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Superior Court of California
County of Los Angeles

APR 15 2021

Sherri R. Carter, Executive Officer/Clerk of Court
By: Brigitte De La Rosa, Deputy,

11 Attorneys for Respondent and Cross-Complainant
12 CITY OF SAN BUENAVENTURA

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF LOS ANGELES
15

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

Case No. 19STCP01176

17 Petitioner,

Judge: Honorable William F. Highberger

18 v.

DECLARATION OF PETER DEMERS IN
SUPPORT OF NOTICE OF COMPLETION
OF MAILING CODE OF CIVIL
PROCEDURE, § 836(e)

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

21 Respondents.

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

22 CITY OF SAN BUENAVENTURA, etc.,

23 Cross-Complainant

24 v.

25 DUNCAN ABBOTT, an individual, et al.

26 Cross-Defendants.
27
28

RECEIVED
APR 15 2021 15
FILING WINDOW

1 1. I am the Assistant Director of JND Legal Administration LLC (“JND”). JND is a
2 legal administration services provider with its headquarters located in Seattle, Washington. JND
3 has extensive experience with all aspects of legal administration and has administered settlements
4 in hundreds of class action cases.

5 2. JND is serving as the Notice Administrator in the above-captioned litigation
6 (“Action”) for the purposes of administering the notice mailing approved by the Court in its Order
7 Granting Cross-Defendant City of Buenaventura’s (“City”) Motion for Approval of Draft Notice
8 and Draft Form Answer dated July 20, 2020. The following statements are based on my personal
9 knowledge and information provided to me by other JND employees working under my
10 supervision and control, and if called on to do so, I could and would testify competently thereto.

11 **BASIN REAL PROPERTY OWNERSHIP DATA FOR NOTICE PURPOSES**

12 3. On November 5, 2019, JND received an electronic file containing, among other
13 information, the names, physical addresses, and mailing addresses of landowners in the (1) Ojai
14 Valley Groundwater Basin, (2) Upper Ojai Valley Groundwater Basin, (3) Upper Ventura River
15 Groundwater Basin, and (4) Lower Ventura River Groundwater Basin (“Basins”) from the City.
16 The file contained a total of 10,552 landowner records with 20,123 physical and/or associated
17 mailing addresses. Prior to mailing notice packets, JND analyzed the raw data to remove
18 duplicate records. JND identified 7,320 duplicate physical and/or associated mailing addresses.
19 The remaining landowner data, comprising 12,803 unique landowner records, was promptly
20 loaded into a database established for this Action, and JND certified the mailing data via the
21 Coding Accuracy Support System (“CASS”)¹ in order to ensure the consistency of the contact
22 information in the database. JND then verified the address information using data from the
23 National Change of Address (NCOA) database² to ensure that the mailing information reflected
24 the most recent addresses for members of the Class.

25 _____
26 ¹ CASS is a certification system from the United States Postal Service (“USPS”) for address validation. A CASS-
certified address validation service will standardize your mailing list, update outdated addresses, and verify that
addresses are valid and complete.

27 ² The NCOA database is the official USPS technology product which makes change of address information available
to mailers to help reduce undeliverable mail pieces before mail enters the mail stream. This product is an effective
28 tool to update address changes when a person has completed a change of address form with the USPS. The address

Footnote continued on next page

MAIL NOTICE

1
2 4. On January 6, 2020, JND mailed by certified mail, return receipt requested, using
3 the USPS and USPS First Class International Registered Mail to four (4) unique landowner
4 mailing addresses, (1) the Court-approved Notice of Commencement of Groundwater Basin
5 Adjudication, (2) City’s Third Amended Cross-Complaint for Comprehensive Adjudication, and
6 (3) Court-approved Form Answer (collectively referred to as the “Notice Packet”) to all holders
7 of fee title to real property in the basin. The Notice Packet was mailed to both the physical
8 address and the mailing address for each property, if those addresses were different. Upon
9 completion of the January 6, 2020 mailing, JND received return receipt information from USPS
10 and updated the case-specific database accordingly.

11 5. On September 3, 2020, JND mailed a second Notice Packet to the physical and/or
12 associated mailing addresses associated with the 2,587 properties for which a return receipt had
13 not been received after the January 6, 2020 mailing date.

14 6. On December 4, 2020, JND mailed a third Notice Packet to the physical and/or
15 associated mailing addresses associated with the 190 properties for which a return receipt had not
16 been received after the September 3, 2020 mailing date.

17 7. For each parcel of real property where USPS has not provided JND with a return
18 receipt for the Notice Packet, JND promptly caused the Notice Packets to be posted in a
19 conspicuous place on the relevant parcels of real property. The posting process consisted of
20 locating the relevant parcel of real property, using longitude and latitude coordinates, and either
21 posting the Notice Packet to a conspicuous location by the front door, if there was a physical
22 building, or attaching the Notice Packet to a dowel that was driven into the ground on the
23 property in a conspicuous location, if the property was undeveloped.

24 8. JND posted 112 Notice Packets in a conspicuous place on the relevant parcels of
25 real property. JND’s posting vendor was initially unable to locate/access four (4) parcels for
26 posting. One of those parcels was for the California State Parks Department and therefore was

27
28 information is maintained in the database for 48 months.

1 taken off the list for posting because they had received notice and had answered the third
2 amended cross complaint prior to the vendor posting. For the remaining three (3) parcels, JND's
3 posting vendor posted within the property boundaries, attaching the Notice Packet to a dowel that
4 was driven into the ground on the property in a conspicuous location within the parcel since no
5 structures were viable to post on.

6 **CASE WEBSITE**

7 9. On January 2, 2020, JND established an informational website ("Notice Website"),
8 www.VenturaRiverWatershedAdjudication.com, to provide additional information to the Class
9 Members and answer frequently asked questions. Viewers of the Notice Website can download
10 important notices, forms, pleadings, orders and notices of rulings, as well as other case
11 documents. The Notice Website is optimized for display on mobile devices. Keywords and
12 natural language search terms are included in the site's metadata to maximize search engine
13 rankings.

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

16
17 Executed on April 14, 2021, at Seattle, Washington.

18 

19
20 _____
PETER DEMERS