

1 MATT KLINE (Bar No. 211640)  
2 RUSSELL MCGLOTHLIN (Bar No. 208826)  
3 GEOFFREY H. YOST (Bar No. 159687)  
4 MADHU POCHA (Bar No. 260997)  
5 HEATHER WELLES (Bar No. 302256)  
6 O'MELVENY & MYERS LLP  
7 1999 Avenue of the Stars, 8th Fl.,  
8 Los Angeles, CA 90067  
9 Telephone: (310) 553-6700  
10 Facsimile: (310) 246-6779  
11 mkline@omm.com  
12 rmcglothlin@omm.com  
13 gyost@omm.com  
14 mpocha@omm.com  
15 hwelles@omm.com

16 Attorneys for Petitioners and Plaintiffs  
17 OPV Coalition, et al.

VENTURA  
SUPERIOR COURT  
**FILED**  
01/05/2023  
BRENDA L. McCORMICK  
Executive Officer and Clerk  
BY: Chavez, Terri Deputy

11  
12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **COUNTY OF SANTA BARBARA**

14 OPV COALITION, et al.,  
15 Plaintiffs,  
16 v.  
17 FOX CANYON GROUNDWATER  
18 MANAGEMENT AGENCY, et al.,  
19 Defendants.  
20  
21 MARATHON LAND, INC.; UNITED WATER  
22 CONSERVATION DISTRICT, a public entity;  
23 CITY OF OXNARD, a public entity,  
24 Intervenor.

CASE NO. VENCI00555357  
**STIPULATION AND [~~PROPOSED~~]  
ORDER APPROVING FORM NOTICE  
AND FORM ANSWER**

1 Plaintiffs the OPV Coalition, et al. (collectively, “Plaintiffs”), together with Marathon  
2 Land, Inc., the City of San Buenaventura, the City of Oxnard, United Water Conservation District,  
3 and Fox Canyon Groundwater Management Agency (collectively with Plaintiffs, the “Parties”), by  
4 and through their counsel of record, hereby stipulate as follows:

5 **RECITALS**

6 WHEREAS, on August 8, 2022, Plaintiffs filed their Motion to Approve Notice of  
7 Adjudication and Form Answer (the “Motion”) pursuant to California Code of Civil Procedure  
8 section 836(b), which asked the Court to approve a draft Form Notice and draft Form Answer;

9 WHEREAS, no party opposed or otherwise responded to the Motion;

10 WHEREAS, on October 27, 2022, the Court issued a Tentative Ruling on the Motion,  
11 requiring certain revisions be made to the Form Notice and requiring counsel to address whether  
12 the Form Notice should be available in one or more languages other than English;

13 WHEREAS, the Court held a hearing on the Motion on October 28, 2022, during which (a)  
14 Plaintiffs submitted to the October 27, 2022 Tentative Ruling with respect to the revisions to the  
15 Form Notice, (b) the Court ordered that the Form Notice be translated into Spanish, and (c) the  
16 Court instructed Plaintiffs to prepare the Spanish translation of the Form Notice and submit the  
17 translation and revised Form Notice to the Court for approval to California Code of Civil  
18 Procedure section 836, under a stipulation and proposed order:

19 WHEREAS, Plaintiffs have made the ordered revisions to the Form Notice;

20 WHEREAS, Plaintiffs have obtained a Spanish translation of the Form Notice;

21 WHEREAS, Plaintiffs provided all other Parties with copies of the revised Form Notice in  
22 English and in Spanish;

23 WHEREAS, the Parties have no objection to either the Form Answer or the revised Form  
24 Notice, whether in English or Spanish; and,

25 **STIPULATION**

26 THEREFORE, the Parties stipulate and agree that:  
27  
28

1           1.       The following documents—which are attached as exhibits to this stipulation—  
2 should be approved by the Court pursuant to California Code of Civil Procedure section 836:

3                   **Exhibit A - Form Notice in English**

4                   **Exhibit B - Form Notice in Spanish**

5                   **Exhibit C - Form Answer**

6           2.       No later than 20 days from the date of entry of the order approving this Stipulation,  
7 Plaintiffs will publish the notices attached hereto as Exhibits A and B at least once per week for  
8 four weeks in the Ventura County Star and Vida newspapers pursuant to Code of Civil Procedure  
9 section 836, subdivision (d)(1)(D);

