

1 SHAWN D. HAGERTY, Bar No. 182435
shawn.hagerty@bbklaw.com
2 BEST BEST & KRIEGER LLP
655 West Broadway
3 15th Floor
San Diego, California 92101
4 Telephone: (619) 525-1300
Facsimile: (619) 233-6118

EXEMPT FROM FILING FEES PURSUANT
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5 CHRISTOPHER MARK PISANO, Bar No. 192831
christopher.pisano@bbklaw.com
6 SARAH CHRISTOPHER FOLEY, Bar No. 277223
sarah.foley@bbklaw.com
7 PATRICK D. SKAHAN, Bar No. 286140
Patrick.Skahan@bbklaw.com
8 BEST BEST & KRIEGER LLP
300 South Grand Avenue
9 25th Floor
Los Angeles, California 90071
10 Telephone: (213) 617-8100
11 Facsimile: (213) 617-7480

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 Respondents.

Date: Date
Time: Time
Dept.: 10

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

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

25 v.

26 DUNCAN ABBOTT, an individual, et al.,
27 Cross-Defendants.

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW
655 WEST BROADWAY, 15TH FLOOR
SAN DIEGO, CALIFORNIA 92101

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:

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

16 **B. Scheduled Depositions**

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

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

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

26 1. Can the Court provide the parties with any guidance about whether there is
27 anything in particular the Court would like the parties to cover in the final status conference
28 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
CHRISTOPHER M. PISANO
SARAH CHRISTOPHER FOLEY
PATRICK D. SKAHAN
Attorneys for Defendant and Cross-
Complainant
CITY OF SAN BUENA VENTURA

Dated: February 10, 2022

BROWNSTEIN HYATT FARBER SCHRECK
LLP

By: /s/ Bradley J. Herrema (with permission)
BRADLEY J. HERREMA
SCOTT SLATER
CHRISTOPHER GUILLEN
Attorneys for Cross-Defendant
THE WOOD-CLAEYSSSENS
FOUNDATION

Dated: February 10, 2022

OSBORNE LAW FIRM

By: /s/ Brian A. Osborne (with permission)
BRIAN A. OSBORNE, ESQ.
Attorney for Cross-Defendants
BRIAN A. OSBORNE, RONALD W.
ROOD AND SUSAN B. ROOD,
TRUSTEES OF THE ROOD FAMILY
TRUST

Dated: February 10, 2022

HERUM CRABTREE SUNTAG

By: /s/ Jeanne Zolezzi (with permission)
JEANNE ZOLEZZI
Attorneys for Cross-Defendants
MEINERS OAKS WATER DISTRICT
AND VENTURA RIVER WATER
DISTRICT

1 Dated: February 10, 2022

MANNAT, PHELPS & PHILLIPS, LLP

2

3

By: /s/ Peter Duchesneau (with permission)
PETER DUCHESNEAU
SIGRID R WAGGENER
Attorneys for Cross-Defendant
AERA ENERGY LLC

4

5

6 Dated: February 10, 2022

CALIFORNIA DEPARTMENT OF PARKS
AND WILDLIFE

7

8

9

By: /s/ Noah Goden-Krasner (with permission)
ERIC M. KATZ
NOAH GOLDEN-KRASNER
Attorneys for Intervenor
CALIFORNIA DEPARTMENT OF
PARKS AND WILDLIFE

10

11

12 Dated: February 10, 2022

STATE WATER RESOURCES CONTROL
BOARD

13

14

15

By: /s/ Marc N. Melnick (with permission)
ROB BONTA
MYUNG J. PARK
MATTHEW G. BULLOCK
MARC N. MELNICK
Attorneys for Respondent and Intervenor
STATE WATER RESOURCES CONTROL
BOARD

16

17

18

19 Dated: February 10, 2022

FERGUSON CASE ORR PATTERSON LLP

20

21

By: /s/ Neal P. Maguire (with permission)
NEAL P. MAGUIRE
Attorneys for Cross-Defendants
RANCHO MATILJA MUTUAL WATER
COMPANY

22

23

24

25

82470.00018\34798622.2

26

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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 February 10, 2022, I served the following document(s):

