

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):                  Shawn Hagerty, Bar No. 1824435/Sarah Christopher Foley, Bar No. 277223                  BEST BEST &amp; KRIEGER LLP                  655 West Broadway, 15<sup>th</sup> Floor                  San Diego, California 92101                  TELEPHONE NO.: (619) 525-1300 FAX NO. (Optional): (619) 233-6118                  E-MAIL ADDRESS (Optional): shawn.hagerty@bbkklaw.com                  ATTORNEY FOR (Name): City of San Buenaventura</p>	<p>FOR COURT USE ONLY</p>
<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles</b>                  STREET ADDRESS: 312 North Spring Street                  MAILING ADDRESS:                  CITY AND ZIP CODE: Los Angeles, CA 90012                  BRANCH NAME: Spring Street Courthouse</p>	
<p>PLAINTIFF/PETITIONER: Santa Barbara Channelkeeper                   DEFENDANT/RESPONDENT: State Water Resources Control Board</p>	
<p><b>EX PARTE APPLICATION FOR EXTENSION OF TIME TO SERVE PLEADING AND <input checked="" type="checkbox"/> ORDER EXTENDING TIME TO SERVE AND <input type="checkbox"/> ORDER CONTINUING CASE MANAGEMENT CONFERENCE</b></p>	<p>CASE NUMBER: 19STCP01176</p>
<p><b>Note: This ex parte application will be considered without a personal appearance. (See Cal. Rules of Court, rule 3.1207(2).)</b></p>	<p>HEARING DATE:                   DEPT.: TIME:</p>

**RECEIVED**  
**OCT 16 2020**  
**FILING WINDOW**

1. Applicant (name): City of San Buenaventura (City)

- is
- a.  plaintiff
  - b.  cross-complainant
  - c.  petitioner
  - d.  defendant
  - e.  cross-defendant
  - f.  respondent
  - g.  other (describe):

2. The complaint or other initial pleading in this action was filed on (date): January 2, 2020

3. Applicant requests that the court grant an order extending time for service of the following pleading:

- a.  Complaint
- b.  Cross-complaint
- c.  Petition
- d.  Answer or other responsive pleading
- e.  Other (describe):

4. Service and filing of the pleading listed in item 3 is presently required to be completed by (date): October 30, 2020

5. Previous applications, orders, or stipulations for an extension of time to serve and file in this action are:

- a.  None
- b.  The following (describe all, including the length of any previous extensions): The Court previously extended the time to answer from 30 days to 60 days by Order dated 11/27/19 and further extended time to answer to 09/08/20 by Order dated 02/27/20. A third extension for time to answer to 10/30/20 was granted by Order dated 8/17/20.

6. Applicant requests an extension of time to serve and file the pleading listed in item 3 on the following parties (name each):  
 City requests that all cross-defendants have until January 29, 2021 to file and serve their answers or other responsive pleading to the City's Third Amended Cross-Complaint.

CASE NAME: Santa Barbara Channelkeeper v. State Water Resources Control Board	CASE NUMBER: 19STCP01176
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7. The pleading has not yet been filed and served on the parties listed in item 6 for the following reasons *(describe the efforts that have been made to serve the pleading and why service has not been completed)*:

Many cross-defendants are not represented by counsel and have requested additional time to review the now publicly available proposed physical solution and judgment; determine whether they need to retain counsel and participate in the lawsuit; and/or file an answer or other pleading, such as a stipulation.

Continued on Attachment 7.

8. An extension of time to serve and file the pleading should be granted for the following reasons:

Settlement negotiations have continued to be productive during the extension periods. Good cause exists to further extend the time to respond to the Third Amended Cross-Complaint (1) to allow for continued meet and confer regarding the proposed physical solution and judgment; (2) for cross-defendants and those who received notice packets to evaluate the proposed physical solution and judgment and determine whether to participate in the lawsuit, to stipulate to the proposed physical solution and judgment, or be defaulted; and (3) to finalize the proposed physical solution and stipulated judgment based on continued meet and confer efforts.

Continued on Attachment 8.

9. If an extension of time is granted, filing and service on the parties listed in item 6 will be completed by *(date)*:  
 January 29, 2021

10. Notice of this application under rules 3.1200–3.1207  has been provided as required *(describe all parties or counsel to whom notice was given; the date, time, and manner of giving notice; what the parties or counsel were told and their responses; and whether opposition is expected)* or  is not required *(state reasons)*:

City provided a draft copy of this application via email to all known counsel of record and all parties who have appeared on October 13, 2020 and requested notice of any opposition. Many parties support this application. No party has stated opposition as of the filing of this application.


Continued on Attachment 10.

11. Number of pages attached: \_\_\_\_\_

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

Date: October 16, 2020

Sarah Christopher Foley  
 \_\_\_\_\_  
 (TYPE OR PRINT NAME OF APPLICANT OR ATTORNEY FOR APPLICANT)

▶   
 \_\_\_\_\_  
 (SIGNATURE OF APPLICANT OR ATTORNEY FOR APPLICANT)

Order on Application is  below  on a separate document.

**ORDER**

1. The application for an order extending time to serve and file the pleading is  granted  denied.

2. The pleading must be served and filed no later than *(date)*: January 29, 2021

3.  The case management conference is rescheduled to:

a. Date:

b. Time:

c. Place:

4. Other orders:

5. A copy of this application and order must be served on all parties or their counsel that have appeared in the case.

Date:

\_\_\_\_\_  
 JUDICIAL OFFICER