

SHAWN HAGERTY, Bar No. 182435
shawn.hagerty@bbkllaw.com
BEST BEST & KRIEGER LLP
655 West Broadway, 15th Floor
San Diego, California 92101
Telephone: (619) 525-1300
Facsimile: (619) 233-6118

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CHRISTOPHER M. PISANO, Bar No. 192831
christopher.pisano@bbkllaw.com
SARAH CHRISTOPHER FOLEY, Bar No. 277223
sarah.foley@bbkllaw.com
PATRICK D. SKAHAN, Bar No. 286140
patrick.skahan@bbkllaw.com
BEST BEST & KRIEGER LLP
300 South Grand Avenue, 25th Floor
Los Angeles, California 90071
Telephone: (213) 617-8100
Facsimile: (213) 617-7480

FILED
Superior Court of California
County of Los Angeles
01/13/2022

Sherri R. Carter, Executive Officer / Clerk of Court

By: A. Lim Deputy

Attorneys for Respondent and Cross-Complainant
CITY OF SAN BUENAVENTURA

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

SANTA BARBARA CHANNELKEEPER, a
California non-profit corporation,

Petitioner,

v.

STATE WATER RESOURCES CONTROL
BOARD, etc., et al.,

Respondents.

Case No. 19STCP01176

Judge: Honorable William F. Highberger

~~PROPOSED~~ ORDER ESTABLISHING
WATERSHED AND BASIN BOUNDARIES

Dates: December 9, 2021 and
December 13, 2021

Times: 2:30 p.m. and 4:00 p.m.
Dept: 10

CITY OF SAN BUENAVENTURA, etc.,

Cross-Complainant

v.

DUNCAN ABBOTT, an individual, et al.

Cross-Defendants.

Action Filed: Sept. 19, 2014
Trial Date: Feb. 14, 2022

~~PROPOSED~~ ORDER

PLEASE TAKE NOTICE that on December 9, 2021 at 2:30 p.m. and on December 13, 2021 at 4:00 p.m., in Department S10 of the Los Angeles County Superior Court, this Court held Order to Show Cause hearings as to why the Court should not issue an order establishing (1) the boundaries of the Ventura River Watershed (Watershed), as defined by the U.S. Geological Survey (USGS) National Hydrography Dataset and Watershed Boundary Dataset and (2) the boundaries of the Watershed's four groundwater basins, as defined by the California's Department of Water Resources (DWR) in Bulletin 118, in advance of the Phase 1 Trial.

THIS COURT ORDERS as follows:

1. Watershed Boundaries. The boundaries of the Ventura River Watershed (Watershed) are the boundaries defined by the U.S. Geological Survey (USGS) National Hydrography Dataset and Watershed Boundary Dataset as 10-digit Hydrologic Unit Code (HUC) 1807010101 – Ventura River Watershed as of the date of this order. USGS may adjust these boundaries from time to time, and the Court may amend this order in the future to adjust the Watershed boundaries based on new or additional information, as necessary. This order is without prejudice to any party arguing that the Court needs to consider the adjacent Santa Clara River Watershed before making any final determination in Phase 1 Trial.
2. Groundwater Basin Boundaries. There are four DWR-defined groundwater basins and subbasins (basin numbers 4-1, 4-2, 4-3.01, and 4-3.02) located wholly or partially within the Watershed, and their lateral boundaries are defined by DWR's Bulletin 118 as of the date of this order and as more fully set forth below. DWR may adjust these boundaries from time to time through updates to Bulletin 118 or through the process set forth in Code of Civil Procedure section 841. This order is without prejudice to any party arguing that the Court needs to consider the adjacent Santa Clara River Watershed before making any final determination in Phase 1 Trial.

- 1 a. The boundaries of basin 4-1 the Upper Ojai Valley Groundwater Basin
2 (Upper Ojai Basin) are the boundaries defined by DWR in Bulletin 118.
3 The Bulletin 118 – Update 2020 basin boundaries description, including a
4 map, for the Upper Ojai Basin is attached hereto as Exhibit 1.
- 5 b. The boundaries of basin 4-2, the Ojai Valley Groundwater Basin (Ojai
6 Basin) are the boundaries defined by DWR in Bulletin 118. The Bulletin
7 118 – Update 2020 basin boundaries description, including a map, for the
8 Ojai Basin is attached hereto as Exhibit 2.
- 9 c. The boundaries of basin 4-3.01, the Ventura River Valley – Upper
10 Ventura River Subbasin (Upper Ventura Basin) are the boundaries
11 defined by DWR in Bulletin 118. The Bulletin 118 – Update 2020 basin
12 boundaries description, including a map, for the Upper Ventura Basin is
13 attached hereto as Exhibit 3.
- 14 d. The boundaries of basin 4-3.02, the Ventura River Valley – Lower
15 Ventura River Subbasin (Lower Ventura Basin) are the boundaries
16 defined by DWR in Bulletin 118.¹ The Bulletin 118 – Update 2020 basin
17 boundaries description, including a map, for the Lower Ventura Basin is
18 attached hereto as Exhibit 4.

19
20 IT IS SO ORDERED.
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24 ¹ The Court is only making a determination as to the lateral boundaries of the groundwater basins as defined in
25 Bulletin 118 and is not making any specific determination as to the definition in Bulletin 118 regarding the depth or
26 definable bottom, if any, of the Lower Ventura Basin. The Court is expressly reserving issues raised by Cross-
27 Defendant Aera Energy LLC regarding the connectivity of the Lower Ventura Basin with geologic formations
28 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. Such questions shall be reserved for future phases of
the trial, if not otherwise addressed by stipulation of the parties.

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Dated: 01/13/2022



W. F. Highberger

William F. Highberger, Judge
JUDGE OF THE SUPERIOR COURT

EXHIBIT 1

EXHIBIT 1

4-001 UPPER OJAI VALLEY

Basin Boundaries Description

2003

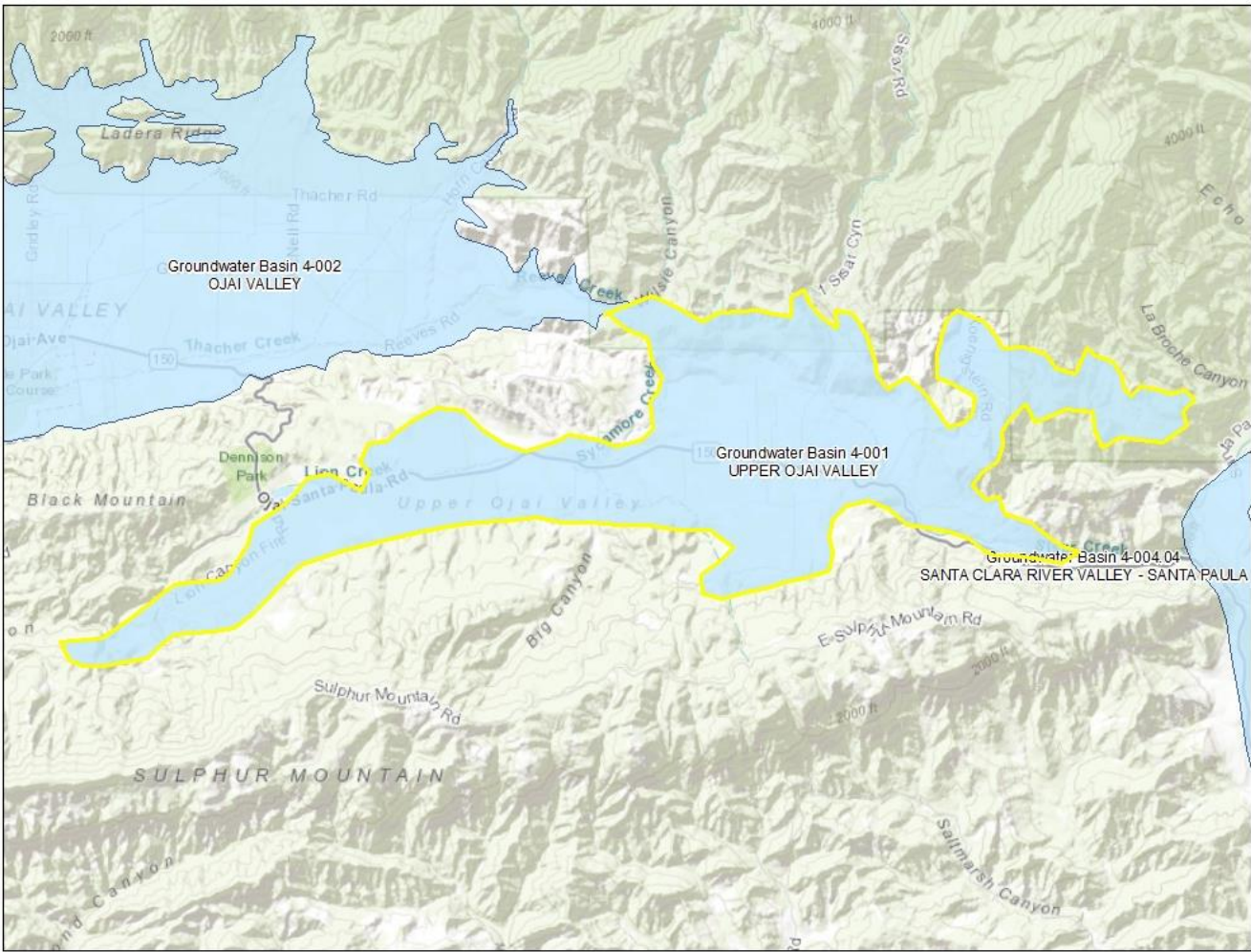
- County: Ventura
- Surface Area: 3,800 acres (5.9 square miles)

Summary

The Upper Ojai Valley Groundwater basin is bounded by the Ojai Valley Groundwater Basin on the north, the Topatopa Mountains on the east, Sulfur Mountain on the south, and near impermeable rocks of the Santa Ynez Mountains elsewhere. The valley is drained westward by Lion Canyon into San Antonio Creek and eastward by Sisar Creek to Santa Paula Creek.