10           3.       Within 15 days of receiving the notice of entry of an order approving this  
11 Stipulation the Fox Canyon Groundwater Management Agency shall:

12                   a.       Post the Form Notice in English, the Form Notice in Spanish, and Form  
13 Answer on its Internet Web site;

14                   b.       Provide a link to the Form Notice in English, the Form Notice in Spanish,  
15 and Form Answer on the home page of its Internet Web site; and,

16                   c.       Maintain the posting and link described in paragraphs (a) and (b) for the  
17 entire time the comprehensive adjudication is pending.

18           4.       Plaintiffs OPV Coalition, et al. will otherwise comply with all provisions of Code  
19 of Civil Procedure section 836 applicable to the Form Notice and Answer.

20  
21                   **IT IS SO STIPULATED.**

22  
23           DATED: December 19, 2022

O'MELVENY & MYERS LLP

24  
25           By:  \_\_\_\_\_

Geoffrey H. Yost

26                   Attorneys for Plaintiffs and Petitioners  
27                   OPV Coalition, et al.

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

DATED: December 20, 2022


KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD

By:   
Eric N. Robinson

Attorneys for Intervenor Marathon Land, Inc.

DATED: December 19, 2022

STOEL RIVES LLP

By:   
Elizabeth P. Ewens  
Timothy M. Taylor

Attorneys for Defendant Fox Canyon Groundwater Management Agency

DATED: December \_\_\_\_, 2022

BEST BEST & KRIEGER LLP

By: \_\_\_\_\_  
Eric L. Garner  
Jeffrey V. Dunn  
Wendy Y. Wang  
Sarah Christopher Foley

Attorneys for Intervenor City of San Buenaventura

DATED: December \_\_\_\_, 2022

MEYERS NAVE

By: \_\_\_\_\_  
Gregory J. Newmark

Attorneys for Intervenor City of Oxnard

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

DATED: December \_\_\_, 2022

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD

By: \_\_\_\_\_  
Eric N. Robinson

Attorneys for Intervenor Marathon Land, Inc.

DATED: December \_\_\_, 2022

STOEL RIVES LLP

By: \_\_\_\_\_  
Elizabeth P. Ewens  
Timothy M. Taylor

Attorneys for Defendant Fox Canyon Groundwater  
Management Agency

DATED: December \_\_\_, 2022


BEST BEST & KRIEGER LLP

By: \_\_\_\_\_  
Eric L. Garner  
Jeffrey V. Dunn  
Wendy Y. Wang  
Sarah Christopher Foley

Attorneys for Intervenor City of San Buenaventura

DATED: December 19, 2022

MEYERS NAVE

By:   
\_\_\_\_\_  
Gregory J. Newmark

Attorneys for Intervenor City of Oxnard

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

DATED: December \_\_\_\_, 2022

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD

By: \_\_\_\_\_  
Eric N. Robinson

Attorneys for Intervenor Marathon Land, Inc.

DATED: December \_\_\_\_, 2022

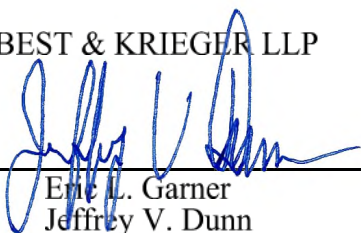
STOEL RIVES LLP

By: \_\_\_\_\_  
Elizabeth P. Ewens  
Timothy M. Taylor

Attorneys for Defendant Fox Canyon Groundwater  
Management Agency

DATED: December 29, 2022

BEST BEST & KRIEGER LLP

By:  \_\_\_\_\_  
Eric L. Garner  
Jeffrey V. Dunn  
Wendy Y. Wang  
Sarah Christopher Foley

Attorneys for Defendant City of San Buenaventura

DATED: December \_\_\_\_, 2022

MEYERS NAVE


By: \_\_\_\_\_  
Gregory J. Newmark

Attorneys for Intervenor City of Oxnard

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

DATED: December 19, 2022

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

By:   
\_\_\_\_\_  
David D. Boyer  
Brian M. Wheeler

Attorneys for Intervenor United Water Conservation  
District

~~PROPOSED~~ ORDER

The Court, having reviewed the Parties’ stipulation, the revised Form Notice, and the Form Answer, and for good cause shown, hereby orders as follows:

