

<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@bbklaw.com                  ATTORNEY FOR (Name): City of San Buenaventura</p>	<p style="text-align: center;">FOR COURT USE ONLY</p> <p style="text-align: center;"><b>RECEIVED</b>                  LOS ANGELES SUPERIOR COURT</p> <p style="text-align: center;">AUG 10 2020</p> <p style="text-align: center;">R. SANCHEZ</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</b> <input checked="" type="checkbox"/> <b>ORDER EXTENDING TIME TO SERVE AND</b>  <input type="checkbox"/> <b>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: August 17, 2020                  DEPT.: SS10 TIME: 1:30 p.m.</p>

COPY

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): September 8, 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.
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 October 30, 2020 to file and serve their answers or other responsive pleading.

CASE NAME:  
Santa Barbara Channelkeeper v. State Water Resources Control Board

CASE NUMBER:  
19STCP01176

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 determine whether they need to retain counsel and/or file an answer or other pleading.

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 period. Good cause exists to further extend the time to respond to allow additional time for negotiating parties to finalize a proposed settlement and physical solution and make it publicly available for cross-defendants to evaluate and determine a need to participate in the lawsuit.

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*):

October 30, 2020

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 August 3, 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: August 10, 2020

Sarah Christopher Foley

(TYPE OR PRINT NAME OF APPLICANT OR ATTORNEY FOR APPLICANT)



*Sarah Foley*

(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*): October 30, 2020

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

1 PROOF OF SERVICE

2 I am a resident of the State of California and over the age of eighteen years, and  
3 not a party to the action herein; my business address is Best Best & Krieger LLP, 300 S. Grand  
4 Avenue, 25th Floor, Los Angeles, California 90071. On August 10, 2020, I served the following  
5 document(s):

6  
7 **EX PARTE APPLICATION FOR EXTENSION OF TIME FOR CROSS-DEFENDANT  
8 TO RESPOND**

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

24  
25 Daniel Cooper  
26 Sycamore Law  
27 1004 O'Reilly Ave.  
28 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

1  
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

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  
Clynton Namuo  
Alston & Bird LLP  
333 South Hope Street, 16th Floor  
Los Angeles, CA 90071  
Tel: 213.576.1000  
ed.casey@alston.com  
clynton.namuo@alston.com

Attorneys for Cross-Defendants Bentley  
Family Limited Partnership and AGR  
Breeding, Inc.

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

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

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

Attorneys for Cross-Defendants Troy Becker,  
Janet Boulten, Michael Boulten, Michael  
Caldwell, Joe Clark, Michael Cromer; Linda  
Epstein, Etchart Ranch, Lawrence Hartmann,  
Ole Konig, Krotona Institute of Theosophy;  
Stephen Mitchell; North Fork Springs Mutual  
Water Company, Rudd Ranch, LLC; Shlomo  
Raz, Sylvia Raz, Senior Canyon Mutual Water  
Company, Siete Robles Mutual Water  
Company, Soule Park Golf Course, Ltd., Telos,  
LLC, Victor Timar, John Town and Trudie  
Town

Anthony Lee Francois  
Jeremy Talcott  
David Deerson  
Pacific Legal Foundation  
930 G Street  
Sacramento, CA 95814-1802  
Tel: (916) 419-7111  
Fax: (916) 419-7111  
alf@pacificlegal.org  
TFrancois@pacificlegal.org  
jtalcott@pacificlegal.org  
ddeerson@pacificlegal.org

Attorney for Cross-Defendant Robin Bernhoft

1 Robert N. Kwong  
2 Dennis O. La Rochelle  
3 Arnold Larochelle Mathews Vanconas &  
4 Zirbel, LLP  
5 300 Esplanade Dr Ste 2100  
6 Oxnard, CA 93036  
7 Tel: (805) 988-9886  
8 rk Wong@atozlaw.com

9 Attorneys for Cross-Defendant Casitas  
10 Municipal Water District

11 Gregory J. Patterson  
12 Musick, Peeler & Garrett LLP  
13 2801 Townsgate Road, Suite 200  
14 Westlake Village, CA 91361  
15 Tel: (805) 418-3103  
16 Fax: (805) 418-3101  
17 g.patterson@musickpeeler.com

18 Attorneys for Cross-Defendants Robert C.  
19 Davis, Jr., James Finch, Friend's Ranches,  
20 Inc., Topa Topa Ranch Company, LLC, The  
21 Thacher School, Thacher Creek Citrus, LLC