Map

4-001 – OJAI VALLEY



[Map Link](#)

References

This table contains the reference listings for the citations noted in the Summary. Each reference contains the name of the reference and the publication date. For more information, email sgmps@water.ca.gov.

Citation	Pub Date

EXHIBIT 2

EXHIBIT 2

4-002 OJAI VALLEY

Basin Boundaries Description

2016

Summary

The Ojai Valley groundwater basin is located in the central-western portion of Ventura County. The basin is bound on the north by consolidated rocks of the Topatopa Mountains. The easternmost portion of the basin is separated from the adjacent Upper Ojai Valley groundwater basin by the San Cayetano fault. The basin is bound on the south by the Santa Ana fault and the consolidated rocks of Black Mountain. A surface water divide and a subsurface bedrock ridge that forms a groundwater divide separates the basin from the adjoining Upper Ventura River subbasin to the west. South of the Santa Ana fault, thin terrace deposits underlain by bedrock and lacking direct subsurface hydraulic connection with the basin are excluded from the basin. These alluvial terrace deposits have little to no significant groundwater storage capacity. The boundary is defined by 13 segments detailed in the descriptions below.

Segment Descriptions

This table describes each line segment composing the basin boundary polygon for this basin. It includes fields describing the segment label, segment type, segment description, and cited reference. For more information, email sgmps@water.ca.gov.

<u>Segment Label</u>	<u>Segment Type</u>	<u>Description</u>	<u>Ref</u>
1-2	- Alluvial	Begins from point (1) and crosses the Quaternary alluvium to point (2).	{a}
2-3	E Alluvial	Continues from point (2) and follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks to point (3).	{b}
3-4	- Alluvial	Continues from point (3) and crosses Quaternary alluvium to point (4).	{a}
4-5	E Alluvial	Continues from point (4) and follows the contact of Quaternary alluvium with Tertiary Cozy Dell Shale to point (5).	{b}
5-6	- Alluvial	Continues from point (6) and follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks to point (7).	{b}
6-7	E Alluvial	Continues from point (5) and crosses Quaternary alluvium to point (6).	{a}
7-8	- Fault	Continues from point (7) and follows the San Cayetano fault to point (8).	{c}
8-9	E Alluvial	Continues from point (8) and follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks to point (9).	{b}
9-10	- Fault	Continues from point (9) and follows the Santa Ana fault to point (10).	{a}

10-11	E Alluvial	Continues from point (10) and follows the contact of Quaternary alluvium with Sespe Formation to point (11).	{d}
11-12	I Groundwater Divide	Continues from point (11) and follows a subsurface bedrock ridge and a surface divide to point (12).	{a}
12-1	E Alluvial	Continues from point (12) and follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks and ends at point (1).	{d}
13-13	E Alluvial	Island within the basin boundary: begins from point (13) and follows the contact of the Quaternary alluvium with Coldwater Sandstone and Cozy Dell Shale and ends at point (13).	{b}

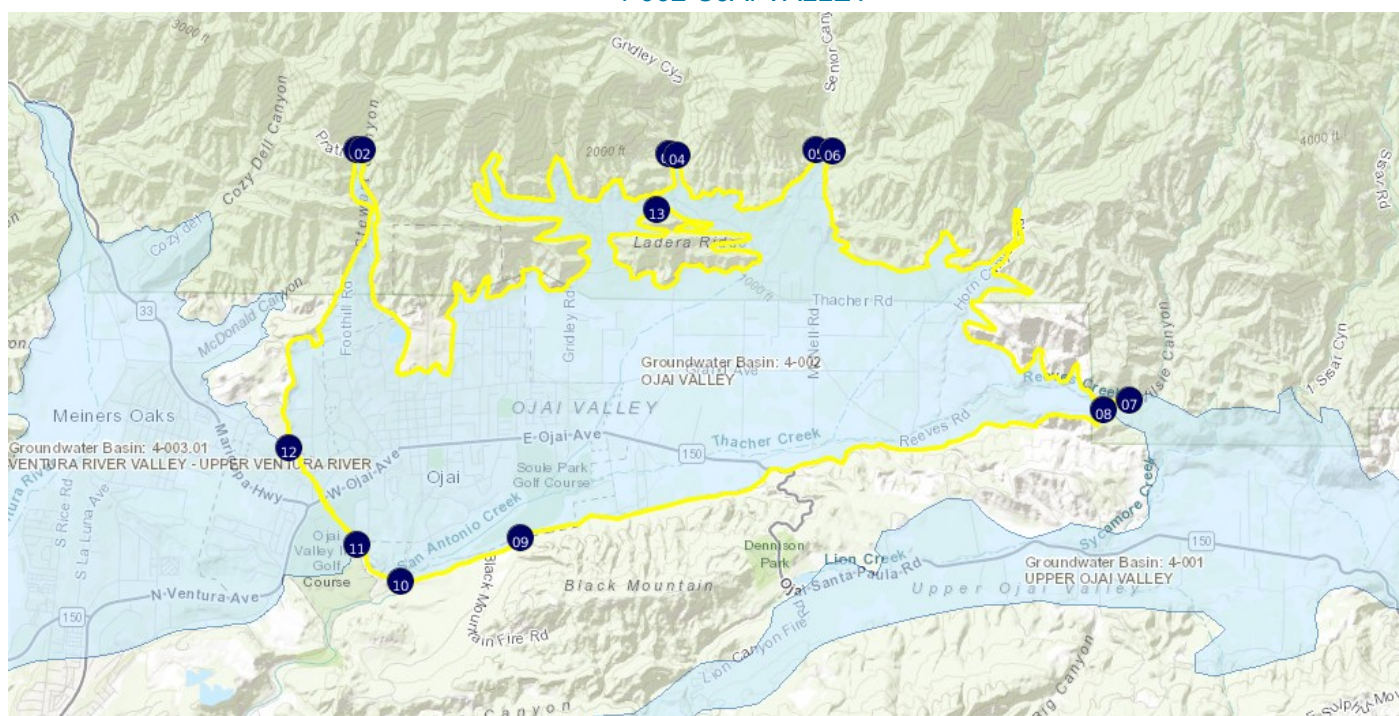
Significant Coordinates

This table contains the latitudes and longitudes of all the beginning and ending points of each segment comprising the basin boundary polygon for this basin. For more information, email sgmps@water.ca.gov.

<u>Point</u>	<u>Latitude</u>	<u>Longitude</u>	
1	34.478450793	-119.254761878	
2	34.478452261	-119.253960199	
3	34.478005123	-119.215409106	
4	34.477954846	-119.214341855	
5	34.478460727	-119.196917412	
6	34.478300258	-119.19480887	
7	34.452385212	-119.157425748	
8	34.451419976	-119.160576289	
9	34.438199307	-119.234069884	
10	34.433549061	-119.249251927	
11	34.437432018	-119.254670854	
12	34.44740611	-119.263274675	
13	34.472303032	-119.216908514	

Map

4-002 OJAI VALLEY



[Map Link](#)

References

This table contains the reference listings for the citations noted in the segment description table. Each reference contains the name of the reference, in addition to the publication date. For more information, email sgmps@water.ca.gov.

Ref	Citation	Pub Date	Global ID
{a}	BBMRS	varies	45
{b}	California Department of Conservation, California Geologic Society (CGS), Geologic Map of the Ojai 7.5' Quadrangle, Ventura County, California: A Digital Database, Version 1.0, 1:24,000, S.S. Tan, P.J. Irvine, C.I. Gutierrez. ftp://ftp.consrv.ca.gov/pub/dmg/rgmp/Prelim_geo_pdf/Ojai_prelim.pdf	2005	78
{c}	California Geological Survey (CGS), Geologic Atlas of California Map No. 008, Los Angeles Sheet, , 1:250,000, Charles W. Jennings and Rudolph G. Strand. URL: http://www.quake.ca.gov/gmaps/GAM/losangeles/losangeles.html	1969	33
{d}	California Geological Survey (CGS), Geologic Map of the Matilija Quadrangle, 1:24,000, S.S. Tan and T.A. Jones. URL: http://www.conservation.ca.gov/cgs/rghm/rgm/Pages/preliminary_geologic_maps.aspx	2006	51

Footnotes

- I: Internal
- E: External

EXHIBIT 3

EXHIBIT 3

4-003.01 VENTURA RIVER VALLEY – UPPER VENTURA RIVER

Basin Boundaries Description

2016

Summary

The Upper Ventura River groundwater subbasin is located in central-western Ventura County. The subbasin is bound on the north by impermeable rocks of the Santa Ynez Mountains. A subsurface bedrock ridge and groundwater divide separates the subbasin from the adjacent Ojai Valley groundwater basin to the east. The subbasin is bound on the southeast and the west by consolidated Tertiary sediments. The subbasin extends south in the Ventura River Valley to where it meets the Lower Ventura River subbasin at a narrow portion of the valley and at the approximate location of the Red Mountain fault. The subbasin boundary is defined by eleven (11) segments detailed in the descriptions below.