1. The Form Notice—the English version of which is Exhibit A hereto, and the Spanish translation of which is Exhibit B hereto—is APPROVED pursuant to California Code of Civil Procedure sections 836(b), (c), and (l).
2. The Form Answer, which is Exhibit C hereto, is APPROVED pursuant to California Code of Civil Procedure section 836(b).
3. No later than 20 days from the date of entry of this order, Plaintiffs will publish the Form Notice in English, attached as Exhibits A hereto, and the Form Notice in Spanish, attached as Exhibit B hereto, at least once per week for four weeks in the Ventura County Star and Vida newspapers pursuant to Code of Civil Procedure section 836, subdivision (d)(1)(D);
4. Within 15 days of receiving the notice of entry of this order the Fox Canyon Groundwater Management Agency shall:
  - a. Post Exhibits A, B, and C hereto – the Form Notice in English, the Form Notice in Spanish, and the From Answer, respectively – on its Internet Web site;
  - b. Provide a link to the Form Notice in English, the Form Notice in Spanish, and Form Answer on the home page of its Internet Web site; and,
  - c. Maintain the posting and link described in paragraphs (a) and (b) for the entire time the comprehensive adjudication is pending.

///

///

///



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

5. Plaintiffs OPV Coalition, et al. will otherwise comply with all provisions of Code of Civil Procedure section 836 applicable to the Form Notice and Answer.

**IT IS SO ORDERED.**

Dated: 01/05/2023



Hon. Donna D. Geck  
Superior Court Judge

# EXHIBIT A



1 A form answer is provided for your convenience. You may fill out the form  
2 answer and file it with the court. Should you choose to file the form answer, it will  
3 serve as an answer to all complaints and cross-complaints filed in this case.

4 The following information is provided pursuant to California law, as found in  
5 Code of Civil Procedure Section 836(a)(1)(B):

6 (i) Name of Basins: Santa Clara River Valley - Oxnard Groundwater Basin  
7 (No. 4-004.02) and the Pleasant Valley Groundwater Basin (No. 4-006)  
8 (collectively, the “Basins”).

9 A map of the Oxnard Groundwater Basin is available here:

10 <https://sgma.water.ca.gov/webgis/?appid=160718113212&subbasinid=4-004.02>

11 A map of the Pleasant Valley Groundwater Basin is available here:

12 <https://sgma.water.ca.gov/webgis/?appid=160718113212&subbasinid=4-006>

13 (ii) Case No.: VENCI00555357

14 (iii) Name and Address of Court: Superior Court of the State of California,  
15 County of Santa Barbara, 1100 Anacapa Street, Santa Barbara, CA 93101.

16 Department: 4

17 (iv) Name, Address, Telephone Number, and Email Address of Plaintiff's  
18 Attorney, From Whom the Complaint May be Obtained and to Whom a Copy of  
19 the Form Answer Should be Sent:

20 O'Melveny & Myers, LLP  
21 c/o: Katie Sinclair  
22 1999 Avenue of the Stars, 8th Fl.,  
23 Los Angeles, CA 90067  
24 Telephone: (310) 553-6700  
25 Email: [ksinclair@omm.com](mailto:ksinclair@omm.com)

26 (v) Summary of the Causes of Action Alleged in the Complaint and the  
27 Relief Sought: Plaintiffs seek a Comprehensive Groundwater Adjudication of the  
28 Santa Clara River Valley - Oxnard Groundwater Basin (No. 4-004.02) and the

