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11 Attorneys for Cross-Defendant
CASITAS MUNICIPAL WATER DISTRICT,
12 a California special district

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 FOR THE COUNTY OF LOS ANGELES - SPRING STREET COURTHOUSE

15 SANTA BARBARA CHANNELKEEPER, a
California non-profit corporation,

16 Petitioner,

17 v.

18 STATE WATER RESOURCES CONTROL
19 BOARD, a California State Agency;
CITY OF SAN BUENA VENTURA, a
20 California municipal corporation, incorrectly
named as CITY OF BUENA VENTURA,

21 Respondents.

22 CITY OF SAN BUENA VENTURA, a
23 California municipal corporation,

24 Cross-Complainant,

25 v.

26 DUNCAN ABBOTT, et al.

27 Cross-Defendants.

Case No. 19STCP01176

Hon. William F. Highberger; Dept: 10

**FURTHER STATUS CONFERENCE
REPORT OF CROSS-DEFENDANT
CASITAS MUNICIPAL WATER DISTRICT**

Further Status Conference Hearing:

DATE: April 19, 2021
TIME: 1:30 p.m.
DEPT.: 10

Date Action Filed: September 19, 2014
Trial Date: None Set

1 **FURTHER STATUS CONFERENCE REPORT**

2 Cross-Defendant CASITAS MUNICIPAL WATER DISTRICT, a California special
3 district (“Casitas”), submits this Status Conference Report (“Report”) in advance of the Status
4 Conference scheduled for April 19, 2021.

5 **I. PHYSICAL SOLUTION ISSUES**

6 As is the case with the other parties who briefed physical solution issues, Casitas stands
7 ready to address any issues or questions the Court may have with the background law it has
8 presented on this point. Casitas agrees with those who understood such briefing has been
9 presented as a type of “hornbook” legal overview, and Casitas affirms it is not at this juncture
10 seeking advance determination of specific issues related to the specific facts of this lawsuit. .

11 Casitas’ direct discussions with the City of Ventura on physical solution issues continue.
12 The Proposing Parties have recently shared a revised draft of the stipulation for the physical
13 solution, which Casitas is studying. The work to come to some consensus on the structure and
14 specifics of a proposed physical solution continues, but at this juncture, there is no specific
15 agreement on specific issues to report.

16 **II. POTENTIAL BIFURCATION**

17 Obviously, Casitas cannot respond to a future motion, and reserves its rights to do so once
18 such a motion is framed, finished, and filed. That said, Casitas acknowledges that given the
19 number of parties involved who appear to be interested in taking an active role in the conduct of
20 the case, the geographic extent of the areas and different basins involved, and the time it is taking
21 for proposed physical solution issues to get fair airing and consideration among affected parties,
22 some priority of issue determination would appear to be of benefit to all. The suggestion of
23 placing the interconnectedness of groundwater production and surface water flows earlier in the
24 process has logical resonance, both in terms of defining the scope of issues the ultimate judgment
25 will need to encompass, and the parties to be affected by it. Ventura’s suggestion to have a final
26 hearing on this matter by November appears to Casitas to be a bit ambitious, given the level of
27 expert analysis and discovery such issues are likely to consume, and the “at issue” status of the
28 litigation as a whole. Casitas reserves more specifically directed comment on such timing issues

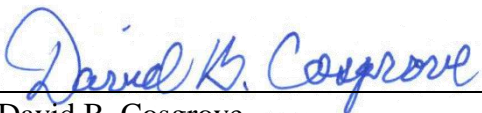
1 until the specific motion is presented

2 **III. SITE VISIT ISSUES.**

3 Casitas welcomes, and supports, the suggestion of providing the Court objective video
4 presentation of the watershed and its operative facilities, gathered through drone technology, to
5 serve as a COVID-aware method of providing a type of dynamic mapping of the interworking of
6 the systems involved. Discussions of how the footage will be edited, and presented in a neutral
7 fashion, have been the subject of the predictable wary and watchful eyes of counsel when there are
8 so many parties and issues involved, but Casitas is confident a workable compromise on this
9 proposal will emerge, and serve at least as a useful platform for the Court's understanding of the
10 basins and watershed. From that base point, the Court can seek additional information from the
11 parties as it deems necessary on further nuances, as opposed to the parties clashing over what may
12 or may not be important, from their own individual perspectives.

13
14 Dated: April 12, 2021

RUTAN & TUCKER, LLP
DOUGLAS J. DENNINGTON
DAVID B. COSGROVE

15
16 By: 

17 David B. Cosgrove
18 Attorneys for Cross-Defendant
19 CASITAS MUNICIPAL
20 WATER DISTRICT,
21 a California special district

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed by the law office of Rutan & Tucker, LLP in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 18575 Jamboree Road, 9th Floor, Irvine, CA 92612. My electronic notification address is mslobodien@rutan.com.

On April 12, 2021, I served on the interested parties in said action the within:

**STATUS CONFERENCE REPORT OF CROSS-DEFENDANT
CASITAS MUNICIPAL WATER DISTRICT**

as stated below:

By transmission via E-Service to File & ServeXpress as listed on File & ServeXpress service list.

Executed on April 12, 2021, at Irvine, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Mia R. Slobodien

(Type or print name)



(Signature)