Segment Descriptions

This table describes each line segment composing the basin boundary polygon for this basin. It includes fields describing the segment label, segment type, segment description, and cited reference. For more information, email sgmps@water.ca.gov.

<u>Segment Label</u>	<u>Segment Type</u>	<u>Description</u>	<u>Ref</u>
1-2	E Alluvial	Begins at point (1) and generally follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks to point (2).	{a}
2-3	I Groundwater Divide	Continues from point (2) and follows a subsurface bedrock ridge, a groundwater divide, and a surface divide to point (3).	{b}
3-4	E Alluvial	Continues from point (3) and follows the contact of Quaternary alluvium with Sespe Formation to point (4).	{a}
4-5	- Fault	Continues from point (4) and follows an unnamed fault to point (5).	{c}
5-6	E Alluvial	Continues from point (5) and follows the contact of active alluvium and colluvium with lower permeability older alluvium to point (6).	{b}
6-7	- Fault	Continues from point (6) and follows the Santa Ana Fault to point (7).	{a}
7-8	E Alluvial	Continues from point (7) and follows the contact of active alluvium with older alluvium and various Tertiary sedimentary rocks to point (8).	{d}
8-9	I Alluvial	Continues from point (8) and crosses the alluvium of the Ventura River valley at the Casitas Vista bridge to point (9).	{b}

9-10	E Alluvial	Continues from point (9) and generally follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks to point (10).	{d}
10-11	E Alluvial	Continues from point (10) and crosses the older alluvium, excluding an area of thin alluvium and Sespe Formation in the west and including areas of thick alluvium in the east, to point (11).	{b}
11-1	E Alluvial	Continues from point (11) and generally follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks and ends at point (1).	{d}

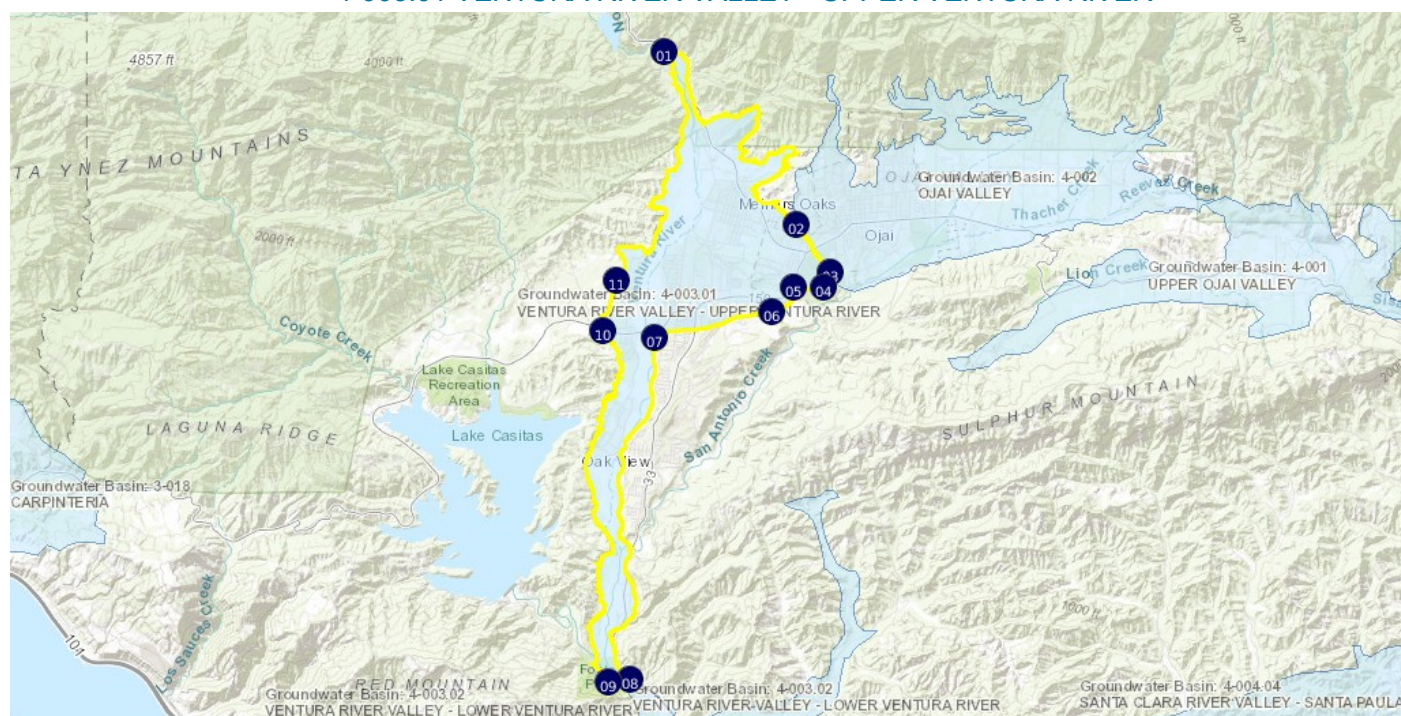
Significant Coordinates

This table contains the latitudes and longitudes of all the beginning and ending points of each segment comprising the basin boundary polygon for this basin. For more information, email sgmps@water.ca.gov.

<u>Point</u>	<u>Latitude</u>	<u>Longitude</u>	
1	34.483285737	-119.296538818	
2	34.44740611	-119.263274675	
3	34.437432018	-119.254670854	
4	34.434436555	-119.256415077	
5	34.434229067	-119.263895252	
6	34.429193615	-119.26953361	
7	34.423808356	-119.299086585	
8	34.352634947	-119.30500381	
9	34.352287913	-119.310520285	
10	34.425195196	-119.311964195	
11	34.435726436	-119.308534536	

Map

4-003.01 VENTURA RIVER VALLEY - UPPER VENTURA RIVER



[Map Link](#)

References

This table contains the reference listings for the citations noted in the segment description table. Each reference contains the name of the reference, in addition to the publication date. For more information, email sgmps@water.ca.gov.

Ref	Citation	Pub Date	Global ID
{a}	California Geological Survey (CGS), Geologic Map of the Matilija Quadrangle, 1:24,000, S.S. Tan and T.A. Jones.URL: http://www.conservation.ca.gov/cgs/rghm/rgm/Pages/preliminary_geologic_maps.aspx	2006	51
{b}	BBMRS	varies	45
{c}	Minor, S.A., and Brandt, T.R., 2015, Geologic map of the southern White Ledge Peak and Matilija quadrangles, Santa Barbara and Ventura Counties, California: U.S. Geological Survey Scientific Investigations Map 3321, 34 p., 1 sheet, 1:24,000, https://dx.doi.org/10.3133/sim3321 .	5/26/2015	96
{d}	California Geological Survey (CGS), Geologic Compilation of Quaternary Surficial Deposits in Southern California, T.L. Bedrossian, P. Roffers, C.A. Hayhurst, J.T. Lancaster, and W.R. Short.URL: http://www.conservation.ca.gov/cgs/fwgp/Pages/sr217.aspx	2012	50

