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12 Attorneys for Defendant and Cross-Complainant
13 CITY OF SAN BUENAVENTURA

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 COUNTY OF LOS ANGELES

17 SANTA BARBARA CHANNELKEEPER, a
California non-profit corporation,
18
19 Petitioner,

Case No. 19STCP01176

Judge: Hon. William F. Highberger

20 v.

JOINT TRIAL READINESS
CONFERENCE STATEMENT

21 STATE WATER RESOURCES CONTROL
BOARD, et al,
22
23 Respondents.

Date: Date
Time: Time
Dept.: 10

24 CITY OF SAN BUENAVENTURA, et al.,
25
26 Cross-Complainant,

Action Filed: Sept. 19, 2014
Trial Date: March 16, 2022

27 v.

28 DUNCAN ABBOTT, an individual, et al.,
Cross-Defendants.

tasks on the following pre-trial schedule ordered by the Court on January 26, 2022:

DATE	EVENT
February 7, 2022	Upper Ojai Basin rebuttal expert disclosures are due.
February 10, 2022	Joint Report for check-in trial readiness conference, organized by City of Ventura, is due.
February 14, 2022	Check-in trial readiness conference at 1:30 p.m., in Dept. SS10.
February 24, 2022	Expert deposition cut-off. All expert discovery must be completed by this date.
March 2, 2022	Pre-trial statements, exhibit lists, witness lists, motions in limine, and trial briefs are due.
March 8, 2022	Responses to motions in limine are due. Parties must exchange all exhibits.
March 11, 2022	Final status conference at 1:30 p.m., in Dept. SS10; hearing on motions in limine.
March 16, 2022	Phase 1 Trial begins at 8:30 a.m. in Dept. SS10 (15-day trial estimate)

III. DESIGNATED EXPERTS

The parties have designated the following experts for Phase 1 Trial:

PARTY	EXPERT
Aera Energy LLC ¹	Murray Einarson, P.G., C.E.G., C.H.G
California Department of Fish & Wildlife	Kyle Evans
Casitas Municipal Water District	James T. McCord, Ph.D., P.E. and Randall T. Hanson
City of Ojai	Jordan Kear, PG, CHG
City of San Buenaventura	Claire Archer, Ph.D., Tamara Klug, Douglas R. Littlefield, Ph.D., and Charles Hanson, Ph.D.

¹ In accordance with the Order Establishing Watershed and Basin Boundaries entered by the Court on January 13, 2022, issues raised by Aera Energy LLC regarding the connectivity of the Lower Ventura Basin with geologic formations employed for oil and gas-related operations and the “exempt aquifer” below the Lower Ventura Basin as defined by the California Department of Conservation Geologic Energy Management Division and the U.S. Environmental Protection Agency under the federal Safe Drinking Water Act are reserved for future phases of the trial, if not otherwise addressed by stipulation of the parties. Mr. Einarson’s testimony will be addressed in such a later phase if necessary.

1	East Ojai Group	Anthony Brown
2	State Water Resources Control Board	Al Preston, Ph.D., PE and Gregory Schnaar, Ph.D., PG
3	Upper Ojai Group (Garrison Parties)	Jordan Kear, PG, CHG

4
5 **IV. EXPERT DEPOSITIONS**

6 **A. Completed or Commenced Depositions**

7 The following experts have been deposed:

8 DATE	9 EXPERT
10 December 7, 2021	Douglas R. Littlefield, Ph.D. [complete]
11 December 8, 2021	Charles Hanson [complete]
12 December 15, 2021	Jordan Kear
13 December 16, 2021	Anthony Brown
14 January 12, 2022	Kyle Evans [complete]
15 February 8, 2022	Al Preston, Ph.D., PE [complete]
16 February 9, 2022	Gregory Schnaar, Ph.D., PG [complete]

17 **B. Scheduled Depositions**

18 The following expert depositions have been noticed and are scheduled on the following
19 dates:

20 DATE	21 EXPERT
22 February 11, 2022	James T. McCord, Ph.D., P.E.
23 February 15, 2022	Tamara Klug
24 February 16, 2022	Jordan Kear
25 February 18, 2022	Claire Archer, Ph.D.
26 February 22, 2022	Randall T. Hanson
27 February 24, 2022	Anthony Brown

28 **V. PRE-TRIAL AND TRIAL RELATED QUESTIONS**

1. Can the Court provide the parties with any guidance about whether there is anything in particular the Court would like the parties to cover in the final status conference statement? Local Rule 3.25 provides some direction as to the contents of this statement, but the rule's requirements are minimal.

- 1 2. Does the Court wish to hear opening statements?
- 2 3. Does the Court expect to hear testimony on Fridays?
- 3 4. Does the Court have a general estimate for planning purposes of the
- 4 average trial time per day that the parties can anticipate?
- 5 5. How does the Court wish to handle the marking of exhibits?
- 6 6. How does the Court wish to handle remote appearances by witnesses?
- 7 7. Will counsel be able to participate in the trial remotely?
- 8 8. Will clients/the public be able to observe the trial remotely?
- 9 9. It is possible that there are portions of the Watershed in which
- 10 interconnection between groundwater and surface water is not disputed. Would the court consider
- 11 entertaining stipulations as to those portions of the Watershed in which there is no dispute that
- 12 there are material interconnections within that portion, reserving for future phases, as may be
- 13 necessary, the question as to the interconnection of specific points of diversion? Proceeding by
- 14 stipulation upon a stipulated evidentiary showing in support of the proposed findings for those
- 15 portions of the Watershed would streamline the Phase 1 Trial.
- 16

17 VI. CONCLUSION

18 The parties continue to make progress in preparing for Phase 1 Trial concerning the

19 alleged interconnectedness of the Ventura River Watershed’s surface waters and groundwater

20 basins and will be prepared to discuss status and any of the Court’s questions at the trial readiness

21 conference on February 14, 2022.

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Dated: February 10, 2022

BEST BEST & KRIEGER LLP

By: 
SHAWN D. HAGERTY
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CITY OF SAN BUENA VENTURA

Dated: February 10, 2022

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Dated: February 10, 2022

OSBORNE LAW FIRM

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Dated: February 10, 2022

HERUM CRABTREE SUNTAG

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DISTRICT

1 Dated: February 10, 2022

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CALIFORNIA DEPARTMENT OF PARKS
AND WILDLIFE

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CALIFORNIA DEPARTMENT OF
PARKS AND WILDLIFE

10

11

12 Dated: February 10, 2022

STATE WATER RESOURCES CONTROL
BOARD

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19 Dated: February 10, 2022

FERGUSON CASE ORR PATTERSON LLP

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RANCHO MATILJA MUTUAL WATER
COMPANY

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