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Superior Court of California
County of Los Angeles

MAY 03 2021

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12 CITY OF SAN BUENAVENTURA

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

16 SANTA BARBARA CHANNELKEEPER, a
17 California non-profit corporation,

Case No. 19STCP01176

18 Petitioner,

Judge: Hon. William F. Highberger

19 v.

STATUS CONFERENCE REPORT

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

Date: May 10, 2021
Time: 1:30 p.m.
Dept: SS10

22 Respondents.

Action Filed: Sept. 19, 2014
Trial Date: Not Set

23 CITY OF SAN BUENAVENTURA, etc.,

24 Cross-Complainant,

25 v.

26 DUNCAN ABBOTT, an individual, et al.,

27 Cross-Defendants.

28 82470.0001833898667.4

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1 2. MEET AND CONFER RE CITY MOTION

2 The City has scheduled an all-parties Zoom meet and confer session on May 6, 2021 at
3 10:00 a.m. regarding its proposed motion to bifurcate set for hearing on June 21, 2021 at 1:30
4 p.m. The City will update the Court regarding these meet and confer efforts at the May 10, 2021
5 Status Conference.

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7 3. UPDATE RE SERVICE OF THE THIRD AMENDED CROSS-COMPLAINT

8 The City diligently continues to work to complete service of the Cross-Complaint on all
9 named Cross-Defendants, including newly added Roes. The City continues to make substantial
10 progress on these efforts.

11 As of the last Status Conference, there were 102 unserved Cross-Defendants out of the
12 over 2,500 Cross-Defendants named in the Third Amended Cross-Complaint. The City has
13 attempted to serve by notice and acknowledgment of receipt packages by overnight mail to the 51
14 Cross-Defendants behind gates and fences. Those Cross-Defendants that do not timely return the
15 acknowledgment of receipt will be served via publication, if the Court so orders. The City
16 successfully served 5 additional Cross-Defendants in April and early May and continues its
17 efforts to serve the remaining 46 that are not behind gates and fences. Summary tables are
18 provided below. The City will continue to attempt to locate and serve these un-served Cross-
19 Defendants, including by conducting targeted outreach and phone calls to and additional
20 researching and tracking of un-served Cross-Defendants.

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Total Cross-Defendants	2,596
Served Cross-Defendants	2,497
NAK and Publication	51
Unserved Cross-Defendants	46

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1 Known details regarding categories of un-served Cross-Defendants are summarized in the
2 table below.

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Located behind locked gates/fences	51
Evading service or reattempts to be made by process servers	30
Deceased with no known successors/Vacant properties requiring further information from Tax Collector	16

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9 A summary of the service status of the recently added Roe Cross-Defendants is set forth in
10 the table below.

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Total Roe Cross-Defendants – Amendment Nos. 2-5 (Roes 2-417)	415
Served Roe Cross-Defendants	210
Unserved Roe Cross-Defendants	205

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16 Known details regarding categories of the 205 un-served Roe Cross-Defendants are
17 summarized in the table below. After exhausting service efforts, City will seek permission to
18 serve via publication the Roe Cross-Defendants that are located behind gates and fences through
19 the process described in section 1, or as otherwise ordered by the Court.

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Located behind locked gates/fences	79
Evading service or reattempts to be made by process servers	123
Deceased with no known successors	3

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26 4. CHANNELKEEPER NOTICE OF DISMISSAL

27 Per the Court’s request, the City is working with Santa Barbara Channelkeeper
28 (Channelkeeper) to prepare a stipulation and order regarding the dismissal of Channelkeeper’s

1 action against the City.

2

3 5. CROSS-DEFENDANT CLAUDE BAGGERLY'S MOTION TO APPOINT A
4 SPECIAL MASTER

5 Pursuant to his request at the April 19, 2021 Status Conference, the Court invited Cross-
6 Defendant Claude Baggerly to file a Motion to Appoint a Special Master with a hearing date set
7 on June 21, 2021 at 1:30 p.m. Moving papers must be filed by May 11, 2021. Oppositions must
8 be filed by June 1, 2021, and replies must be filed by June 14, 2021.

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10 6. CONCLUSION AND SUMMARY OF REQUESTS

11 Based on the above Report, the City respectfully requests that the Court consider taking
12 the following action at the May 10, 2021 Status Conference:

- 13 • Grant the City's application for an order to serve via publication the 51 unserved
14 Cross-Defendants located behind locked gates.

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16 Dated: May 3, 2021

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By: 

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