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9

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 IN AND FOR THE COUNTY OF SAN FRANCISCO
12

13 SAN DIEGO COUNTY WATER
AUTHORITY,

14 Petitioner and Plaintiff,

15 v.


16 METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA; ALL
17 PERSONS INTERESTED IN THE
VALIDITY OF THE RATES ADOPTED
18 BY THE METROPOLITAN WATER
DISTRICT OF SOUTHERN CALIFORNIA
19 ON APRIL 13, 2010 TO BE EFFECTIVE
JANUARY 2011; and DOES 1-10,
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21 Respondents and Defendants.
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EXEMPT FROM FILING FEES
[GOV. CODE § 6103]

FILED
San Francisco County Superior Court

SEP 17 2012

BY: 
Deputy Clerk

Case No. CPF-10-510830

~~PROPOSED~~ ORDER RE: MOTIONS
FOR DE NOVO REVIEW OF
DISCOVERY MANAGEMENT
RECOMMENDATION # 1

Judge: Hon. Richard A. Kramer

Date Filed: June 11, 2010

Trial Date: Not Set

~~PROPOSED~~ ORDER RE: MOTIONS FOR DE NOVO REVIEW OF
DISCOVERY MANAGEMENT RECOMMENDATION # 1
Case No. CPF-10-510830

SEP 13 2012

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1 A series of motions for *de novo* review of the Discovery Management Recommendation #
2 1 filed by Defendants and Respondents' Metropolitan Water District of Southern California
3 (MWD), and by City of Glendale, City of Torrance, City of Los Angeles, Municipal Water
4 District of Orange County, Three Valleys Municipal Water District, Foothill Municipal Water
5 District, West Basin Municipal Water District, and Las Virgenes Municipal Water District
6 ("Member Agencies") came on for hearing on August 3, 2012. The Court continued the matter to
7 September 5, 2012 to afford the parties time to meet and confer further on the scope of discovery
8 and to allow further argument.

9 In this case, Plaintiff and Petitioner San Diego County Water Authority ("Water
10 Authority") challenges the lawfulness of water rates for calendar years 2011 and 2012 adopted by
11 MWD on April 13, 2010. The Water Authority alleges that MWD's 2011/12 rates violate various
12 constitutional, statutory and common law provisions, including California's Wheeling Statute,
13 Cal. Water Code § 1810 *et seq.* The Water Authority seeks a writ of mandate, declaratory relief,
14 and a finding of invalidity under the Validation Statutes, Code of Civil Procedure § 860 *et seq.*
15 The Water Authority separately brings an action for breach of contract, namely the Exchange
16 Agreement between the Water Authority and MWD. In addition, the Water Authority has
17 brought two claims for declaratory relief relating to MWD's use of its Rate Structure Integrity
18 (RSI) provision and relating to MWD's calculation of preferential rights. The Imperial Irrigation
19 District ("IID") also challenges MWD's rates.

20 These motions arise out of document requests and interrogatories served by the Water
21 Authority on MWD and each of the Member Agencies, as well as third-party subpoenas served
22 on two entities that have provided consulting services to the Member Agencies, Malcolm Pirnie,
23 Inc. and Cordoba Corporation; and document requests, interrogatories and requests for admission
24 served on MWD by IID. MWD, the Member Agencies and the consultants objected to producing
25 any responsive information, on various grounds. Consistent with the Court's order of March 12,
26 2012, the parties initially presented their discovery dispute to the Court's appointed discovery
27 referee Hon. James L. Warren (Ret.). The parties presented extensive briefing to Judge Warren in
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1 April 2012. Judge Warren then convened an in-person hearing on May 21, 2012, which was
2 followed by a telephonic hearing on May 24, 2012, and further written submissions by the parties.

3 Judge Warren issued Discovery Management Recommendation # 1 on June 5, 2012. In
4 his Recommendation, Judge Warren recommended that MWD, the Member Agencies, Malcolm
5 Pirnie and Cordoba be required to respond to a defined set of discovery requests, which he drafted
6 based on input from the parties. Judge Warren further recommended that written discovery at this
7 time be limited to document requests, and that interrogatories and requests for admission be
8 deferred until after document discovery is complete. Judge Warren also recommended that
9 discovery concerning the Water Authority's preferential rights cause of action be sequenced later,
10 after the initial document discovery was completed.

