ LLP
10 650 Town Center Drive, Suite 550
11 Costa Mesa, California 92626
12 Telephone No.: 714.277.1700
13 Fax No.: 714.277.1777
14 Email: jmurphy@murphyevertz.com
15 devertz@murphyevertz.com
16 emadueno@murphyevertz.com

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

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

18 MOJAVE PISTACHIOS, LLC; et al.,

19 Plaintiffs,

20 v.

21 INDIAN WELLS VALLEY WATER
22 DISTRICT; et al.,

23 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
5/20/22 STATUS CONFERENCE**

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

1 INDIAN WELLS VALLEY WATER
2 DISTRICT,

3 Cross-Complainant,

4 v.

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

14 Cross-Defendants.

15 SEARLES VALLEY MINERALS INC.,

16 Cross-Complainant,

17 v.

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

27 Cross-Defendants.

28 AND RELATED CASES.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on May 20, 2022 at 1:30 PM, the Court held a Case Management Conference in the above-captioned action and made the following rulings:

1. Judicial Council Assignment: The Court ordered Defendant, Cross-Complainant, and Cross-Defendant Indian Wells Valley Water District (“District”) to take the lead in submitting a request to the Chairperson of the Judicial Council for assignment of a judge to preside in all proceedings in the comprehensive adjudication pursuant to Code of Civil Procedure section 838(a).

2. Discovery & Initial Disclosures: The Court ordered that discovery and exchange of initial disclosures shall remain stayed until further order of the Court, subject to the parties submitting a stipulation to lift any portion of the stay or a motion to that effect.

3. Initial Appearance Fee Waiver: The Court granted the District’s request to extend waiver of the initial appearance fee (filing fee) until July 31, 2022.

4. Next Status Conference: The Court set a Status Conference for December 2, 2022 at 1:30 PM in Department CX104 of the Orange County Superior Court, Civil Complex Center, located at 751 West Santa Ana Boulevard, Santa Ana, California 92701. The December 2, 2022 Status Conference is scheduled in each of the following related cases: Case No. 30-2021-01187275-CU-OR-CJC; Case No. 30-2021-01187589-CU-WM-CXC, consolidated with Case No. 30-2021-01188089-CU-WM-CXC; Case No. 30-2022-01239479-CU-MC-CJC; Case No. 30-2022-01239487-CU-MC-CJC; and Case No. 30-2022-01249146-CU-MC-CJC.

5. Notice: The Court ordered the District to give notice.

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A true and correct copy of the Court’s May 20, 2022 Minute Order is attached as Exhibit “A” and incorporated by this reference.

DATED: May 26, 2022 MURPHY & EVERTZ LLP

By: /s/ Douglas J. Evertz
John C. Murphy
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: 05/20/2022 TIME: 01:30:00 PM DEPT: CX104

JUDICIAL OFFICER PRESIDING: William Claster

CLERK: G. Hernandez

REPORTER/ERM: (ACRPT) LaWanna V. Walters Corson CSR# 7135

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: 73740139

EVENT TYPE: Case Management Conference

APPEARANCES

Related Case Listed Below

Hearing held with participants appearing remotely and in person.

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

The Court makes the following disclosure: The Court's legal research attorney's spouse is acquainted with Doug Herrema from Bureau of Land Management. This fact will not cause the Court to be biased or prejudiced in any way. The Court inquires of counsel as to whether there are any objections or concerns. No objections or concerns are set forth by counsel.

Discovery and exchange of initial disclosures remain stayed until further order of the Court, subject to the parties submitting a stipulation to lift any portion of the stay or a motion to that effect.

The request to extend the initial appearance fee waiver until 07/31/2022 is granted.

A Status Conference is scheduled for 12/02/2022 at 01:30 PM in Department CX104 in each of the below related cases.

Court orders attorney Douglas J. Evertz to give notice.

List of Related Cases:

- 30-2021-01187589 - Mojave Pistachios, LLC vs. Indian Wells Valley Groundwater Authority
- 30-2021-01187275 - Mojave Pistachios, LLC vs. Indian Wells Valley Water District
- 30-2022-01249146 - Mojave Pistachios, LLC vs. Indian Wells Valley Groundwater Authority
- 30-2022-01239487 - Indian Wells Valley Groundwater Authority vs. Searles Valley Minerals, LLC
- 30-2022-01239479 - Indian Wells Valley Groundwater Authority vs. Mojave Pistachios, LLC

DATE: 05/20/2022

DEPT: CX104

MINUTE ORDER

Page 1
Calendar No.

*MAGNUS
P. PASCALIO / WJG JT*
Brownstein

Robert J. Saperstein
Attorney at Law

D. 805.882.1417 C. 805.886.1461 M. 805.963.7000
rsaperstein@bhfs.com

1021 Anacapa Street, 2nd Floor
Santa Barbara, California 93101
www.bhfs.com

*Indian Wells Valley
Water District*

MURPHY & EVERTZ
Attorneys at Law

Emily L. Madueno

Partner
714.277.1707 direct dial
714.277.1777 fax
emadueno@murphyevertz.com

650 Town Center Drive
Suite 550
Costa Mesa, CA 92626
714.277.1700
www.murphyevertz.com

*Indian Wells Valley Water
District*
MURPHY & EVERTZ
Attorneys at Law

Douglas J. Evertz

Partner
714.277.1702 direct dial
714.277.1777 fax
devertz@murphyevertz.com

650 Town Center Drive
Suite 550
Costa Mesa, CA 92626
714.277.1700
www.murphyevertz.com

Case Number: 30-2019-01042373-CU-OE-CXC Case Title: Freem vs. Federal Express Corporation

Event: 10:30 AM - Status Conference

Participant	Role	Attorney for	Law Firm/Company Name	Specially Appearing
Cheri Violette-Makino, CSR	Court Reporter			No
J. Jason Hill	Attorney	Plaintiff	Cohelan Khoury Singer	No
Craig E. Lindberg	Attorney	Defendant Federal Express Corporation	Federal Express Corporation	No
Klaster	Court Reporter	plaintiff		No

Case Number: 30-2019-01092692-CU-OE-CXC Case Title: Rodriguez vs. Dynamic Auto Images, Inc.