JOINT TRIAL READINESS CONFERENCE STATEMENT

- 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

1 Marc N. Melnick
2 Deputy Attorney General
3 Attorney General's Office
4 1515 Clay Street, 20th Floor
5 P.O. Box 70550
6 Oakland, CA 94612-0550
7 Tel: 510-879-0750
8 Marc.melnick@doj.ca.gov

9
10 Attorneys for Respondent and Defendant State
11 Water Resources Control Board

12 Edward J. Casey
13 Gina Angiolollo
14 Ha Chung
15 Alston & Bird LLP
16 333 South Hope Street, 16th Floor
17 Los Angeles, CA 90071
18 Tel: 213.576.1000
19 ed.casey@alston.com
20 gina.angiolillo@alston.com
21 Ha.Chung@alston.com

22 Attorneys for Cross-Defendants AGR
23 Breeding, Inc.; Bentley Family Limited
24 Partnership; and Southern California Edison
25 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; Krotona 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, 2976;
Shlomo Raz; Sylvia Raz; Senior Canyon
Mutual Water Company; Siete Robles Mutual
Water Company; Soule Park Golf Course,
Ltd.; Telos, LLC; Victor C. Timar, Jr. Trustee
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. Vondriska and Carolyn J. Vondriska, Trustees of The Vondriska 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. Vondriska and Carolyn J. Vondriska, Trustees of the Vondriska 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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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; James and Andrea Pendleton; Wayne Tate and Janice Priebe-Tate, Trustees of the Tate Trust, as Community Property ; Susan K. Capper, Trustee of the Capper Trust Dated August 28, 2003, Roe 42;

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

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

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

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-Defendant Casitas Municipal Water District

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

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

6 Attorneys for Cross-Defendants Robert C.
Davis, Jr.; James Finch; Topa Topa Ranch &
7 Nursery, LLC; The Thacher School; Thacher
Creek Citrus, LLC; Ojai Oil Company; Ojai
8 Valley School; Sharon Hamm-Booth and
David Robert Hamm, Co-Trustees of The
9 Hamm 2004 Family Trust Dated April 29,
2004; Reeves Orchard, LLC; and Ojai Valley
10 Inn, Edward J. Conner, Edward J. Conner,
Trustee of the Edward J. Conner Trust, Roe
11 56; Friend's Ranches, Inc.; Finch Farms,
LLC; Red Mountain Land & Farming, LLC;
12 James Finch, Trustee of the Finch Family
Trust

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

17 Attorneys for Cross-Defendants Meiners Oaks
18 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

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25
26
27
28

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

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

11 Jeffrey E. Barnes
Chief Assistant County Counsel
12 Jason Canger
Assistant County Counsel
13 Office of Ventura County Counsel
800 South Victoria Avenue, L/C #1830
14 Ventura, CA 93009
Tel.: (805) 654-2879
15 Fax: (805) 654-2185
jason.canger@ventura.org
16

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

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

23 Attorneys for Cross-Defendant Wood-
Claeyssens Foundation
24

25 Attorneys for Cross-Defendant Casitas
Municipal Water District
26
27
28

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-
Claeyssens 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
Debra J. Albin-Riley
2 Arent Fox LLP
555 West Fifth Avenue, 48th Floor
3 Los Angeles, CA 90013-1065
(213) 629-7400
4 (213) 629-7401
Thomas.jeffry@arentfox.com

5 Attorneys for Cross-Defendant Community
6 Memorial Health System

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

12 Attorneys for Cross-Defendant City of Ojai

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

18 Attorneys for Cross-Defendant Oak Haven,
19 LLC

20 Adam D. Wieder
Barry C. Groveman
21 Ryan Hiete
Groveman Hiete LLP
22 35 East Union Street, Suite B
Pasadena, CA 91103
23 Tel (626) 747-9383
Fax (626) 747-9370
24 awieder@grovemanhiete.com
bgroveman@grovemanhiete.com
25 rhiete@grovemanhiete.com

26 Attorneys for Cross-Defendant Michael
Bradbury; Heidi Bradbury; and The Heidi
27 Gramkow Trust

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

1 Ernest J. Guadiana
2 Elkins Kalt Weintraub Reuben Gartside LLP
3 10345 W. Olympic Boulevard
4 Los Angeles, CA 90064
5 Tel. (310) 746-4425
6 eguadiana@elkinskalt.com