1 Pleasant Valley Groundwater Basin (No. 4-006) (collectively, the “Basins”) and  
2 allege six causes of action. The First Cause of Action for Declaratory Relief is  
3 asserted against all defendants, and seeks a judicial declaration that will, pursuant to  
4 Sections 834 and 849 of the Code of Civil Procedure: (1) comprehensively  
5 adjudicate and determine all rights to groundwater within the Basins, and rights to  
6 use the storage space within the Basins; and (2) impose appropriate injunctive  
7 relief, subject to terms adopted by the Court to implement a physical solution on all  
8 parties. Similarly, the Second Cause of Action seeks, pursuant to Sections 834 of  
9 the Code of Civil Procedure, a comprehensive determination of the priority,  
10 amount, purposes of use, extraction location, place of use of the water, and use of  
11 storage space in the Basins. The Third, Fourth, Fifth, and Sixth Causes of Action  
12 are alleged against Fox Canyon Groundwater Management Agency (“FCGMA”)  
13 only and seek a writ of mandate pursuant to Code of Civil Procedure 1085(a)  
14 requiring that FCGMA vacate the October 2019 Allocation Ordinance (“the  
15 Ordinance”) and the Oxnard Basin Groundwater Sustainability Plan and Pleasant  
16 Valley Groundwater Sustainability Plan (collectively, “the GSPs”).

17 (vi) Date By Which Persons Receiving the Notice Must Appear in the  
18 Comprehensive Adjudication: August 30, 2023.

19 (vii) Date of Case Management Conference: September 29, 2023.

20 (viii) Date By Which Persons Who Wish to Participate Must Submit  
21 Information Regarding their Groundwater Use: February 29, 2024.

22 **Failure to appear and file an answer by that deadline may result in your**  
23 **default, and potentially, the loss of rights to groundwater in the Basins.**

24 Pursuant to Section 836(j) of the Code of Civil Procedure, compliance with the  
25 service and notice provisions of Chapter 7 (commencing with Section 830) to Title  
26 10 of Part 2 of the Code of Civil Procedure relating to comprehensive groundwater  
27 adjudications shall be deemed effective service of process of the complaint and

1 notice on all interested parties of the comprehensive adjudication for purposes of  
2 establishing the Court's jurisdiction and the comprehensive effect of the  
3 adjudication. Service of this notice in accordance with Section 836 of the Code of  
4 Civil Procedure shall substitute for the summons otherwise provided for in civil  
5 actions pursuant to Section 412.20 of the Code of Civil Procedure. Code of Civ.  
6 Proc. § 836(c).

7  
8  
9 DATED: December 29, 2022

O'MELVENY & MYERS LLP

10  
11 By:   
12 Russell McGlothlin

13 MATT KLINE  
14 RUSSELL MCGLOTHLIN  
15 GEOFFREY H. YOST  
16 MADHU POCHA  
17 HEATHER WELLES  
18 O'MELVENY & MYERS LLP  
19 1999 Avenue of the Stars, 8th Fl.,  
20 Los Angeles, CA 90067  
21 Telephone: (310) 553-6700  
22 Facsimile: (310) 246-6779  
23 mkline@omm.com  
24 rmcglothlin@omm.com  
25 gyost@omm.com  
26 mpocha@omm.com  
27 hwelles@omm.com

28 Attorneys for Plaintiffs and Petitioners  
OPV Coalition, et al.

# EXHIBIT B

1 **AVISO DE INICIO DE LITIGIO DE CUENCA DE**  
2  
3 **AGUA SUBTERRÁNEA**  
4

5 ESTE AVISO ES IMPORTANTE. CUALQUIER DERECHO QUE USTED  
6 RECLAME PARA BOMBLEAR O ALMACENAR AGUA SUBTERRÁNEA DE  
7 LA CUENCA IDENTIFICADA EN ESTE AVISO PUEDE SER AFECTADO  
8 POR UN LITIGIO INICIADO POR LA DEMANDA QUE SE RESUME A  
9 CONTINUACIÓN.

10 Usted puede obtener una copia de la demanda comunicándose con el  
11 demandante o el abogado del demandante, identificados al final de este aviso. Si  
12 usted reclama derechos para bombear o almacenar agua subterránea dentro de la  
13 cuenca, ya fuese ahora o en el futuro, podrá convertirse en participante de este  
14 litigio al presentar una respuesta escrita a la demanda no más tarde de la fecha  
15 especificada en este aviso. Para presentar una respuesta a la demanda, usted debe  
16 completar el formulario de respuesta adjunto a este aviso, presentarlo ante el  
17 Tribunal indicado en este aviso, y enviar una copia del formulario de respuesta al  
18 demandante o al abogado del demandante.