Event: 09:00 AM - Status Conference

Participant	Role	Attorney for	Law Firm/Company Name	Specially Appearing
Mikael Stahle	Attorney	Plaintiffs	Matern Law Group, PC	No

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

Event: 01:30 PM - Case Management Conference

Participant	Role	Attorney for	Law Firm/Company Name	Specially Appearing
Joshua Parr	Attorney	Cross-Defendant California Water Service Company	SSL Law Firm LLP	No
Kyle Brochard	Cross-Defendant	Indian Wells Valley Groundwater Authority	Richards Watson & Gershon	No
Kyle Brochard	Attorney	Indian Wells Valley Groundwater Authority	Richards Watson & Gershon	No
Elisabeth Esposito	Attorney	Plaintiffs and Cross-Defendants Mojave Pistachios, LLC, et al.	Brownstein Hyatt Farber Schreck, LLP	No
LaWanna Walters Corson, CSR 7135	Court Reporter			No
Derek Hoffman	Attorney	Meadowbrook Dairy Real Estate, LLC; Big Horn Fields, LLC; Brown Road Fields, LLC; Highway 395 Fields, LLC; The Meadowbrook Mutual Water Company	Fennemore LLP	No
James A. Worth	Attorney	Indian Wells Valley Water District	McMurtrey, Hartsock, Worth & St. Lawrence	No

Lee Leininger	Cross-Defendant	United States	U.S. Department of Justice	No
Joshua Parr	Attorney	Cross-Defendant California Water Service Company	SSL Law Firm LLP	No
Brett Stroud	Attorney	BT-OH, LLC	Young Wooldridge, LLP	No
Noah Gol	Attorney	Department of Fish and Wildlife/Parks	California Attorney General	No
Maya Mouawad	Interested Party	Searles Valley Minerals Inc.	Best Best & Krieger LLP	No
Amy Steinfeld	Attorney	Petitioners Mojave Pistachios LLC	Brownstein Hyatt	No
Jeffrey dunn	Cross-Complainant	Searles Valley Minerals Inc.	Best Best & Krieger LLP	No
Brett Stroud	Attorney	BT-OH, LLC	Young Wooldridge, LLP	No
Keith Lemieux	Cross-Complainant	City of Ridgecrest	Aleshire & Wynder	No
Keith Lemieux	Cross-Complainant	Ridgecrest	Aleshire & Wynder	No
Ann Simshauser	Cross-Defendant			No
Galen Wang	Attorney			No
ANN SIMSHAUSER	Cross-Defendant			No
Don Quist	Cross-Defendant			No
Don Quist	Cross-Defendant			No

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

Event: 01:30 PM - Motion for Leave to File Amended Petition

Participant	Role	Attorney for	Law Firm/Company Name	Specially Appearing
Kyle Brochard	Attorney	Indian Wells Valley Groundwater Authority	Richards Watson & Gershon	No
Elisabeth Esposito	Attorney	Petitioners and Plaintiffs Mojave Pistachios, LLC, et al.	Brownstein Hyatt Farber Schreck, LLP	No
Derek Hoffman	Attorney	Meadowbrook Dairy Real Estate, LLC; Big Horn Fields, LLC; Brown Road Fields, LLC; Highway 395 Fields, LLC; The Meadowbrook Mutual Water Company -- parties in related case ending in 275	Fennemore LLP	No
Maya Mouawad	Interested Party	Searles Valley Minerals Inc.	Best Best & Krieger LLP	No

Amy Steinfeld	Attorney	Petitioners Mojave Pistachios	Brownstein Hyatt	Yes
Brett Stroud	Attorney	BT-OH, LLC	Young Wooldridge, LLP	No
Jeffrey Dunn	Cross-Complainant	Searles Valley Minerals Inc.	Best Best & Krieger LLP	No
David Edwards	Attorney	City of Los Angeles	Los Angeles City Attorney's Office	No
James L. Markman	Attorney	Indian Wells Valley Groundwater Authority	Richards, Watson & Gershon	No

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

Event: 01:30 PM - Status Conference

Participant	Role	Attorney for	Law Firm/Company Name	Specially Appearing
Kyle Brochard	Attorney	Indian Wells Valley Groundwater Authority	Richards Watson & Gershon	No
Elisabeth Esposito	Attorney	Petitioners and Plaintiffs Mojave Pistachios, LLC, et al.	Brownstein Hyatt Farber Schreck, LLP	No
Maya Mouawad	Interested Party	Searles Valley Minerals Inc.	Best Best & Krieger LLP	No
Amy Steinfeld	Attorney	Petitioners Mojave Pistachios	Brownstein Hyatt	No
Jeffrey Dunn	Defendant	Searles Valley Minerals Inc.	Best Best & Krieger LLP	No
Keith Lemieux	Attorney	City of ridgrcest	Aleshire & Wynder	No
Gary Arnold	Attorney	Little Lake Ranch, Inc.	Arnold LaRochelle	No