11 MWD, the Member Agencies and the third-party consultants objected to Recommendation
12 # 1 and, as required by the March 12, 2012 Order, MWD and the Member Agencies each filed a
13 motion for *de novo* review of those recommendations. Malcolm Pirnie and Cordoba joined in
14 those motions. The Water Authority and Respondent and Defendant Imperial Irrigation District
15 opposed the motion and asked the Court to approve Judge Warren's recommendation.

16 The Court, reviewing Judge Warren's Recommendation # 1 *de novo*, hereby ORDERS as
17 follows:

18 **BASIS FOR DISCOVERY**

19 The Water Authority and IID have satisfied all obligations to commence taking discovery.
20 In a previous order, this Court held that discovery is appropriate in this case because the Water
21 Authority and IID have challenged MWD's 2011/12 rates under the Wheeling Statute, which
22 authorizes the Court to consider "all relevant evidence" in determining whether MWD's rates
23 violate the Wheeling Statute. *See* Jan 6, 2012 Hearing Tr. at 5:12-6:11, 31:17-32:5; *see also*
24 Water Code §§ 1810, 1813. In addition, the Water Authority's breach of contract claim entitles it
25 to take normal civil discovery. *See 300 DeHaro St. Investors v. Dep't of Housing*, 161 Cal. App.
26 4th 1240, 1254-56 (2008).

27 The Water Authority's and IID's document requests, as modified by Judge Warren and
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1 further spelled out below, are reasonably calculated to lead to the discovery of admissible
2 evidence. *See Stewart v. Colonial W. Agency, Inc.*, 87 Cal. App. 4th 1006, 1013 (2001). In broad
3 terms, the Water Authority's and IID's requests pertain to: 1) the manner in which MWD's 2011-
4 2012 rates were set and whether those rates complied with applicable law; 2) the allocation of
5 MWD costs to various rates charged by MWD; and 3) the enactment and use of the RSI
6 provision. These are all proper subjects for discovery, and the specific requests are reasonably
7 tailored to address those issues.

8 This Order is not intended to discover the thought processes of the MWD Board members
9 who approved the 2011-2012 rates, nor any animus or bias those MWD Board members may
10 have held toward the Water Authority or the citizens of San Diego. Obviously, it is possible that
11 documents relating to the basis of the rates, whether that basis is permissible under California
12 law, and the manner in which the rates were set may also describe or indicate some animus or
13 bias of individuals involved in the rate-setting process. For purposes of discovery, such
14 documents still must be produced. This order does not address the separate questions whether
15 any document would be admissible at trial, and, if so, for what purpose.

16 SCOPE OF DISCOVERY

17 MWD's and the Member Agencies' general objection that their discovery responses
18 should be limited to documents that were "used or considered or available for consideration in
19 connection with setting the rates adopted on April 13, 2010" is OVERRULED. The Water
20 Authority and IID are entitled to discover documents beyond those that were available for
21 consideration on or before April 13, 2010. Even if documents were not in MWD's possession on
22 the date the 2011/12 rates were set, they may lead to the discovery of admissible evidence in this
23 case. Subject to the parties' agreed limitations concerning specific custodians and files
24 (explained below), MWD and the Member Agencies should produce all responsive records in
25 their possession, custody or control.

26 MWD and the Member Agencies' general objection that they should not have to produce
27 documents that post-date April 13, 2010, when the 2011/12 rates were adopted, is OVERRULED.

1 Given the "all relevant evidence" standard for evaluating claims under the Wheeling Statute and
2 the traditional civil discovery standards applicable to the Water Authority's claims for breach of
3 contract and declaratory relief, discovery of documents post-dating April 13, 2010 is reasonably
4 calculated to lead to the discovery of admissible evidence.