Footnotes

- I: Internal
- E: External

EXHIBIT 4

EXHIBIT 4

4-003.02 VENTURA RIVER VALLEY – LOWER VENTURA RIVER

Basin Boundaries Description

2003

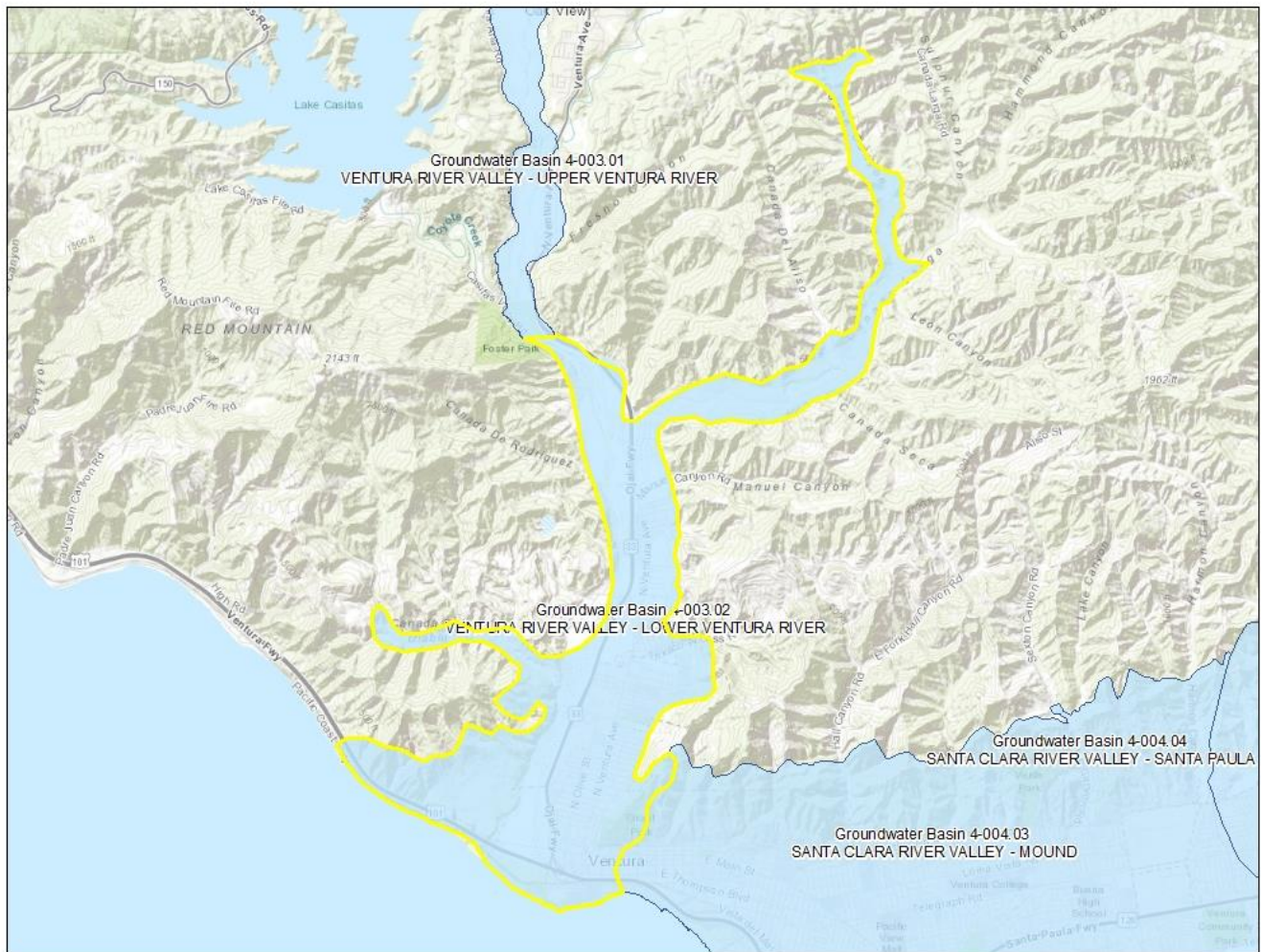
- County: Ventura
- Surface Area: 5,300 acres (8.3 square miles)

Summary

The Lower Ventura River Subbasin is bounded on the north by the Upper Ventura River Subbasin, on the south by the Pacific Ocean and Mound Subbasin of the Santa Clara River Valley Groundwater Basin, and elsewhere by near impervious rocks of the Santa Ynez Mountains (DPW 1933; Panaro 2000). The valley is drained by Canada Larga and the Ventura River.

Map

4-003.02 – VENTURA RIVER VALLEY – LOWER VENTURA RIVER



Map Link

References

This table contains the reference listings for the citations noted in the Summary. Each reference contains the name of the reference and the publication date. For more information, email sgmps@water.ca.gov.

<u>Citation</u>	<u>Pub Date</u>
California Department of Public Works, Division of Water Resources (DPW). 1933. <i>Ventura County Investigation</i> . Bulletin 46.	1933
Panaro, D. 2000. Fox Canyon Groundwater Management Agency: Written Communication to R.R. Davis (DWR), March 21, 2000.	2000

PROOF OF SERVICE

I am a resident of the State of California and over the age of eighteen years, and not a party to the action herein; my business address is Best Best & Krieger LLP, 2001 N. Main Street, Suite 390, Walnut Creek, CA 94596. On December 21, 2021, I served the following document(s):

[PROPOSED] ORDER ESTABLISHING WATERSHED AND BASIN BOUNDARIES

- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Walnut Creek, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.
- ☐ I caused such envelope to be delivered via overnight delivery. Such envelope was deposited for delivery by United Parcel Service following the firm's ordinary business practices.
- ☒ by transmission via **E-Service to File & ServeXpress** to the person(s) set forth below. Local Rules of Court 2.10 (P).
- ☒ **By e-mail or electronic transmission.** I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Daniel Cooper
Sycamore Law
1004 O'Reilly Ave.
San Francisco CA 94129
Tel: (415) 360-2962
daniel@sycamore.law

Matthew Bullock
Deputy Attorney General
California Department of Justice
Natural Resources Law Section
455 Golden Gate Ave., Suite 11000
San Francisco, CA 94102-7004
Tel: (415) 510-3376
matthew.bullock@doj.ca.gov

Attorneys for Petitioner and Plaintiff
Santa Barbara Channelkeeper

Attorneys for Respondent and Defendant State
Water Resources Control Board

Marc N. Melnick
Deputy Attorney General
Attorney General's Office
1515 Clay Street, 20th Floor
P.O. Box 70550
Oakland, CA 94612-0550
Tel: 510-879-0750
Marc.melnick@doj.ca.gov

Attorneys for Respondent and Defendant State
Water Resources Control Board

Edward J. Casey
Gina Angiolollo
Alston & Bird LLP
333 South Hope Street, 16th Floor
Los Angeles, CA 90071
Tel: 213.576.1000
ed.casey@alston.com
gina.angiolollo@alston.com

Attorneys for Cross-Defendants AGR
Breeding, Inc.; Bentley Family Limited
Partnership; and Southern California Edison
Company

Eric M. Katz
Supervising Deputy Attorney General
Noah Golden – Krasner
Deputy Attorney General
Carol Boyd
Deputy Attorney General
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
Tel. (213) 269-6343
Fax (213) 897-2802
Eric.Katz@doj.ca.gov
Noah.goldenrasner@doj.ca.gov
Carol.boyd@doj.ca.gov

Attorneys for Proposed Intervenor California
Department of Fish & Wildlife

Ryan Blatz
Blatz Law Firm
206 N. Signal St. Suite G
Ojai, CA 93023
Tel: (805) 646-3110
ryan@ryanblatzlaw.com

Attorneys for Cross-Defendants Troy Becker
and Jeri Becker; Janet Boulton; Michael
Boulton; Michael Caldwell; Joseph Peter
Clark, successor in interest to the Joseph
Clark and Linda Epstein Family Trust; Linda
Louise Epstein, successor in interest to the
Joseph Clark and Linda Epstein Family Trust;
Michael I. Cromer and Jody D. Cromer;
Michel A. Etchart, Trustee of the Michel A.
Etchart Separate Property Trust, and Mark W.
Etchart, Trustee of the Mark W. Etchart
Sepertate Property Trust; Lawrence
Hartmann; Ole Konig; Krotana Institute of
Theosophy; Stephen Michtell and Kathleen
Reid Mitchell, Trustees of the Stephen
Mitchell and Byron Katie Trust; North Fork
Springs Mutual Water Company; Stephen
Robert Smith, Trustee of the Charles R. Rudd
and Lola L. Rudd Trust, dated May 20, 1976;
Shlomo Raz; Sylvia Raz; Senior Canyon
Mutual Water Company; Siete Robles Mutual
Water Company; Soule Park Golf Course,
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of the Timar Family Trust; John Town; Trudie
Town; Asquith Family Limited Partnership,
Ltd.; Burgess Ranch; Cary Cheldin; Cynthia
Daniels; Wayne Francis; David Friend; The
Larry & Pat Hartmann Family Trust; The John
N. Hartmann Trust; Gary Hirschcron; Cheryl
Jensen; Lutheran Church of the Holy Cross of
Ojai, California; Janice Sattler (Mineo); Eitan