19 **Decidir no participar en este litigio podría tener un efecto adverso**  
20 **significativo sobre cualquier derecho de bombear o almacenar agua**  
21 **subterránea que pudiera tener.** Usted puede solicitar el consejo de un abogado en  
22 relación con este litigio. Debe consultar a dicho abogado sin demora. Una  
23 conferencia inicial para administración del caso en este litigio sobre la cuenca de  
24 agua subterránea se llevara a cabo en la fecha especificada en este aviso. Si usted  
25 tiene intención de participar en este litigio sobre la cuenca de agua subterránea, que  
26 se describe en este aviso, se le recomienda asistir personalmente a la conferencia  
27 inicial para administración del caso o enviar a un abogado que lo represente en la  
28 conferencia inicial.



1 Su participación en este litigio requiere que presente toda la información  
2 relacionada con su uso del agua subterránea. Se requiere presentar esta información  
3 no más tarde de la fecha identificada en este aviso.

4 Se adjunta a este aviso un formulario de respuesta para su conveniencia.  
5 Usted puede completar el formulario de respuesta y presentarlo ante el Tribunal  
6 indicado en este aviso. Si elige presentar el formulario de respuesta, servirá como  
7 respuesta a todas las demandas y contrademandas presentadas en este caso.

8 La siguiente información se provee conforme con las leyes de California, que  
9 se encuentran en el Código de Procedimiento Civil, sección 836(a)(1)(B):

10 (i) Nombre de las Cuencas: Cuenca de agua subterránea de Santa Clara River  
11 Valley - Oxnard (No. 4-004.02) y la Cuenca de agua subterránea de Pleasant Valley  
12 (No. 4-006) (colectivamente, las “Cuencas”).

13 En este enlace se muestra un mapa de la Cuenca de agua subterránea de  
14 Oxnard: [https://sgma.water.ca.gov/webgis/?appid=160718113212&subbasinid=4-  
15 004.02](https://sgma.water.ca.gov/webgis/?appid=160718113212&subbasinid=4-004.02)

16 En este enlace se muestra un mapa de la Cuenca de agua subterránea de  
17 Pleasant Valley:

18 <https://sgma.water.ca.gov/webgis/?appid=160718113212&subbasinid=4-006>

19 (ii) Número del caso: VENCI00555357

20 (iii) Nombre y dirección del Tribunal: Superior Court of the State of  
21 California, County of Santa Barbara, 1100 Anacapa Street, Santa Barbara, CA  
22 93101.

23 Department: 4

24 (iv) Nombre, dirección, número de teléfono y correo electrónico del abogado  
25 del Demandante, a quien se le puede solicitar copia de la demanda y a quien se le  
26 debe enviar una copia del formulario de respuesta:

27 O’Melveny & Myers, LLP

1 c/o: Katie Sinclair  
2 1999 Avenue of the Stars, 8th Fl.,  
3 Los Angeles, CA 90067  
4 Tel: (310) 553-6700  
5 Correo electrónico: [ksinclair@omm.com](mailto:ksinclair@omm.com)

6 (v) Resumen de los reclamos legales en la demanda y la compensación  
7 solicitada: Los Demandantes solicitan un litigio completo del agua subterránea de  
8 la Cuenca de agua subterránea de Santa Clara River Valley - Oxnard (No. 4-004.02)  
9 y la Cuenca de agua subterránea de Pleasant Valley (No. 4-006) (colectivamente,  
10 las “Cuencas”) y presentan seis reclamos legales. El Primer Reclamo, para  
11 compensación declaratoria, es contra todos los demandados, y a través de este  
12 reclamo se solicita una declaración judicial que, conforme con las secciones 834 y  
13 849 del Código de Procedimiento Civil: (1) adjudique y determine de manera  
14 completa todos los derechos de agua subterránea dentro de las Cuencas y los  
15 derechos de usar el espacio de almacenamiento dentro de las Cuencas, e (2)  
16 imponga una orden judicial adecuada, conforme con las condiciones adoptadas por  
17 el Tribunal para implementar una solución física para todos los participantes del  
18 litigio. Similarmente, el Segundo Reclamo solicita, conforme con la sección 834 del  
19 Código de Procedimiento Civil, una decisión completa y extensa indicando el orden  
20 de prioridad, la cantidad de agua, los propósitos de uso, la ubicación de extracción,  
21 el lugar de uso del agua, y el uso de espacio de almacenamiento en las Cuencas. El  
22 Tercer, Cuarto, Quinto, y Sexto Reclamo es solo contra la Agencia para la  
23 Administración de Aguas Subterráneas de Fox Canyon (Fox Canyon Groundwater  
24 Management Agency, “FCGMA”) y a través de estos reclamos se solicita una orden  
25 judicial, conforme con la sección 1085(a) del Código de Procedimiento Civil, que  
26 requeriría que la FCGMA anule la Ordenanza de distribución de agua de octubre de  
27 2019 (“la Ordenanza”), y anule el Plan de Sostenibilidad de Agua Subterránea de la