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

10 David A. Ossentjuk
11 Ossentjuk & Botti
12 2815 Townsgate Road, Suite 320
13 Westlake Village, CA 91361
14 Tel: (805) 557-8081
15 Fax: (805) 456-7884
16 DOssentjuk@oandblawyers.com

17 Attorney for Cross-Defendant Robert Martin

18 Julie A. Baker
19 2193 Maricopa Hwy
20 Ojai, CA 93023
21 (805) 646-8700
22 Jandjbaker2@gmail.com

23 T&D Nevada Trust
24 Dennis and Antoinette Mitchell
25 Mitchell Homes Inc.
26 P.O. Box 360
27 Ojai, CA 93024
28 (805) 340-2890
amitc74383@aol.com

29 Anthonie M. Voogd
30 918 Palomar Road
31 Ojai, CA 93023
32 Tel. (805) 646-1512
33 avoogd@stanfordalumni.org

34 Heather Blair
35 556 So. Fair Oaks Ave., Ste 101
36 Box 356
37 Pasadena, CA 91105
38 Tel. (626) 755-6566
Hblair1946@gmail.com

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

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

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

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

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

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

1 Robert K. Cartin
2 Cartin Family LLC
3 505 Estremoz Ct.
4 Oceanside, CA 92057
5 Tel. (760) 429-4738
6 bob.cartin@dvm.com

7 Del Cielo LLC
8 Attn. Tim Carey, Managing Member
9 22410 Hawthorne Boulevard, Suite 5
10 Torrance, CA 90505
11 Tel. (310) 787-6569
12 tim@calvoterguide.com

13 Janice and Jesse Hillestad
14 9611 N. Ventura Ave.
15 Ventura, CA 93001
16 Tel. (310) 614-8438
17 janicehillestad@icloud.com
18 jessehillestad@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

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

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

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

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

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

1 Rebecca C. Collins
2 Thomas M. Collins, Jr.
3 241 Longhorn Lane
4 Ojai, CA 93023
5 Tel. 805-312-5894
6 tominojai@gmail.com
7 collinst3@sbcglobal.net

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

8 Claude R. and Patricia E. Baggerly
9 119 S. Poli Avenue
10 Ojai, CA 93023-2144
11 Tel. (805) 646-0767
12 Tel. (805) 766-7317
13 russ.baggerly65@gmail.com

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

14 Henry D. Finkelstein
15 Brian Moskal
16 Greenberg Glusker Fields Claman &
17 Machtinger LLP
18 2049 Century Park East, Suite 2600
19 Los Angeles, CA 90067
20 Tel. (310) 553-3610
21 Fax (310) 553.0687
22 hfinkelstein@ggfirm.com
23 bmoskal@greenbergglusker.com
24 Attorneys for Ginnetti Living Trust, and
25 Baldwin Ranch, LLC

26 Harry D. Sims and Raymond P. Sims
27 P.O. Box 1870
28 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.

1 Andrew K. Whitman
2 821 N. Signal Street
3 Ojai, CA 93023
4 Tel. (805) 444-5671
5 sfreberg@scr-legaliner.com

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

10 Paul R. Huff
11 The Huff Law Firm APC
12 21 S. California Street, Suite 205
13 Ventura, CA 93001
14 Tel. (805) 667-8940
15 Fax (805) 850-7399
16 phuff@hufffirm.com

17 Attorneys for Barnard Properties, LLC

18 Christine Steiner
19 2560 Ladera Road
20 Ojai, CA 93023
21 Tel. (31) 600-3220
22 csteiner@csteinerlaw.com

23 Julia Taft-Whitman, President CEO
24 Taft Corporation
25 111 West Topa Topa Street
26 Ojai, CA 93023
27 Tel. (805) 794-2837
28 juliawhitman@gmail.com

Kelley M. Rasmussen, Trustee
2420 Park Road
Lake Oswego, OR 97034
Tel. (805) 798-7125
kelleyras@gmail.com