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Sloustcher; Rogers-Cooper Memorial Foundation; Robert Norris (not yet appeared); Patricia Norris; Old Creek Road Mutual Water Company (not yet appeared); Margaret Vanderfin; Telos Ojai, LLC (not yet appeared); Jennifer Ware; The Walker Jr. Living Trust; David Altman, Trustee of the 1190 El Toro Trust ; Babtiste Foundation; Sean A. Bennett and Leslie Bennett, Trustees of the Bennett Family Trust; Dwayne A. Bower and Marilyn E. Bower Trustees of the Bower Family Trust; Mark Terry Cline and Bonnie Burreson Cline, Trustees of the Mark Terry Cline and Connie Burreson Cline Revocable Trust; Robert R. Daddi and Darlene J. Daddi; Lucille A. Elrod, Trustee of the John and Lucille Elrod Family Trust; Friend's Stable & Orchard Inc. Daniel Hultgen, Trustee of the Hultgen Living Trust; Ojai Golf, LLC; Three Oaks, LLC, Erica J. Abrams, Trustee of the Erica J. Abrams Trust; Raul E. Alvarado and Hildegard M. Alvarado, Trustees of the Alvarado Family Trust; William Armstrong and April Nardini; Joseph Lynn Barthelemy and Elvira Lilly Barthelemy, Trustees of the Joseph Lynn Barthelemy and Elvira Lilly Barthelemy 2002 Family Trust; James S. Bennett and Carolyn D. Bennett, Trustees of the Bennett Family Trust; Sumeet Bhatia and Michael McDonald; John Joseph Broesamle and Katharine Sue Broesamle, Trustees of the Broesamle Family Trust; Richard Aaron Carlson, Trustee of the Richard Aaron Carlson Trust and Michelle Larson, Trustee of the Michelle Larson Family Trust; Thomas D. Carver and Cynthia L. Carver; Dana Cenicerros, Trustee of the Dana and Dawn Cenicerros Revocable Living Trust; Deborah Lys Martin Crawford; Frank Clay Creasey Jr.; Debra Joy Reed, Trustee of The Debra Joy Reed Revocable Trust Dated November 3, 1994; Frederic Devault; Diana Syvertson, Trustee of the Diana Syvertson Living Trust; Dive Deep L.L.C.; Douglas Roy Parent and Ann Marie Parent; William Erickson; Gelb Enterprises, L.P.; Jan Stephen Granade and Priscilla K. Granade, Trustees of the Granade Family Revocable Living Trust; Margot J. Griswold; Brian C. Haase and Marie Haase, Trustees of the B&M Haase Trust Dated October 8, 2019; Thomas Lann Harper and Jadona Collier-Harper; Ojai-Jackman L.L.C.; Kevin Rainwater and Marianne Ratcliff; Keith M. Nightingale and Victoria V. Nightingale, Trustees of The

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Nightingale Family Trust; Heide C. Kurtz, Trustee of The Kurtz Family Trust Dated January 19, 2019; Randall Leavitt, Trustee of The Randall B. Leavitt 2010 Trust; Edward C. Leicht and Jacqueline M. Leicht, Trustees of The Leicht Family 2013 Revocable Trust Dated March 1, 2013; Paul Lepiane and Bengtson Bo; Robert Levin and Lisa Solinas, Trustees of The Levin Family Living Trust; Francis Longstaff and Shauna Longstaff, Trustees of The Longstaff Trust Dated October 11, 2018; Mandy Macaluso, Trustee of The Living Trust of Mandy Macaluso; Marilyn Wallace, Trustee of The Marilyn Wallace Separate Property Trust; Daniel J. McSweeney and Yoko McSweeney; Wendell M. Mortensen and Laura L. Mortensen, Trustees of The Mortensen Family Revocable Trust; Timothy Jerome Murch and Jody Caren Murch, Trustees of The Jodim Family 2007 Trust Dated July 31, 2007; Chris E. Platt and Hanh H. Platt; Robert Erickson, Trustee and Ronald Wilson; Michael D. Robertson and Kimberly A. Robertson, Trustees of The Robertson Family Trust; James P. Robie, Trustee of the Robie Family Trust; Petter Romming and Kimi Romming, Trustees; Marc Saleh, Trustee of The Saleh Family Trust; Konrad Stefan Sonnenfeld, Trustee of The Konrad Stefan Sonnenfeld Living Trust; Mark Sutherland, Trustee of The Sutherland Marital Trust; John H. Thacher and Caroline H. Thacher, Trustees of The Thacher Family Trust Dated January 2004; Gilbert G. Vondrisk and Carolyn J. Vondrisk, Trustees of The Vondrisk Living Trust; William D. Rusin, Sr., Trustee of the William D. Rusin Sr. Revocable Trust; Oscar D. Acosta, Trustee of the Acosta Trust; Chris E. Platt and Hanh H. Plat; Deborah Lys Martin Crawford; Diane Syvertson, Trustee of the Diana Syvertson Living Trust; Erica J. Abrams, Trustee of the Erica J. Abrams Trust; Frank Clay Creasey Jr.; Frederic DeVault; Gilbert G. Vondrisk and Carolyn J. Vondrisk, Trustees of the Vondrisk Living Trust; James P. Robie, Trustee of the Robie Family Trust; John H. Thacher and Caroline H. Thacher, Trustees of the Thacher Family Trust dated January 2004; Mandy Macaluso, Trustee of the Living Trust of Mandy Macaluso; Margot J. Griswold; Mark Sutherland, Trustee of the Sutherland Marital Trust; Randall Leavitt, Trustee of the Randall B. Leavitt 2010 Trust; Raul E. Alvarado and Hildegard M. Alvarado, trustees

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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

William G. Short, Esq.
Law Offices of William G. Short
Post Office Box 1313
Ojai, California 93024-1313
Tel: (805) 490-6399
Fax: (805) 640-1940
billshortesq@me.com

Attorney for Cross-Defendant Robin Bernhoft

Robert N. Kwong
Dennis O. La Rochelle
Arnold Larochelle Mathews Vanconas &
Zirbel, LLP
300 Esplanade Dr Ste 2100
Oxnard, CA 93036
Tel: (805) 988-9886
rkwong@atozlaw.com

Attorneys for Cross-Defendant Casitas
Municipal Water District

of the Alvarado Family Trust; Sumeet Bhatia
and Michael McDonald; Timothy Jerome
Murch and Jody Caren Murch, Trustees of the
Jodim Family 2007 Trust dated July 31, 2007;
Wendell M. Mortensen and Laura L.
Mortensen, Trustees of the Mortensen Family
Revocable Trust; Petter Romming and Kimi
Romming, Trustees; William Armstrong and
April Nardini; William Erickson; Rancho
Sueño, LLC
Anthony Lee Francois
Briscoe Ivester & Bazel LLP
235 Montgomery Street, Suite 935
San Francisco, CA 94104
Tel: (415) 402-2707
Fax (415) 398-5630
tfrancois@briscoelaw.net

Attorney for Cross-Defendant Robin Bernhoft

Patrick Loughman
Cristian Arrieta
Lowthorp, Richards, McMillan, Miller &
Templeman
300 Esplande Drive, Suite 850
Oxnard, CA 93036
Tel: 805.804.3848
Ploughman@lrmmt.com
Carrieta@lrmmt.com

Attorneys for Cross-Defendants Ernest Ford,
Tico Mutual Water Company, and Betty
Withers and Betty Bow Withers Trust

Gregory J. Patterson
William W. Carter
Musick, Peeler & Garrett LLP
2801 Townsgate Road, Suite 200
Westlake Village, CA 91361
Tel: (805) 418-3103
Fax: (805) 418-3101
g.patterson@musickpeeler.com
w.carter@musickpeeler.com

Attorneys for Cross-Defendants Robert C. Davis, Jr.; James Finch; Topa Topa Ranch & Nursery, LLC; The Thacher School; Thacher Creek Citrus, LLC; Ojai Oil Company; Ojai Valley School; Sharon Hamm-Booth and David Robert Hamm, Co-Trustees of The Hamm 2004 Family Trust Dated April 29, 2004; Reeves Orchard, LLC; and Ojai Valley Inn, Edward J. Conner, Edward J. Conner, Trustee of the Edward J. Conner Trust, Roe 56; Friend's Ranches, Inc.; Finch Farms, LLC; Red Mountain Land & Farming, LLC; James Finch, Trustee of the Finch Family Trust

Jeanne Zolezzi
Herum Crabtree Suntag
5757 Pacific Avenue, Suite 222
Stockton, CA 95207
Tel: (209) 472-7700
Fax: (209) 472.7986
jzolezzi@herumcrabtree.com

Attorneys for Cross-Defendants Meiners Oaks Water District and Ventura River Water District

Lindsay F. Nielson
Law Office of Lindsay F. Nielson
845 E Santa Clara Street
Ventura, CA 93001
Tel: 805-658-0977
nielsonlaw@aol.com

Attorneys for Cross-Defendant Meiners Oaks Water District, Ventura River Water District, and Jean Marie Webster, Trustee of The Roger E. and Jean Marie Webster Trust

Neal P. Maguire
Ferguson Case Orr Patterson LLP
1050 South Kimball Road
Ventura, CA 93004
Tel: (805) 659-6800
nmaguire@fcoplaw.com

Attorneys for Cross-Defendants Rancho Matilija Mutual Water Company; Bettina Chandler, Trustee of the Bettina Chandler Trust; Martin Gramckow and Linda Gramckow individually; Martin Gramckow, Trustee of the Monika G. Huss Irrevocable Trust, Trustee of the Karin W. Gramckow Irrevocable Trust, and Trustee of the Kurt J. Gramckow Irrevocable Trust

1 Thomas S. Bunn III
2 Elsa Sham
3 Lagerlof Senecal Gosney & Kruse LLP
301 N. Lake Avenue, 10th Floor
4 Pasadena, CA 91101-5123
Tel.: (626) 793-9400
5 Fax: (626) 793-5900
tombunn@lagerlof.com
esham@lagerlof.com

6 Attorneys for Cross-Defendant St. Joseph's
7 Associates of Ojai, California, Inc. and St.
8 Joseph's Health and Retirement Center, Janis
9 Long Nicholas, John Jay Nicholas, Jess Earl
10 Long (aka Jess E. Long), Johana Rae Long,
and Mary Margaret Long, Janis Long
Nicholas and Jess E. Long as Trustees of the
Long Family Trust