1 Cuenca de Oxnard y el Plan de Sostenibilidad de Agua Subterránea de Pleasant  
2 Valley (colectivamente, “los GSPs”).

3 (vi) Fecha para la cual las personas que reciben este aviso deben presentar el  
4 formulario de respuesta para participar en el litigio: 30 de agosto de 2023.

5 (vii) Fecha de la conferencia inicial para la administración del caso: 29 de  
6 septiembre de 2023.

7 (viii) Fecha en la que las personas que desean participar deben presentar  
8 información sobre el uso que hacen del agua subterránea: 29 de febrero de 2024.

9 **Si no presenta el formulario de respuesta para la fecha de entrega**  
10 **establecida en este aviso, puede resultar en su incumplimiento y, posiblemente,**  
11 **perdida de sus derechos al agua subterránea en las Cuencas.** Conforme con la  
12 sección 836(j) del Código de Procedimiento Civil, cumplir con los requisitos de  
13 notificación y entrega que se encuentran en capítulo 7 (empezando con la sección  
14 830) de título 10 de la parte 2 del Código de Procedimiento Civil relacionado con  
15 litigios comprensivos de aguas subterráneas, se considerará una notificación  
16 efectiva de la demanda y un aviso efectivo para todas las personas interesadas en el  
17 litigio comprensivo, con el propósito de establecer la jurisdicción del Tribunal y el  
18 efecto comprensivo del litigio. La notificación y entrega de este aviso, conforme  
19 con la sección 836 del Código de Procedimiento Civil, sirve para sustituir la  
20 citación requerida para acciones civiles con conformidad a la sección 412.20 del  
21 Código de Procedimiento Civil. Cód. de Proc. Civil sección 836(c).

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

FECHA : 29 de diciembre de 2022

O'MELVENY & MYERS LLP

Firma: 

Russell McGlothlin

MATT KLINE  
RUSSELL MCGLOTHLIN  
GEOFFREY H. YOST  
MADHU POCHA  
HEATHER WELLES  
O'MELVENY & MYERS LLP  
1999 Avenue of the Stars, 8th Fl.,  
Los Angeles, CA 90067  
Teléfono: (310) 553-6700  
Fax: (310) 246-6779  
mkline@omm.com  
rmcglathlin@omm.com  
gyost@omm.com  
mpocha@omm.com  
hwelles@omm.com

Abogados de los Demandantes  
OPV Coalition, et al.

# EXHIBIT C

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

\_\_\_\_\_  
Name of Owner/Defendant/Attorney

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SANTA BARBARA**

OPV COALITION, et al.,  
  
Plaintiffs,

v.

FOX CANYON GROUNDWATER  
MANAGEMENT AGENCY, et al.,  
  
Defendants.

CASE NO. VENCI00555357

**ANSWER TO ADJUDICATION  
COMPLAINT**

Judge: Hon. Donna D. Geck

MARATHON LAND, INC.; UNITED WATER  
CONSERVATION DISTRICT, a public entity;  
CITY OF OXNARD, a public entity,  
  
Intervenors.