William E. Colborn, Jr.
13183 Ojai Road
Santa Paula, CA 93060
Tel. (805) 795-1909
jake@colbornandassociates.com

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

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

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

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

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

Angela Small Booth, Attorney
2175 Valley Meadow Drive
Oak View, CA 93022
Tel. (805) 765-5413
angie@angiesmall.org

Rebecca Tickell
350 Verano Drive
Ojai, CA 93023
Tel. (323) 559-5700
rebecca@bigpictureranch.com

1 Joshua Beckman
2 913 Oso Road
3 Ojai, CA 93023
4 Tel. (323) 404-0465
5 joshbfbp@gmail.com

Gregg S. Garrison
Garrison Law Corporation
12986 MacDonald Drive
Ojai, CA 93023
Tel. (650) 726-1111 / Fax: (805) 669-3168
gsgarrison@garrisonlawcorp.com

Attorney for Cross-Defendants Gregg S. Garrison; Rosanna Garrison; Emily V. Brown, Trustee of The Restated Emily V. Brown Intervivos Trust, Roe 37; Denise Wizman, as Trustee of the Denise Wizman Revocable Trust; Carty Ojai, LLC; Norman Feig, Trustees of the Steve and Maria Feig Living Trust; C.B. Heller and Miranda Heller, Trustees of the Heller Family Trust; Richard Gilleland; Michael L. Rockhold, Trustee of the Michael Rockhold Trust

10 Robert L. Smith
11 12777 Tree Ranch Road
12 Ojai, CA 93023
13 Tel. (805) 558-6322
14 treeranch@ymail.com

Susan M. Glennon
292 Cruzero Street
Ojai, CA 93023
Tel. (805) 646-4816
theglennonnest@aol.com

14 Robin Schwartzburd
15 411 Franklin Drive
16 Ojai, CA 93023
17 Tel. (805) 272-5877
18 robin.schwartzburd@gmail.com

Melinda Hass
11947 Koenigstein Road
Santa Paula, CA 93060
Tel. (213) 713-4360
mlynnbooking@gmail.com

17 Malinda K. Vaughn
18 Mitchell B. Vaughn
19 12283 Ojai Santa Paula Road
20 Ojai, CA 93023-9323
21 Tel. (805) 890-6616
22 vaughnmb@aol.com

Rebecca D. Schwermer
P. O. Box 174
Santa Paula, CA 93061
Tel. (805) 551-3494
octoberbabies2@verizon.net

20 Jennifer Jordan Day and Joel Fox
21 909 North Rice Road
22 Ojai, CA 93023
23 Tel. (213) 321-5253
24 jenniferjordanday@gmail.com

Brigitte Lovell, Trustee of Lovell Living Trust
295 Encino Drive
Oak View, CA 93022
Tel. (915) 227-9412
loveb9@gmail.com

23 Catherine Ferro &
24 Catherine Eileen Ferro Inter Vivos Trust
25 312 Montana Road
26 Ojai, CA 93023
27 Tel. (805) 326-1686
28 cepharoah@gmail.com

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

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

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

8 Ronald W. Bowman
Trustee of the Bowman Trust dated April 8,
9 2011
672 W. Villanova Road
10 Ojai, CA 93023
Tel. (805) 732-4014
11 ron@l-binc.com

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

16 Harry Anthony Williams
915 Daly Road
17 Ojai, CA 93023
Tel. (661) 609-1253
18 Tel. (805) 794-6922
awilliam@me.com
19

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

20
21
22
23
24
25
26
27
28

1 David L. Osias, Esq.
2 Allen Matkins Leck Gamble Mallory & Natsis
3 LLP
4 One America Plaza
5 600 West Broadway, 27th Floor
6 San Diego, CA 92101-0903
7 Tel. (619) 233-1155
8 Fax (619) 233-1158
9 dosias@allenmatkins.com

Laura M. Peakes
John E. Peakes, Jr.
316 Verano Drive
Ojai, CA 93023
Tel. (805) 402-0249
jpeakesjr@aol.com

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

8 Kelsey Klein
9 Paula Kee
10 1042 Fairview Road
11 Ojai, CA 93023
12 Tel. (805) 640-5154
13 kelseyklein88@gmail.com

Laura R. Schreiner, a.k.a Laura Rearwin
418 Crestview Drive
Ojai, CA 93023
Tel. (805) 479-5400
laura@rearwin.com