11 Jeffrey E. Barnes
12 Chief Assistant County Counsel
Jason Canger
13 Assistant County Counsel
Office of Ventura County Counsel
14 800 South Victoria Avenue, L/C #1830
Ventura, CA 93009
15 Tel.: (805) 654-2879
Fax: (805) 654-2185
jason.canger@ventura.org

16 Attorneys for Cross-Defendants
17 Ventura County Watershed Protection District
18 and County of Ventura

19 Joseph C. Chrisman
20 Hathaway, Perrett, Webster, Powers,
Chrisman & Gutierrez
21 5450 Telegraph Road
Ventura, CA 93003
22 (805) 644-7111
jchrisman@hathawaylawfirm.com

23 Attorneys for Cross-Defendant Wood-
24 Claeysens Foundation

Michael J. Van Zandt
Nathan A. Metcalf
Sean G. Herman
Hanson Bridgett LLP
425 Market Street, 26 Floor
San Francisco, CA 94105
Tel: 415-777-3200
Fax: 415-541-9366
mvanzandt@hansonbridgett.com
nmetcalf@hansonbridgett.com
sherman@hansonbridgett.com

Attorneys for Cross-Defendant Ventura
County Watershed Protection District and
County of Ventura

Scott Slater
Bradley Herrema
Christopher Guillen
Brownstein Hyatt Farber Schreck LLP
1021 Anacapa Street, 2nd Floor
Santa Barbara, CA 93101
Tel: (805) 963-7000
Fax: (805) 965-4333
sslater@bhfs.com
bherrema@bhfs.com
cguillen@bhfs.com

Attorneys for Cross-Defendant The Wood-
Claeysens Foundation

Jeffrey M. Oderman
Douglas J. Dennington
Jeremy N. Jungreis
Rutan & Tucker, LLP
611 Anton Boulevard, Suite 1400
Costa Mesa, CA 92626-1931
Tel: 714-641-5100
Fax: 714-546-9035
joderman@rutan.com
ddennington@rutan.com
jjungreis@rutan.com

Attorneys for Cross-Defendant Casitas
Municipal Water District

1 Thomas E. Jeffry 2 Debra J. Albin-Riley 3 Arent Fox LLP 4 555 West Fifth Avenue, 48th Floor 5 Los Angeles, CA 90013-1065 6 (213) 629-7400 7 (213) 629-7401 8 Thomas.jeffry@arentfox.com 9 10 Attorneys for Cross-Defendant Community 11 Memorial Health System 12 13 Jennifer T. Buckman 14 Andrew J. Ramos 15 Holly Jacobson 16 Bartkiewicz Kronick & Shanahan, PC 17 1011 Twenty-Second Street 18 Sacramento, CA 95816-4907 19 Tel. (916) 446-4254 20 Fax (916) 446-4018 21 jtb@bkslawfirm.com 22 hjj@bkslawfirm.com 23 24 Attorneys for Cross-Defendant City of Ojai 25 26 Eric J. Schindler 27 Michelle J. Berner 28 Kroesche Schindler LLP 29 2603 Main Street, Suite 200 30 Irvine, CA 92614 31 Tel. (949) 387-0495 32 Fax (888) 588-0034 Fax 33 eschindler@kslaw.legal 34 mberner@kslaw.legal 35 36 Attorneys for Cross-Defendant Oak Haven, 37 LLC 38 39 Adam D. Wieder 40 Barry C. Groveman 41 Ryan Hiete 42 Groveman Hiete LLP 43 35 East Union Street, Suite B 44 Pasadena, CA 91103 45 Tel (626) 747-9383 46 Fax (626) 747-9370 47 awieder@grovemanhiete.com 48 bgroveman@grovemanhiete.com 49 rhiete@grovemanhiete.com 50 51 Attorneys for Cross-Defendant Michael 52 Bradbury; Heidi Bradbury; and The Heidi 53 Gramkow Trust 54 55	Andrew Brady DLA Piper LLP (US) 550 South Hope Street, Suite 2400 Los Angeles, CA 90071-2618 Tel. (213) 330-7700 Fax: (213) 330-7701 andrew.brady@us.dlapiper.com Attorneys for Cross-Defendant Integritas Ojai, LLC David R. Krause-Leemon BEAUDOIN & KRAUSE-LEEMON LLP 15165 Ventura Blvd., Suite 400 Sherman Oaks, CA 91403 Tel. (818) 205-2809 Fax (818) 788-8104 david@bk-llaw.com Attorneys for Cross-Defendant RDK Land, LLC Brian A. Osborne Osborne Law Firm 674 County Square Drive, Suite 308 Ventura, CA 93003 Tel. (805) 642-9283 Fax (805) 642-7054 osbornelawyer@gmail.com Attorney for Cross-Defendants Brian A. Osborne; Ronald W. Rood and Susan B. Rood, Trustees of the Rood Family Trust Peter A. Goldenring Mark R. Pachowicz Pachowicz Goldenring A Professional Law Corporation 6050 Seahawk Street Ventura, CA 93003-6622 Tel. (805) 642-6702 Fax (805) 642-3145 attorneys@gopro-law.com peter@gopro-law.com mark@pglaw.law Attorneys for Cross-Defendant The Manfred Krankl and Elaine V. Krankl Living Trust
--	---

Ernest J. Guadiana
Elkins Kalt Weintraub Reuben Gartside LLP
10345 W. Olympic Boulevard
Los Angeles, CA 90064
Tel. (310) 746-4425
eguadiana@elkinskalt.com

Attorneys for Michael Lombardo and Charles
L. Ward III, as Co-Trustees of the Ward-
Lombardo Living Trust

Karen A. Feld
Daniel S. Roberts
Cole Huber LLP
3401 Centrelake Drive, Suite 670
Ontario, CA 91761
Tel: (909) 230-4209
Fax: (909) 937-2034
kfeld@colehuber.com
droberts@colehuber.com

Attorneys for Cross-Defendant Ventura
Unified School District

David A. Ossentjuk
Ossentjuk & Botti
2815 Townsgate Road, Suite 320
Westlake Village, CA 91361
Tel: (805) 557-8081
Fax: (805) 456-7884
DOssentjuk@oandblawyers.com

Hermitage Mutual Water Company, and Santa
Ana Ranch, Inc.

Attn: J. Roger Essick
2955 Hermitage Road
Ojai, CA 93023
Tel. (805) 320-1406
rogeressick@gmail.com

Attorney for Cross-Defendant Robert Martin

Julie A. Baker
2193 Maricopa Hwy
Ojai, CA 93023
(805) 646-8700
Jandjbaker2@gmail.com

The Joseph Fedele 1995 Living Trust,
Oriana Marie Fedele, Trustee
Attn. Oriana Fedele
P.O. Box 298
Lahaina, HI 96767
Tel. (818) 601-3161
orianafedele@gmail.com

T&D Nevada Trust
Dennis and Antoinette Mitchell
Mitchell Homes Inc.
P.O. Box 360
Ojai, CA 93024
(805) 340-2890
amitc74383@aol.com

Michaela Boehm
12293 topa Lane
Santa Paula, CA 93060
Tel. (323) 493-3737
micboehm@me.com

1 Anthonie M. Voogd
2 918 Palomar Road
3 Ojai, CA 93023
4 Tel. (805) 646-1512
5 avoogd@stanfordalumni.org

Lawrence S. Mihalas
Trustees of the Mihalas Family Trust
419 21st Place
Santa Monica, CA 90402
Tel. (310) 739-0700
lmihalas@gmail.com
lmihalas@ucla.edu

5 Heather Blair
6 556 So. Fair Oaks Ave., Ste 101
7 Box 356
8 Pasadena, CA 91105
9 Tel. (626) 755-6566
10 Hblair1946@gmail.com

Martin Hartmann
Whitney Hartmann
430 S. Carrillo Road
Ojai, CA 93023
Tel. (805) 798-2253
earthbuilding@gmail.com

11 Robert K. Cartin
12 Cartin Family LLC
13 505 Estremoz Ct.
14 Oceanside, CA 92057
15 Tel. (760) 429-4738
16 bob.cartin@dvm.com

Loa E. Bliss
Loa E. Bliss 2006 Revocable Trust
9030 Ojai Santa Paula Road
Ojai, CA 93023
Tel: (617) 750-8500
loabliss@hotmail.com

17 Del Cielo LLC
18 Attn. Tim Carey, Managing Member
19 22410 Hawthorne Boulevard, Suite 5
20 Torrance, CA 90505
21 Tel. (310) 787-6569
22 tim@calvoterguide.com

Joyce Syme, and
The Joyce A. Syme Living Trust
1760 Ocean Avenue
Santa Monica, CA 90401
Tel. (310) 403-1760
seaviewmotel@hotmail.com

23 Janice and Jesse Hillestad
24 9611 N. Ventura Ave.
25 Ventura, CA 93001
26 Tel. (310) 614-8438
27 janicehillestad@icloud.com
28 jessehillestad@gmail.com

Dale and Patricia Givner
12617 Koenigstein Rd.
Santa Paula, CA 93060
Tel. (805) 525-9524
dalegivner@gmail.com