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

# ANSWER TO ADJUDICATION COMPLAINT

The undersigned denies all material allegations in the complaint or cross-complaint in this action that seeks to adjudicate rights in the groundwater basin and asserts all applicable affirmative defenses to that complaint.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name - Printed

\_\_\_\_\_  
Defendant Name

Mailing Address:

\_\_\_\_\_  
Street

\_\_\_\_\_  
City

\_\_\_\_\_  
State, Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

1 Property Address:

2 Parcel  
3 No.(a): \_\_\_\_\_

4 \_\_\_\_\_  
Street

5 \_\_\_\_\_  
Street

6 \_\_\_\_\_  
7 City

8 \_\_\_\_\_  
9 State, Zip Code

10 Attorney Information (if applicable):

11 \_\_\_\_\_  
12 Company/Firm Name

13 \_\_\_\_\_  
Attorney Name

14 \_\_\_\_\_  
15 Street Address

16 \_\_\_\_\_  
17 City

18 \_\_\_\_\_  
19 State, Zip Code

20 \_\_\_\_\_  
21 Phone Number

22 \_\_\_\_\_  
23 Phone Number

24 \_\_\_\_\_  
25 Fax Number

26 \_\_\_\_\_  
27 Email Address

28



1 **PROOF OF SERVICE**

2 I, Katie Sinclair, declare:

3 I am over the age of eighteen years and not a party to the within action. I am a resident of  
4 or employed in the county where the service described below occurred. My business address is  
5 400 South Hope St., 18th Floor, Los Angeles, CA, 90071. On December 29, 2022, I served the  
6 within document(s):

7 **STIPULATION AND [PROPOSED] ORDER APPROVING FORM NOTICE AND  
8 FORM ANSWER**

- 9  **U.S. Mail** - by placing the document(s) listed above in a sealed envelope with  
10 postage thereon fully prepaid, in the United States mail at Los Angeles, California,  
11 addressed as set forth below. I am readily familiar with the firm's practice of  
12 collecting and processing correspondence for mailing. Under that practice it would  
13 be deposited with the U.S. Postal Service on that same day with postage thereon  
14 fully prepaid in the ordinary course of business. I am aware that on motion of the  
15 party served, service is presumed invalid if the postal cancellation date or postage  
16 meter date is more than one day after date of deposit for mailing in affidavit.
- 17  **Federal Express** - by putting a true and correct copy thereof, together with an  
18 unsigned copy of this declaration, in a sealed envelope designated by the carrier,  
19 with delivery fees paid or provided for, for delivery the next business day to the  
20 person(s) listed below, and placing the envelope for collection today by the  
21 overnight courier in accordance with the firm's ordinary business practices. I am  
22 readily familiar with this firm's practice for collection and processing of overnight  
23 courier correspondence. In the ordinary course of business, such correspondence  
24 collected from me would be processed on the same day, with fees thereon fully  
25 prepaid, and deposited that day in a box or other facility regularly maintained by  
26 Federal Express, which is an overnight carrier.
- 27  **Electronic Mail** - by causing the document(s) to be emailed or electronically  
28 transmitted to the person(s) at the email addresses set forth below, pursuant to an  
agreement of the parties to accept service by email or electronic transmission. I  
did not receive, within a reasonable time after the transmission, any electronic  
message or other indication that the transmission was unsuccessful.
- Personal Service** - by requesting that an agent or employee of First Legal Support  
Services deliver to the office of the recipient named below, either by handing the  
document(s) to the recipient or by leaving the document(s) with the receptionist or  
other person apparently in charge of the recipient's office.

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

Elizabeth Ewens  
Timothy M. Taylor  
Janelle S.H. Krattiger  
Heraclio Pimentel  
STOEL RIVES LLP  
500 Capitol Mall, Suite 1600  
Sacramento, CA 95814  
elizabeth.ewens@stoel.com  
tim.taylor@stoel.com  
janelle.krattiger@stoel.com  
heraclio.pimentel@stoel.com  
vanessa.arroyo@stoel.com

Tiffany N. North  
County Counsel, County of Ventura  
Jason T. Canger  
Assistant County Counsel  
Alberto Boada  
800 South Victoria Avenue, L/C #1830  
Ventura, CA 93009-1830  
tiffany.north@ventura.org  
jason.canger@ventura.org  
alberto.boada@ventura.org

*Attorneys for Defendant Fox Canyon  
Groundwater Management Agency*

Eric N. Robinson  
William T. Chisum  
Stanley Powell  
Kathleen F. Leuschen  
KRONICK, MOSKOVITZ, TIEDEMANN  
& GIRARD  
1331 Garden Hwy, 2nd Floor  
Sacramento, California 95833  
erobinson@kmtg.com  
wchisum@kmtg.com  
spowell@kmtg.com  
kleuschen@kmtg.com