11 Paul J. Deneen
12 12170 Ojai Santa Paula Road
13 Ojai, CA 93023-9358
14 Tel. (805) 218-0211
15 paul@carbide.com

Jennifer Carafelli
Robin Schwartzburd
211 Village Commons Boulevard, No. 21
Camarillo, CA 93012
Tel. (805) 340-2540
carafelli@gmail.com

15 Timothy Mahoney
16 10244 Ojai Santa Paula Road
17 Ojai, CA 93023
18 Tel. (323) 252-3309
19 honedog@mac.com

Thomas Adams
Adams & Associates
21781 Ventura Boulevard, Suite 10005
Woodland Hills, CA 93003
Tel. (805) 229-1529
tom@adamsassoc.com

18 Attorneys for Cross-Defendant 235 La Luna
19 Owners, an unincorporated association

20 Salvatore Scarpato
21 106 Calhoun Lane
22 Georgetown, TX 78633
23 Tel. (805) 797-8767
24 salscarpato@att.net

Robert Kyle
The Robert Kyle Living Trust
715 Sunset Place
Ojai, CA 93023
Tel. (626) 260-5509
robertkyle61@gmail.com

23 William R. Thatcher
24 12195 Linda Flora Drive
25 Ojai, CA 93023-9723
26 thelostplanetairmen@yahoo.com

David Bishop
Sophie Loire
Tel. (805) 403-5370
frenchiephotos@yahoo.com

26 Chet Hilgers
27 Mellanie Hilgers
28 mellaniehilgers@gmail.com

Stephanie Gustafson
Tel. (805) 646-1423
sgustafson@ovs.org

1	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
2		
3		
4		Authorized Representative for Cross- Defendant Meher Mount Corporation
5		
6	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
7		
8		
9		
10	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., 11 th Floor San Jose, CA 95113 Tel. (408) 286-5800 Fax (408) 998-5388 Nancy.Johnson@berliner.com
11		
12		
13		
14	Attorneys for Cross-Defendant New Civilization, a California corporation	Attorneys for Cross-Defendant Union Pacific Railroad Company, a Delaware corporation – Roe 411
15		
16	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
17		
18		
19		
20		
21	Stacey Birchfield Double Vision Development, LLC 1810 Miramar Drive Ventura, CA 93001 Tel. (805) 340-0929 stacey.birchfield@gmail.com	Thomas G. Gehring, Esq. Julia J. Park, Esq. Thomas G. Gehring & Associates, a Professional Corporation 1534 17 th Street, Suite 203 Santa Monica, CA 90404 Tel. (310) 264-7744 Fax (310) 264-7746 tom@tomgehring.com julia@tomgehring.com
22		
23		
24		
25		
26		Attorneys for Cross-Defendant Teen Challenge of Southern California, Inc., a California nonprofit corporation
27		
28		

1 Erin E. Holebrook
2 Jerald M. Montoya
3 Steven J. Dadaian
4 Erick L. Solares
5 Julie Del Rivo
6 Tucker Wisdom-Stack
7 100 South Main Street, 1300
8 Los Angeles, California 90012-3702
9 Tel. (213) 687-6000
10 Fax (213) 687-8300
11 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

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

28

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

Aletheia S. Gooden
Trevor M. Quirk
Ellie Gomez
Quirk Law Firm LLP
877 S. Victoria Ave., Suite 111
Ventura, CA 93003
Telephone: 805 650-7778
Fax: 866 728-7721
asg@qlflaw.com
tmq@qlflaw.com
eg@qlflaw.com

Via First Class Mail
Warren W. Greene
Bonnie M. Greene
958 E. Main Street
Ventura, CA 93001
Tel. (805) 652-1080
Fax (805) 652-0400

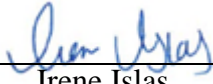
Attorneys for Trevor Quirk and Aletheia
Gooden, Trustees of The Quirk/Gooden
Family Trust

Via First Class Mail

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

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

Executed on February 10, 2022 at Walnut Creek, California



Irene Islas