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 VENTURA RIVER WATER DISTRICT and
 MEINERS OAKS WATER DISTRICT

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES – CENTRAL DISTRICT
SPRING STREET COURTHOUSE

SANTA BARBARA CHANNELKEEPER,)
 a California non-profit corporation,)
)
 Petitioner,)
)
 vs.)
)
 STATE WATER RESOURCES CONTROL)
 BOARD, a California State Agency; CITY OF)
 SAN BUENAVENTURA, a California)
 municipal corporation,)
)
 Respondents.)

Case No.: 19STCP01176
 Judge: Honorable William F. Highberger
 CROSS-DEFENDANTS' VENTURA RIVER
 WATER DISTRICT AND MEINERS OAKS
 WATER DISTRICT OPPOSITION TO
 MOTION REQUESTING THE COURT TO
 APPOINT A SCIENTIFIC ADVISOR FOR
 HYDROGEOLOGY
 Date: June 21, 2021
 Time: 1:30 p.m.
 Place: S10

CITY OF SAN BUENAVENTURA, a)
 California municipal corporation,)
)
 Cross-Complainant)
)
 vs.)
)
 DUNCAN ABBOTT, an individual; et al.)
)
 Cross-Defendants.)

Action Filed: September 19, 2014
 Trial Date: Not Set


1 Cross Defendants Claude and Patricia Baggerly has requested that the Court appoint a scientific
2 advisor for Hydrogeology. Movant argues that the appointment and funding of a scientific
3 advisor would increase the knowledge of the court and help the court to “understand the science
4 and make for better decisions and rulings”. For the reasons stated in the Opposition filed by the
5 City of San Buenaventura, Cross-Defendants oppose such a motion and join in the opposition
6 filed by the City of Buenaventura.

7
8 A court appointed expert is not needed at this time in the litigation; experts hired by the parties
9 will provide the court with well-reasoned and sound opinions that this court is well equipped to
10 sort through, evaluate and use to support its decision. An additional court appointed expert would
11 simply create another opinion for the court to wade through – an opinion not as experienced in
12 the issues currently before the court as the parties’ experts. Most importantly, in addition to
13 delaying the proceedings, because a qualified expert will be difficult to find, and take time to get
14 up to speed on the specific issues before the court, appointment of an expert would impose an
15 additional financial burden on the parties, who are already paying for their experts to work on
16 these issues.

17
18 Finally, such a request is premature. The court should first evaluate the opinions submitted by
19 the parties’ existing experts. If the court finds itself unable to evaluate the expert opinion, it can
20 then determine whether or not it needs outside assistance.

21
22 DATED: June 1, 2021

HERUM CRABTREE SUNTAG
a California Professional Corporation

23
24 
25 By: JEANNE M. ZOLEZZI
26 Attorneys for Cross-Defendants
27 VENTURA RIVER WATER DISTRICT
28 and MEINERS OAKS WATER DISTRICT

3 **PROOF OF SERVICE**

4 I, PEGGY GARCIA, certify and declare as follows:

5 I am over the age of 18 years and not a party to this action. My business address is:
6 HERUM\CRABTREE\SUNTAG, 5757 Pacific Avenue, Suite 222, Stockton, California 95207.
7 On the date set forth below, I served the following document(s):

8 **CROSS-DEFENDANTS’ VENTURA RIVER WATER DISTRICT AND MEINERS OAKS
9 WATER DISTRICT OPPOSITION TO MOTION REQUESTING THE COURT TO
10 APPOINT A SCIENTIFIC ADVISOR FOR HYDROGEOLOGY**

11 **BY ELECTRONIC TRANSMISSION:** Pursuant to Court Order Authorizing Electronic
12 Service, I provided the document(s) listed above electronically on the **File &
13 ServeXpress** website for distribution to the SERVICE LIST maintained for this matter.

14 **BY U.S. MAIL** – By enclosing the document(s) in a sealed envelope addressed to the
15 person(s) set forth below, and placing the envelope for collection and mailing, following
16 our ordinary business practices. I am readily familiar with this business’s practice for
17 collecting and processing of correspondence for mailing. On the same day that
18 correspondence is placed for collection and mailing, it is deposited in the ordinary course
19 of business with the United States Postal Service, in a sealed envelope with postage fully
20 prepaid.

21 The envelope was addressed as follows:

22 **BY FEDERAL EXPRESS/OVERNIGHT MAIL** in a sealed envelope, with postage
23 thereon fully prepaid. [Code Civ. Proc., §§ 1013(c), 2015.5.]

24 The envelope was addressed as follows:

25 **BY PERSONAL SERVICE/HAND DELIVERY.**

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

28 

Dated: June 1, 2021

PEGGY GARCIA