

CERTIFIED FOR PUBLICATION

THE COURT OF APPEAL OF THE STATE OF CALIFORNIA First Appellate District

FIRST APPELLATE DISTRICT

DIVISION THREE

FILED
JUL 18 2017
Diana Herbert, Clerk
by _____ Deputy Clerk

SAN DIEGO COUNTY WATER
AUTHORITY,

Plaintiff and Appellant,

v.

METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA et al.,

Defendants and Appellants.

A146901, A148266

(City & County of San Francisco
Super. Ct. Nos.
CFP-10-510830, CFP-12-512466)

ORDER MODIFYING OPINION
AND DENYING REHEARING;
NO CHANGE IN JUDGMENT

THE COURT:

It is ordered that the opinion filed herein on June 21, 2017, be modified as follows:

On page 30, at the end of footnote 16, add the following sentence:

The legality of the water stewardship fee as a component of Metropolitan's full-service water rate is not at issue here and we express no opinion on the matter.

There is no change in the judgment.

The petition for rehearing is denied.

Date: JUL 18 2017

McGuinness, P.J.

FILED
JUL 18 2017
Diana Herbert, Clerk
by _____ Deputy Clerk

RECEIVED
Keker, Van Nest & Peters

JUL 20 2017

& copy transmitted
to Calendar

Trial court: San Francisco County Superior Court

Trial judge: Honorable Richard A. Kramer
Curtis E.A. Karnow

Counsel for Plaintiff and Appellant
Metropolitan Water District of
Southern California: QUINN EMANUEL URQUHART & SULLIVAN, LLP
John B. Quinn
Eric J. Emanuel
Valerie Roddy

MORGAN LEWIS & BOCKIUS LLP
Colin C. West
Thomas S. Hixson

QUINN EMANUEL URQUHART & SULLIVAN, LLP
Kathleen M. Sullivan

THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA
Marcia Scully
Heather C. Beatty
Joseph Vanderhorst
John D. Schlotterbeck

The City of Los Angeles acting by
and through the Los Angeles
Department of Water and Power: Michael N. Feuer, City Attorney
Joseph A. Brajevich, General Counsel
Julie C. Riley, Deputy City
Melanie Tory, Deputy City Attorney

MEYERS, NAVE, RIBACK, SILVER & WILSON
Amrit S. Kulkarni
Gregory J. Newmark

Municipal Water District of Orange
County: ALESHIRE & WYNDER, LLP
Stephen R. Onstot

City of Torrance: John L. Fellows III, CITY ATTORNEY
Patrick Q. Sullivan, ASSISTANT CITY ATTORNEY

Las Virgenes Municipal Water
District, Eastern Municipal Water
District, Western Municipal Water
District, Foothill Municipal Water
District, and West Basin Municipal
Water District:

LEMIEUX & O'NEILL
Steven P. O'Neill
Michael Silander

Three Valleys Municipal Water
District:

BRUNICK, MCELHANEY & KENNEDY
Steven M. Kennedy

Counsel for amicus curiae Upper
San Gabriel Valley Municipal
Water District:

LEMIEUX & O'NEILL
Steven P. O'Neill

Counsel for Defendants and
Appellants San Diego County Water
Authority:

KEKER, VAN NEST & Peters LLP
John W. Keker
Daniel Purcell
Dan Jackson
Warren A. Braunig

SAN DIEGO COUNTY WATER AUTHORITY
Mark J. Hattam