

NOV 4 - 2014

CLERK OF THE COURT

BY: [Signature] Deputy Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO

SAN DIEGO COUNTY WATER
AUTHORITY,

Plaintiff/Petitioner,

vs.

METROPOLITAN WATER DIST. OF
SOUTHERN CALIFORNIA, et al.

Defendants/Respondents.

Case No. CFF-10-510830
Case No. CFF-12-512466

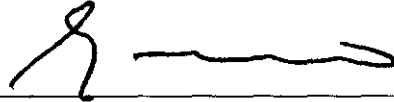
ORDER SETTING CASE MANAGEMENT
CONFERENCE FOR DECEMBER 2, 2014

A case management conference is set for December 2, 2014, 4:00-4.45 p.m. The parties' joint CMC statement should set forth the results of their meet and confer on how to dispose of the remaining issues in this case, including (1) identifying those issues; (2) stating whether each can be disposed of solely with briefing and argument, or requires live testimony; (3) if live testimony, how many days¹ are required; (4) proposed schedule of briefing and (if needed) live trial dates, together with dates for the exchange of exhibit lists and witness lists; (5) with respect to contract damages, a short statement on the parties' views how these are to be measured, with the caveats that (i) as defendant, Metropolitan need not have such a theory of damages, and may in any event attack that proposed by San Diego, and (ii) a party should not propose a theory or

¹ Trial days should be conservatively calculated at about 4.25 hours per day.

1 procedure on contract damages which it simultaneously contends I must not undertake (as a
2 result of arguments on jurisdiction, power, comity, or other grounds).²
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4

5 Dated: November 4, 2014



Curtis E.A. Karnow
Judge Of The Superior Court

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27 ² Even if damages are difficult to determine, a trial court nevertheless should attempt to do so if there is liability.
See generally *Meister v. Mensinger*, 230 Cal. App. 4th 381 (2014) (if “nature, existence, and cause of ... harm were ... certain” then court should determine “the proper remedy, which we agree presents a difficult task”).

Superior Court of California
County of San Francisco

SAN DIEGO COUNTY WATER
AUTHORITY,

Plaintiff(s)

vs.

METROPOLITAN WATER DIST. OF
SOUTHERN CALIFORNIA, et al
Defendant(s)

Case Number: CPF-10-510830
CPF-12-512466

CERTIFICATE OF ELECTRONIC SERVICE
(CCP 1010.6(6) & CRC 2.260(g))

I, DANIAL LEMIRE, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On November 4, 2014, I electronically served THE ATTACHED ORDER via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Dated: November 4, 2014

T. Michael Yuen, Clerk

By:


DANIAL LEMIRE, Deputy Clerk