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15 AERA ENERGY LLC

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA

17 COUNTY OF LOS ANGELES

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

20 Petitioner,

21 v.

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

24 Respondents.

25 CITY OF SAN BUENAVENTURA, et al.,

26 Cross-Complainant,

27 v.

28 DUNCAN ABBOTT, an individual, et al.,

Cross-Defendants.

Case No. 19STCP01176

**CROSS-DEFENDANT AERA ENERGY
LLC'S NOTICE REGARDING
PARTICIPATION IN PHASE 1 TRIAL**

Judge: Hon. William F. Highberger
Dept.: 10

Action filed: Sept. 19, 2014
Trial Date (Phase 1): Feb. 14, 2022

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that Cross-Defendant Aera Energy LLC (“Aera”) does not
3 anticipate participating in the Phase 1 trial in the above-captioned case. On November 23, 2021,
4 the Court directed Cross-Complainant City of San Buenaventura (“City”) to file and serve notice
5 of an order to show cause hearing for December 9, 2021, as to why the Court should not issue an
6 order establishing (1) the boundaries of the Ventura River Watershed, as defined by the U.S.
7 Geological Survey National Hydrography Dataset and Watershed Boundary Dataset; and (2) the
8 boundaries of the Watershed’s four groundwater basins, as defined by the California’s
9 Department of Water Resources (DWR) in Bulletin 118, in advance of the Phase 1 Trial (the
10 “Notice”). On November 23, 2021, the City filed and served the Notice with a proposed Order
11 Establishing Watershed and Basin Boundaries (the “Proposed Order”). The Notice and the
12 Proposed Order provide, in part, that “[t]he Court is expressly reserving issues raised by Cross-
13 Defendant Aera Energy LLC regarding the connectivity of the Lower Ventura Basin with
14 geologic formations employed for oil and gas-related operations and the ‘exempt aquifer’ below
15 the Lower Ventura Basin as defined by the California Department of Conservation Geologic
16 Energy Management Division and the U.S. Environmental Protection Agency under the federal
17 Safe Drinking Water Act. Such questions shall be reserved for future phases of the trial, if not
18 otherwise addressed by stipulation of the parties.”¹ Notice, fn 5; Proposed Order, fn 1.

19 Accordingly, if the Proposed Order is entered by the Court, Aera does not anticipate participating
20 in the Phase 1 Trial. However, in the event that the Proposed Order is not entered, Aera intends
21 to participate in the Phase 1 trial if a similar stipulation is not otherwise reached.

22 Dated: December 2, 2021

MANATT, PHELPS & PHILLIPS, LLP

23 By: _____

24 Peter Duchesneau
25 Sigrid R. Waggener
26 Attorneys for Cross-Defendant
27 AERA ENERGY LLC

28 ¹ The Proposed Order further provides that “[t]he Court is only making a determination as to the lateral boundaries of the groundwater basins as defined in Bulletin 118 and is not making any specific determination as to the definition in Bulletin 118 regarding the depth or definable bottom, if any, of the Lower Ventura Basin.” *Id.*

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PROOF OF SERVICE

I, Mayra Medellin, declare as follows:

I am employed in Los Angeles County, Los Angeles, California. I am over the age of eighteen years and not a party to this action. My business address is MANATT, PHELPS & PHILLIPS, LLP, 2049 Century Park East, Suite 1700, Los Angeles, California 90067. My electronic notification address is mmedellin@manatt.com

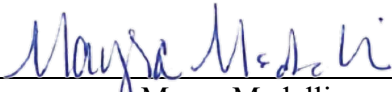
On December 2, 2021, I served on the interested parties in said action the within:

**CROSS-DEFENDANT AERA ENERGY LLC'S
NOTICE REGARDING PARTICIPATION IN PHASE 1 TRIAL**

by transmission via E-Service to File & Express as listed on the File & Express service list.

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

Executed on December 2, 2021, at Los Angeles, California.



Mayra Medellin

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