22 Jeanne Zolezzi  
23 Herum Crabtree Suntag  
24 5757 Pacific Avenue, Suite 222  
25 Stockton, CA 95207  
26 Tel: (209) 472-7700  
27 Fax: (209) 472.7986  
28 jzolezzi@herumcrabtree.com

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

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  
and Tico Mutual Water Company

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 and Ventura River Water  
District

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

Attorneys for Cross-Defendant Rancho Matilija  
Mutual Water Company

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

7 Attorneys for Cross-Defendant St. Joseph's  
Associates of Ojai, California, Inc.

9 Scott Slater  
Bradley Herrema  
10 Christopher Guillen  
Brownstein Hyatt Farber Schreck LLP  
11 1021 Anacapa Street, 2nd Floor  
Santa Barbara, CA 93101  
12 Tel: (805) 963-7000  
13 Fax: (805) 965-4333  
sslater@bhfs.com  
bherrema@bhfs.com  
14 cguillen@bhfs.com

15 Attorneys for Cross-Defendant Wood-  
Claeysens Foundation

17 David B. Cosgrove  
Jeffrey M. Oderman  
18 Douglas J. Dennington  
Jeremy N. Jungreis  
19 Rutan & Tucker, LLP  
611 Anton Boulevard, Suite 1400  
20 Costa Mesa, CA 92626-1931  
21 Tel: 714-641-5100  
22 Fax: 714-546-9035  
dcosgrove@rutan.com  
joderman@rutan.com  
23 ddennington@rutan.com  
jjungreis@rutan.com

24 Attorneys for Cross-Defendant Casitas  
25 Municipal Water District

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

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

Attorneys for Cross-Defendant Wood-  
Claeysens Foundation

Thomas E. Jeffry  
Debra J. Albin-Riley  
Stefan Bogdanovich  
Arent Fox LLP  
555 West Fifth Avenue, 48th Floor  
Los Angeles, CA 90013-1065  
(213) 629-7400  
(213) 629-7401  
Thomas.jeffry@arentfox.com  
Stefan.bogdanovich@arentfox.com

Attorneys or Community Memorial Health  
System

1 Guy C. Nicholson  
2 Matthew L. Venezia  
3 BROWN GEORGE ROSS LLP  
4 2121 Avenue of the Stars, Suite 2800  
5 Los Angeles, CA 90067  
6 Tel. (310) 274-7100  
7 Fax (310) 275-5697  
8 gnicholson@bgrfirm.com  
9 mvenezia@bgrfirm.com

6 Attorneys for Petrochem Development I,  
7 LLC

8 Jennifer T. Buckman  
9 Andrew J. Ramos  
10 Bartkiewicz Kronick & Shanahan, PC  
11 1011 Twenty-Second Street  
12 Sacramento, CA 95816-4907  
13 Tel. (916) 446-4254  
14 Fax (916) 446-4018  
15 jtb@bkslawfirm.com

12 Attorneys for City of Ojai

13 Eric J. Schindler  
14 Michelle J. Berner  
15 Kroesche Schindler LLP  
16 2603 Main Street, Suite 200  
17 Irvine, CA 92614  
18 Tel. (949) 387-0495  
19 Fax (888) 588-0034 Fax  
20 eschindler@kslaw.legal  
21 mberner@kslaw.legal

18 Attorneys for Oak Haven, LLC

19 Hermitage Mutual Water Company  
20 Attn: J. Roger Essick  
21 2955 Hermitage Road  
22 Ojai, CA 93023  
23 Tel. (805) 320-1406  
24 rogeressick@gmail.com

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

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 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 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

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

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

Anthonie M. Voogd  
918 Palomar Road  
Ojai, CA93023  
Tel. (805) 646-1512  
avoogd@stanfordalumni.org

4 Lawrence S. Mihalas  
Trustees of the Mihalas Family Trust  
5 419 21<sup>st</sup> Place  
Santa Monica, CA 90402  
6 Tel. (310) 739-0700  
lmihalas@gmail.com  
7 lmihalas@ucla.edu

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

8 Via First Class Mail

9 Del Cielo LLC  
Attn. Tim Carey, Managing Member  
10 22410 Hawthorne # 5  
Torrance, CA 90505  
11 Tel. (310) 787-6569

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

14 Executed on August 10, 2020 at Los Angeles, California.

15  
16  
17 

18 \_\_\_\_\_  
19 Joy Oates  
20  
21  
22  
23  
24  
25  
26  
27  
28