19 Carlos A Mejia
20 Sophie A Wenzlau
21 Department of Justice
22 1300 I Street, Suite 125
23 P.O. Box 944255
24 Sacramento, CA 94244-2550
25 Tel. (916) 210-6379
26 Fax: (916) 327-2319
27 sophie.wenzlau@doj.ca.gov
28 carlos.mejia@doj.ca.gov

Dennis and Nadine Corte
12812 MacDonald Drive
Ojai, CA 93023
Tel. (805) 701-1950
dwcorte@outlook.com

Attorneys for California Department of Parks
and Recreation

Jacob Slujter
Rabindra Singh
1070 McAndrew Road.
Ojai CA 93023; Tel.
(805) 646-2726
ED@KFA.ORG

In Propria Persona for Krishnamurti
Foundation of America

Kelton Lee Gibson
878 Oak Grove Court
Ojai, CA 93023
Tel. (805) 701-9318
kgibson@mwglaw.com
kgibson878@gmail.com

Kelton Lee Gibson, Trustee of the Gibson
Family Trust, dated June 6, 2006

Rebecca C. Collins
Thomas M. Collins, Jr.
241 Longhorn Lane
Ojai, CA 93023
Tel. 805-312-5894
tominojai@gmail.com
collinst3@sbcglobal.net

Claude R. and Patricia E. Baggerly
119 S. Poli Avenue
Ojai, CA 93023-2144
Tel. (805) 646-0767
Tel. (805) 766-7317
russ.baggerly65@gmail.com

David R. Greifinger
Law Offices of David R. Greifinger
15515 West Sunset Blvd., No. 214
Pacific Palisades, CA 90272
Tel. (424) 330-0193
tracklaw@me.com

Attorney for Cross-Defendants Danny Everett
and Tiarzha Talyor

George and Sigrid Bressler
340 Longhorn Lane
Ojai, CA 93023
Tel. (805) 646-1221
andybsail@gmail.com

Peter Duchesneau
Sigrid R Waggener
Mannat, Phelps & Phillips, LLP
One Embarcadero Center, 30th Floor
San Francisco, CA 94111
Tel (415) 291-7400
Fax (415) 291-7474
pduchesneau@manatt.com
swaggener@manatt.com

Attorneys for Cross-Defendant Aera Energy,
LLC

Judith L. Mercer
c/o of Jason Goldman
Mercer Family Trust Agreement of 1992
1175 Grand Avenue
Ojai, CA 93023
Tel. (310) 625-7795
jgoldman@begroup.com

Henry D. Finkelstein
Brian Moskal
Greenberg Glusker Fields Claman &
Machtinger LLP
2049 Century Park East, Suite 2600
Los Angeles, CA 90067
Tel. (310) 553-3610
Fax (310) 553.0687
hfinkelstein@ggfirm.com
bmoskal@greenbergglusker.com

Attorneys for Ginnetti Living Trust, and
Baldwin Ranch, LLC

Harry D. Sims and Raymond P. Sims
P.O. Box 1870
Ojai, CA 93024
Tel. (805) 646-0167
1978simsfamilytrust@gmail.com

Tiernan Dolan
995 Riverside St.
Ventura, CA 93001
tdolan@hacityventura.org

Attorney for Cross-Defendants Housing
Authority of the City of San Buenaventura,
Triad Properties, Inc., Encanto Del Mar
Apartments, L.P., Villages at Westview I LP,
Vista Del Mar Commons, LP, and Soho
Associates, L.P.

Andrew K. Whitman
821 N. Signal Street
Ojai, CA 93023
Tel. (805) 444-5671
sfreberg@scr-legaliner.com

Christopher Danch
16200 Maricopa Highway
Ojai, CA 93023
Tel. (805) 640-8534
chrisdanch@gmail.com

In pro per and Atty for Cross-Defendants
Andrew K. Whitman and Heidi A. Whitman;
Nancy L. Whitman; John R. Whitman and
Nancy L. Whitman Family Trust

Attorney for Cross-Defendants Angie Marie
Genasci and Christopher Paul Danch, Trustees
of the Genasci-Danch Family Trust; and
Donald and Wendy Givens

Paul R. Huff
The Huff Law Firm APC
21 S. California Street, Suite 205
Ventura, CA 93001
Tel. (805) 667-8940
Fax (805) 850-7399
phuff@hufffirm.com

Alessandro (Alex) Lobba
Alessandro Lobba and Mary E. Jackson,
individually as Trustees of the Lobba-Jackson
Family Trust
947 Casitas Vista Road
Ventura, CA 93001
Tel. (805) 895-7056
alobba@gmail.com

Attorneys for Barnard Properties, LLC

Christine Steiner
2560 Ladera Road
Ojai, CA 93023
Tel. (31) 600-3220
csteiner@csteinerlaw.com

William Slaughter
Slaughter, Reagan & Cole, LLP
625 East Santa Clara Street, Suite 101
Ventura, CA 93001
Tel. (805) 658-7800
Fax (805) 644-2131
slaughter@srllplaw.com

Attorneys for The Boyd S. Dron and Karin
Dron Joint Living Trust, and Sisar Mutual
Water Company

Julia Taft-Whitman, President CEO
Taft Corporation
111 West Topa Topa Street
Ojai, CA 93023
Tel. (805) 794-2837
juliawhitman@gmail.com

Jaide Whitman, President
Julia Whitman, Director
Conservation Endowment Fund
P.O. Box 6
Oak View, CA 93022
Tel. (805) 649-2333
Tel. (805) 804-7005
jaide.whitman@gmail.com
TaftGardensOffice@gmail.com

1	Kelley M. Rasmussen, Trustee	Angela Small Booth, Attorney
2	2420 Park Road	2175 Valley Meadow Drive
3	Lake Oswego, OR 97034	Oak View, CA 93022
	Tel. (805) 798-7125	Tel. (805) 765-5413
	kelleyras@gmail.com	angie@angiesmall.org
4	William E. Colborn, Jr.	Rebecca Tickell
5	13183 Ojai Road	350 Verano Drive
6	Santa Paula, CA 93060	Ojai, CA 93023
	Tel. (805) 795-1909	Tel. (323) 559-5700
	jake@colbornandassociates.com	rebecca@bigpictureranch.com
7	Joshua Beckman	Gregg S. Garrison
8	913 Oso Road	Garrison Law Corporation
9	Ojai, CA 93023	12986 MacDonald Drive
	Tel. (323) 404-0465	Ojai, CA 93023
	joshbfbp@gmail.com	Tel. (650) 726-1111 / Fax: (805) 669-3168
10		gsgarrison@garrisonlawcorp.com
11		Attorney for Cross-Defendants Gregg S.
12		Garrison, Rosanna Garrison, Emily V. Brown,
13		Trustee of The Restated Emily V. Brown
		Intervivos Trust, Roe 37, and Denise Wizman,
		as Trustee of the Denise Wizman Revocable
		Trust
14	Robert L. Smith	Susan M. Glennon
15	12777 Tree Ranch Road	292 Cruzero Street
16	Ojai, CA 93023	Ojai, CA 93023
	Tel. (805) 558-6322	Tel. (805) 646-4816
	treeranch@ymail.com	theglennonnest@aol.com
17	Robin Schwartzburd	Melinda Hass
18	411 Franklin Drive	11947 Koenigstein Road
19	Ojai, CA 93023	Santa Paula, CA 93060
	Tel. (805) 272-5877	Tel. (213) 713-4360
	robin.schwartzburd@gmail.com	mlynnbooking@gmail.com
20	Malinda K. Vaughn	Rebecca D. Schwermer
21	Mitchell B. Vaughn	P. O. Box 174
22	12283 Ojai Santa Paula Road	Santa Paula, CA 93061
	Ojai, CA 93023-9323	Tel. (805) 551-3494
	Tel. (805) 890-6616	octoberbabies2@verizon.net
	vaughnmb@aol.com	
23	Jennifer Jordan Day and Joel Fox	Brigitte Lovell, Trustee of Lovell Living Trust
24	909 North Rice Road	295 Encino Drive
25	Ojai, CA 93023	Oak View, CA 93022
	Tel. (213) 321-5253	Tel. (915) 227-9412
	jenniferjordanday@gmail.com	loveb9@gmail.com
26		
27		
28		

Catherine Ferro &
Catherine Eileen Ferro Inter Vivos Trust
312 Montana Road
Ojai, CA 93023
Tel. (805) 326-1686
cepharoah@gmail.com

Susan Capper
12870 Tree Ranch Road
Ojai, CA 93023
Tel. (805) 794-6421
chelsue@aol.com

Joyce L. Heath
Joyce Heath, Trustee of the Heath Family
Living Trust,
P.O. Box 1323
Ojai, CA 93024
Tel. (805) 290-6231
mamaheath55@gmail.com

Ronald W. Bowman
Trustee of the Bowman Trust dated April 8,
2011
672 W. Villanova Road
Ojai, CA 93023
Tel. (805) 732-4014
ron@l-binc.com

Amy Hueppe
1025 Moreno Drive
Ojai, CA 93023
Tel. (310) 699-4619
amychueppe@gmail.com

