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VENTURA
SUPERIOR COURT
FILED
09/18/2023
BRENDA L. McCORMICK
Executive Officer and Clerk
BY: Chavez, Terri Deputy

9 Attorneys for Petitioners and Plaintiffs
10 OPV Coalition, et al.

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12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF SANTA BARBARA**

14 OPV COALITION, et al.,
15 Plaintiffs,
16 v.
17 FOX CANYON GROUNDWATER
18 MANAGEMENT AGENCY, et al.,
19 Defendants.

CASE NO. VENCI00555357
~~PROPOSED~~ ORDER FOLLOWING
CASE MANAGEMENT
CONFERENCE
Assigned for All Purposes to the Hon.
Donna D. Geck
First Am. Compl. Filed: December 12, 2022

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~~PROPOSED~~ ORDER

The Court, having reviewed the Parties' case management conference statements and heard argument from counsel at the September 1, 2023 Case Management Conference, HEREBY ORDERS:

1. The deadline for parties to appear in this action by filing the Court-approved form Answer to Adjudication Complaint (the "Form Answer") is extended to **January 31, 2024**.
2. For all physical postings of the Court-approved Notice of Commencement of Groundwater Basin Adjudication (the "Notice") as may be required by Code of Civil Procedure section 836(d)(1)(C), and for any Notice sent to entities or public agencies pursuant paragraph 3 of this Order, Plaintiffs shall include with the Notice the cover letter attached hereto as Exhibit A.
3. Pursuant to Code of Civil Procedure section 836(i), and in lieu of the physical posting contemplated by Code of Civil procedure section 836(d)(1), Plaintiffs may satisfy the notice requirements of Code of Civil Procedure section 836 by sending the Notice and Form Answer by U.S. mail to (a) the registered agents of any corporations, LLCs or other business entities that are otherwise required to receive notice under section 836 and (b) the head of any public agencies that are otherwise required to receive notice under section 836.
4. Plaintiffs shall send the letter attached hereto as Exhibit B to any party that has served a Form Answer but has failed to properly file it with this Court.
5. The parties shall meet and confer regarding Plaintiffs' proposed stipulation to join additional parties as plaintiffs.
6. The amount collected in complex case fees for this action has reached \$18,000. Accordingly, pursuant to Government Code section 70616(b) and (e), no further complex case fees will be imposed on parties making first appearances.


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7. The Public Agency Defendants and Marathon Land’s request to extend the deadline for initial disclosures is DENIED. The deadline for all parties to serve initial disclosures under Code of Civil Procedure section 842 remains **February 29, 2024.**

8. A further Case Management Conference is set in the above-titled action for **October 6, 2023, at 10:00 a.m.** immediately following the Hearing on Plaintiffs’ Motion to Compel United Water Conservation District to Further Respond to Requests for Production and Produce Documents.

IT IS SO ORDERED.

Dated: 09/18/2023



Hon. Donna D. Geck
Superior Court Judge

EXHIBIT A

OPV Groundwater Adjudication
c/o JND Legal Administration
P.O. Box 91459
Seattle, WA 98111
844-798-0745

To Whom It May Concern:

You are receiving the enclosed Notice of Commencement of Groundwater Adjudication (“Notice”) because your property is located within the Oxnard or Pleasant Valley groundwater basins. You may also be receiving the enclosed Notice of Commencement of Groundwater Adjudication (“Notice”) because records show that you have extracted groundwater from one or both basins. These basins are part of a comprehensive groundwater adjudication, *OPV Coalition, et al. v. Fox Canyon Groundwater Management Agency, et al.*, Santa Barbara County Superior Court, Case No. VENC100555357. The court is located at 1100 Anacapa St., Santa Barbara, California 93101. Failure to participate in this comprehensive groundwater adjudication could have a significant adverse effect on any right to pump or store groundwater that you may have in the basins. The lawsuit does not seek to determine rights to municipal water service between any water service provider and their retail water service customers. If you intend to protect any right you claim to produce and use groundwater from the basins, you must file the Form Answer with the Court, and court fees may apply.

Please be advised of the revised dates and deadlines:

- Date By Which Persons Receiving the Notice Must File the Form Answer in the Comprehensive Adjudication: **January 31, 2024**
- Date of Case Management Conference: **February 2, 2024**
- Date By Which Persons Who Wish to Participate Must Submit Information Regarding their Groundwater Use: **February 29, 2024.**

If you have any questions concerning the OPV Groundwater Adjudication or the enclosed Notice, please call 844-798-0745, or visit <https://opvcoalition.org/notice-faqs/>.

EXHIBIT B

September __, 2023

Re: **OPV Coalition, et al. v Fox Canyon Groundwater Management Agency, et al,**
Case No. VENCI00555357

To Whom It May Concern:

We represent the plaintiffs in the referenced action, OPV Coalition. O'Melveny & Myers LLP received a Form Answer completed by you or your agent for the referenced comprehensive groundwater adjudication of the Oxnard and Pleasant Valley groundwater basins, which we will refer to as the "Adjudication." From our review of the Court's record, however, it does not appear that you filed your Form Answer with the Santa Barbara Superior Court, which is required if you intend to protect any right you claim to produce and use groundwater from the basins. Court information is available online at <https://www.sbcourts.org/>. Additional copies of the Form Answer are available online at <https://opvcoalition.org/documents/>.

Please note that the Adjudication seeks a judgment (1) adjudicating all rights to extract and use groundwater in the basins, and (2) adopting a physical solution (in other words, a court overseen groundwater management plan) for the basins. To confirm whether your property lies within the Oxnard or Pleasant Valley groundwater basins, you can view the basin boundaries at this website: <https://gis.water.ca.gov/app/bbat/>. The Adjudication does not seek to determine rights to municipal water service between any municipal water service provider and their retail water service customers. The City of Oxnard, City of Ventura, City of Camarillo, Camrosa Water District, Port Hueneme Water Agency, and Channel Islands Beach Community Services District are already parties to the case.

If you intend to participate in the lawsuit, you must file the Form Answer with the Court.

Plaintiffs' lawyers at the O'Melveny & Myers LLP law firm cannot provide you with legal representation or advice in this matter. If you have questions about your own individual circumstances or whether you should participate in the Adjudication, you should consult an attorney.