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In Pro. Per.

FILED
Superior Court of California
County of Los Angeles

JUN 23 2021

Sherri R. Carter, Executive Officer/Clerk
By _____, Deputy
Rita Nazaryan

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

SANTA BARBARA CHANNELKEEPER,

A California non-profit corporation,

Petitioner/Plaintiff,

v.

STATE WATER RESOURCES CONTROL BOARD, a California State Agency,

CITY OF SAN BUENAVENTURA, a California Municipal Corporation.

Respondent/Defendant

CITY OF SAN BUENAVENTURA, a California Municipal Corporation

Cross-Complainant

v.

DUNCAN ABBOTT, as individual, et al.

Cross-Defendant

Case No. 19STCPO1176

Judge: Honorable William F. Highberger

Notice of Motion and Motion Requesting The Court to Appoint a Scientific Advisor for Hydrogeology, Memorandum of a Point and Authority and Declaration of Claude Baggerly in Support of the Motion

Date: July 19, 2021
Time: 3:00 p.m.

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

To the Plaintiffs, Cross-Complainants, Proposing Parties, Cross-Defendants, Overlyers and Roes:

NOTICE IS HEREBY GIVEN that on July 19, 2021, at 3:00 p.m. this Motion is presented to the Court Requesting the Court to Appoint a Scientific Advisor for Hydrogeology and will be heard in Department 10 of the Los Angeles Superior Court, located at 111 North Hill Street or on a conference call for a Status Conference. This motion is made on the commonsense grounds that the Honorable Judge William F. Highberger has a need to increase his knowledge of hydrogeology in order to keep abreast of the issues to be presented in this very complex Adjudication and Physical Solution case. Specifically, the most recent issue to be reviewed is the hydrologic connectivity of groundwater and surface water between the four groundwater basins in the Ventura River Watershed. This important issue should be reviewed and ruled on before proceeding any further with the concept of joining all four groundwater basins together into one adjudication and physical solution. Consistency with Code of Civil Procedures Section 830 et seq. representing the Sustainable Groundwater Management Act (SGMA) Expedited Adjudication statutes is called into question in this case and should require judicial reckoning before the possibility of taking Cause of Action 6 out of the line-up in the 3rd Amended Cross-Complaint and is considered unilaterally. The ample case law supporting the courts authority to appoint a Scientific Advisor, including Code of Civil Procedures Section 845 (a)(4)(b).

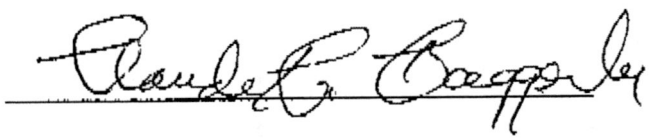
This Notice and Motion is filed on June 22, 2021. Attached to this Notice of Motion is the Memorandum of a Point and an Authority along with the Declaration of Claude Baggerly in support of this motion. The Motion will be heard on July 19, 2021, before the Honorable Judge Highberger.

Dated: June 22, 2021.

Claude R. Baggerly

Cross-Defendant

In Pro.Per.



MEMORANDUM OF ONE POINT AND ONE AUTHROITY

At the Status Conference held on April 19, 2021, one of the issues discussed was whether or not the court should appoint a Scientific Advisor to help the Judge in understanding the science of hydrology and geology for this complex case. Plaintiffs' attorney stated that a Scientific Advisor would not be necessary as easy to understand briefs of the issues would be provided to the court. One Cross-Defendant, Claude R. Baggerly, stated that an independent, impartial and knowledgeable Hydrogeologist would help the court to understand the science and make for better decisions and rulings.

This singular action is my primary point because the Honorable Judge Highberger asked me to write this Motion. Likewise, the Honorable Judge Highberger is the authority upon which I rely.

Dated: June 22, 2021.

Claude R. Baggerly

Claude R. Baggerly

Cross-Defendant

In Pro.Per.

DECLARATION OF CLAUDE R. BAGGERLY

My property overlies the Upper Ventura River Groundwater Basin. As a Cross-Defendant, along with my wife Patricia E. Baggerly, we have an interest in preserving our overlying water rights. I was recently a 16 year Director on the Casitas Municipal Water District Board. My elected division also caused me to be placed on the Board of Directors of the Ojai Basin Groundwater Management Agency by the enabling statute approved by the California Legislature in 1991. I have sufficient knowledge of surface water, groundwater, water law, water history and local policy to make intelligent discussions on most topics before this court.

In order to increase the knowledge of the Honorable Judge Highberger concerning the science of geology and hydrology, this motion has that specific intention of requesting the appointment and