*Attorneys for Intervenor Marathon Land, Inc.*

David D. Boyer  
Brian M. Wheeler  
Wesley A. Miliband  
Adam P. Snyder  
Kristopher T. Strouse  
ATKINSON, ANDELSON, LOYA, RUUD &  
ROMO  
12800 Center Court Drive South, Suite 300  
Cerritos, California 90703-9364  
DBoyer@aalrr.com  
BWheeler@aalrr.com  
Wes.Miliband@aalrr.com  
Adam.Snyder@aalrr.com  
Kristopher.Strouse@aalrr.com

*Attorneys for Intervenor United Water  
Conservation District*

Eric L. Garner  
Jeffrey V. Dunn  
Wendy Wang  
BEST BEST & KRIEGER LLP  
300 S. Grand Ave., 25th Fl.  
Los Angeles, CA 90071  
eric.garner@bbklaw.com  
jeffrey.dunn@bbklaw.com  
wendy.wang@bbklaw.com

*Attorneys for Interested Party City of San  
Buenaventura*

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

Stephen Fischer  
Michelle McCarron  
stephen.fischer@oxnard.org  
michelle.mccarron@oxnard.org  
CITY OF OXNARD  
Office of the City Attorney  
305 West Third Street, Suite 100E  
Oxnard, CA 93030  
Telephone: (805) 385-7483

Gregory J. Newmark  
Blake Senet  
gnewmark@meyersnave.com  
bsenet@meyersnave.com  
MEYERS NAVE  
707 Wilshire Blvd., 24th Floor  
Los Angeles, California 90017  
Telephone: (213) 626-2906

*Attorneys for Intervenor City of Oxnard*

Hanspeter Walter  
CALIFORNIA DEPARTMENT OF WATER  
RESOURCES  
1416 9th Street  
Sacramento, CA 95814  
Hanspeter.Walter@water.ca.gov

*Courtesy Copy*

Tina Cannon Leahy  
Amanda Pearson  
David Rose  
CALIFORNIA STATE WATER RESOURCES  
CONTROL BOARD  
State Water Resources Control Board  
1001 I Street, 22nd Floor  
Sacramento, CA 95814  
Tina.Leahy@Waterboards.ca.gov  
Amanda.Pearson@Waterboards.ca.gov  
David.Rose@waterboards.ca.gov

*Courtesy Copy*

Ryan Bezerra  
Jeni Buckman  
BARTKIEWICZ, KRONICK &  
SHANAHAN  
1011 22nd Street  
Sacramento, CA 95816  
jtb@bkslawfirm.com  
RSB@bkslawfirm.com

Brian Pierik  
CITY OF CAMARILLO  
601 Carmen Drive  
Camarillo, CA 93010  
BPierik@bwslaw.com

*Attorneys for City of Camarillo*

*Courtesy Copy*

<p>1 Lee Leininger  2 Judith Coleman  3 U.S. DEPARTMENT OF JUSTICE  4 Environment &amp; Natural Resources Division  5 Natural Resources Section  6 U.S. Department of Justice  7 P.O. Box 7611, Washington, DC 20044  8 lee.leininger@usdoj.gov  9 judith.coleman@usdoj.gov  10  11 <i>Attorneys for U.S. Department of the Navy</i>  12  13 <i>Courtesy Copy</i></p>	<p>Peter Candy  HOLLISTER &amp; BRACE  200 E. Carillo St.  Suite 100  Santa Barbara, CA 93101  pcandy@hbsb.com    <i>Attorneys for Channel Islands Beach  Community Services District</i>    <i>Courtesy Copy</i></p>
<p>9 Brad Herrema  10 BROWNSTEIN HYATT FARBER SCHRECK,  11 LLP  12 2049 Century Park East, Suite 3550  13 Los Angeles, California 90067-3217  14 BHerrema@bhfs.com  15  16 <i>Attorneys for Pleasant Valley County Water  17 District</i>  18  19 <i>Courtesy Copy</i></p>	

16 I declare under penalty of perjury under the laws of the State of California that the above  
17 is true and correct. Executed on December 29, 2022, at Los Angeles, California.

18  
19  
20 

21  
22  
23  
24  
25  
26  
27  
28  


---

Katie Sinclair