Harry Anthony Williams
915 Daly Road
Ojai, CA 93023
Tel. (661) 609-1253
Tel. (805) 794-6922
awilliam@me.com

Susan C. White
Steven J. White
2 Shorewood Drive
Bellingham, WA 98225
Tel. (425) 891-9249
curranwhite1@hotmail.com

Lindy & Karen C. Goetz
12338 Linda Flora
Ojai, CA 93023-9721
Tel. (805) 649-2526; (805) 794-2312
lindygoetz@roadrunner.com

Thomas M. German
301 N. Drown Avenue
Ojai, CA 93023
Tel. (805) 646-2130
kittycatgirl214@gmail.com

Andrew P. Byrne, Esq.
1140 Highland Avenue, Ste. 250
Manhattan Beach, CA 90266
Tel. (310) 505.7170
Andy@ByrneLaw-LA.com

Attorney for Cross-Defendant Roman
Catholic Archdiocese of Los Angeles, a sole
corporation

Glenn Bator
338 Montana Road
Ojai, CA 93023
Tel. (805) 798-1802
denibator@aol.com

Bryan M. Sullivan, Esq.
EARLY SULLIVAN WRIGHT GIZER &
McRAE LLP
6420 Wilshire Boulevard, 17th Floor
Los Angeles, CA 90048
Tel. (323) 301-4660
bsullivan@earlysullivan.com

Attorneys for Cross-Defendant
Jeff Bacon as Trustee of the Villa Nero Trust
Dated January 25, 2000

1	David L. Osias, Esq.	Laura M. Peakes
2	Allen Matkins Leck Gamble Mallory & Natsis	John E. Peakes, Jr.
	LLP	316 Verano Drive
3	One America Plaza	Ojai, CA 93023
	600 West Broadway, 27 th Floor	Tel. (805) 402-0249
4	San Diego, CA 92101-0903	jpeakesjr@aol.com
	Tel. (619) 233-1155	
5	Fax (619) 233-1158	
	dosias@allenmatkins.com	
6	Attorneys for Cross-Defendant	
7	Jeff Bacon as Trustee of the Villa Nero Trust	
	Dated January 25, 2000	
8	Kelsey Klein	Laura R. Schreiner, a.k.a Laura Rearwin
9	Paula Kee	418 Crestview Drive
	1042 Fairview Road	Ojai, CA 93023
10	Ojai, CA 93023	Tel. (805) 479-5400
	Tel. (805) 640-5154	laura@rearwin.com
11	kelseyklein88@gmail.com	
12	Paul J. Deneen	Jennifer Carafelli
	12170 Ojai Santa Paula Road	Robin Schwartzburd
13	Ojai, CA 93023-9358	211 Village Commons Boulevard, No. 21
	Tel. (805) 218-0211	Camarillo, CA 93012
14	paul@carbide.com	Tel. (805) 340-2540
		carafelli@gmail.com
15	Timothy Mahoney	Thomas Adams
16	10244 Ojai Santa Paula Road	Adams & Associates
	Ojai, CA 93023	21781 Ventura Boulevard, Suite 10005
17	Tel. (323) 252-3309	Woodland Hills, CA 93003
	honedog@mac.com	Tel. (805) 229-1529
18		tom@adamsassoc.com
19		Attorneys for Cross-Defendant 235 La Luna
		Owners, an unincorporated association
20	Salvatore Scarpato	Robert Kyle
21	106 Calhoun Lane	The Robert Kyle Living Trust
	Georgetown, TX 78633	715 Sunset Place
22	Tel. (805) 797-8767	Ojai, CA 93023
	salscarpato@att.net	Tel. (626) 260-5509
23		robertkyle61@gmail.com
24	William R. Thatcher	David Bishop
	12195 Linda Flora Drive	Sophie Loire
25	Ojai, CA 93023-9723	Tel. (805) 403-5370
	thelostplanetairmen@yahoo.com	frenchiephotos@yahoo.com
26	Chet Hilgers	Stephanie Gustafson
27	Mellanie Hilgers	Tel. (805) 646-1423
	mellaniehilgers@gmail.com	sgustafson@ovs.org
28		

Kristi Schoeld
Neil Jorgensen
Tel. (805)272-8360
neilkristi@googlemail.com

Robert Turnage
9902 Sulphur Mountain Road
Ojai, CA 93023
Tel. (916) 837-3907
Robert.turnage@sbcglobal.net

Authorized Representative for Cross-
Defendant Meher Mount Corporation

Linda J.G. MacDougall, Trustee of The Linda
J.G. MacdDugall Living Trust
Marsha Kee Strong-Chandler
Richard Holt Robinson
119 E. Channel Islands Blvd.
Port Hueneme, CA 93041
(805) 202-6379
speakerholistic@gmail.com

Gerrold Grigsby
Karen Grigsby
9799 Ojai Santa Paula Road
Ojai, CA 93023
Tel. (805) 649-1624
grigsbyranch@gmail.com

James A. Vickman
Vickman & Associates
424 South Beverly Drive
Beverly Hills, CA 90212
Tel. (310) 553-8533
Fax (310) 553-0557
jv@vickmanassociates.com

Nancy J. Johnson
Berliner Cohen LLP
10 Almaden Blvd., 11th Floor
San Jose, CA 95113
Tel. (408) 286-5800
Fax (408) 998-5388
Nancy.Johnson@berliner.com

Attorneys for Cross-Defendant New
Civilization, a California corporation

Attorneys for Cross-Defendant Union Pacific
Railroad Company, a Delaware corporation –
Roe 411

Claire S. Brian and Brad D. Brian, Trustees of
the Brad & Claire Brian Living Trust, Roes 30
and 31
1150 So Arroyo Blvd.
Pasadena, CA 91105
cbrian8587@gmail.com
brad.brian@mto.com

Michael W. Price, Trustee of the Michael W.
Price Trust, Roe 197
Leslie L. Clark, Trustee of the Leslie L. Clark
Trust, Roe 51
10886 Creek Rd
Ojai, CA 93023
michael@nomadgal.com
leslie@nomadgal.com
Thomas G. Gehring, Esq.
Julia J. Park, Esq.
Thomas G. Gehring & Associates, a
Professional Corporation
1534 17th Street, Suite 203
Santa Monica, CA 90404
Tel. (310) 264-7744
Fax (310) 264-7746
tom@tomgehring.com
julia@tomgehring.com

Stacey Birchfield
Double Vision Development, LLC
1810 Miramar Drive
Ventura, CA 93001
Tel. (805) 340-0929
stacey.birchfield@gmail.com

Attorneys for Cross-Defendant Teen
Challenge of Southern California, Inc., a
California nonprofit corporation

1 Erin E. Holebrook
2 Jerald M. Montoya
3 Steven J. Dadaian
4 Erick L. Solares
5 Julie Del Rivo
6 Tucker Wisdom-Stack
100 South Main Street, 1300
Los Angeles, California 90012-3702
Tel. (213) 687-6000
Fax (213) 687-8300
Tucker.Wisdom-Stack@dot.ca.gov

7 Tom Maloney
8 Executive Director
9 Ojai Valley Land Conservancy
10 P.O. Box 1092
11 Ojai, CA 93024
12 Tel. (805) 649-6852 Ext. 1
13 tom@ovlc.orgf

12 William Francis Tarantino
13 Justin Fisch
14 Morrison & Foerster LLP
15 425 Market St. |
16 San Francisco, CA 94105
17 Tel. (415) 268-7850
18 jfisch@mofo.com
19 wtarantino@mofo.com

16 Attorneys for Ventura Land Trust

17 Christopher Stolz
18 Valerie Levett
19 11871 Koenigstein Rd.
20 Santa Paula, CA 93060
21 kitstolz@gmail.com

23 Via First Class Mail

24 Warren W. Greene
25 Bonnie M. Greene
26 958 E. Main Street
27 Ventura, CA 93001
28 Tel. (805) 652-1080
Fax (805) 652-0400

Kathleen Janetatos Smith, Trustee of the
Smith Family 2020 Revocable Trust dated
January 3, 2020, Roe 426
Tel. (805) 844-2093
kathismith@sbcglobal.net

Adam C. Kear
1940 N. Saint Andrews Pl.
Los Angeles, CA 90068
Phone (323) 481-9392
ackear@gmail.com

Attorney for Cross-Defendant Senior Canyon
Mutual Water Company (co-counsel w/Ryan
Blatz)

Amy Elmore
110 Park Road
Ojai, Ca 93023
Tel. (805) 746-1551
elmoreaw@gmail.com

Brandon Hansen
P.O. Box 1516
Oak View, CA
Tel. (805) 207-1869
brandon@weldo.com

Pro Per for Brandon Hansen, Jamie Hansen,
Ralph Hansen, Landon Hansen, Sandra
Hansen, Ojai Highlands LLC, BH Holding
LLC, 403 Bryant LLC, and 401 Bryant LLC

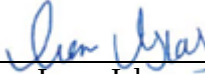
Via First Class Mail

Lewis A. Enstedt
12617 Macdonald Drive
Ojai, CA 93023
(310) 613-3937

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

Executed on December 21, 2021 at Walnut Creek, California



Irene Islas