5 SDCWA's document requests to the Member Agencies and the document subpoenas to
6 the non-parties Cordoba Corporation and Malcolm Pirnie, Inc. shall generally be subject to the
7 following limitations:

- 8 1) documents that constitute communications with MWD;
- 9 2) documents that reflect communications with MWD;
- 10 3) documents that discuss MWD's 2011-2012 water rates.

11 ~~[SDCWA/HHD Proposed Language]:~~ These limitations are not intended to override the language
12 of specific document requests, and the Member Agencies and non-parties shall respond to the
13 requests as set forth below.

14 ~~[Member Agencies' Non-Parties' Proposed Language]:~~ These limitations are not intended to
15 apply to document requests no. 4, 5 and 7 to the Member Agencies, and no. 8, 11 (in part), 12, 13,
16 14 and 15 to the non-parties, as those requests pertain to issues different than the issues addressed
17 by these limitations.

18 Unless otherwise noted, the Relevant Time Period for all responses shall be from July 1,
19 2008 to the date of this Order.

20 DOCUMENTS THAT NEED NOT BE PRODUCED

21 The parties agree, and the Court orders, that MWD and the Member Agencies are not
22 required to produce the following categories of responsive documents: (1) documents that were
23 produced as part of MWD's "administrative record" lodged with the Court on December 13,
24 2011; (2) documents that have been provided by them in response to Public Records Act requests
25 served on them by the Water Authority; or (3) documents previously produced to MWD by the
26 Water Authority pursuant to Public Records Act requests served by MWD on the Water
27 Authority. The production of documents shall not be deemed a waiver of any objections to
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1 admissibility, including but not limited to relevance.

2 **APPLICABLE DEFINITIONS**

3 All words and phrases used in these below-ordered requests for production shall be given
4 their standard, everyday meaning. The absence of multiple nouns and verbs to describe a thing or
5 an activity should not be deemed a reason for avoiding production. Any ambiguity should be
6 resolved in favor of production. The terms "document" and "communication" should be defined
7 in light of Evidence Code 250 and Code of Civil Procedure Section 2016.020.

8 The term "Member Agency Working Group," as used below, shall mean and refer to the
9 subset of MWD member agency managers that has met periodically since 2009 for meetings
10 facilitated by Malcolm Pirnie and/or Cordoba under the name "MWD Member Agency Managers
11 Working Group," "Member Agency Managers MWD Working Group," or "MWD Policy
12 Working Group," or any other name or alias.

13 The term "Member Agency Working Group Participant," as used below, shall mean and
14 refer to any of John Rossi, Rich Nagel, John Mundy, Jeff Helsley, David Pettijohn, Tony Pack,
15 Fernando Paludi, Tom Erb, Rick Hansen, Shana Epstein, Martha Davis, Rich Atwater, Nina
16 Jazmaradian, Don Calkins, Harvey De La Torre, Kevin Hunt, Ray Burk, Bill Mace, David
17 Schickling, Rob Beste, Gil Borboa, Pat Meszaros, Steve Johnson, Shane Chapman, Tom Love,
18 Maria Mercanrdante, Carlos Reyes, Susan Mulligan, Ryan Shaw, Peter Kavounas, Jolene Walsh,
19 Jack Safely, Henry Graumlich, Chris Theisen, David Gustavson, Craig Miller, Jim McDaniel, and
20 Paul D. Jones II.

21 The term "Raftelis Report," as used below, shall mean and refer to the document entitled
22 "Metropolitan Water District of Southern California – Independent Review of FY 2010/11 Cost
23 of Service and Rate Setting Process," dated April 6, 2010 and prepared by Raftelis Financial
24 Consultants, Inc.

25 The term "Economic Study," as used below, shall mean and refer to the study prepared by
26 the Los Angeles County Economic Development Corporation (LAEDC) and authored by Gregory
27 Freeman, Steven P. Erie, Vladimir Kogan and Theodore Groves relating to the costs associated
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1 with SDCWA's water transfer agreement with IID.

2 The term "Non-Metropolitan Water," as used below, shall mean and include all water
3 *other than* water purchased from the California Department of Water Resources for delivery to
4 MWD through the State Water Project, and the water to which MWD has rights by virtue of the
5 Colorado River Compact and other agreements, statutes, and court decisions comprising the "Law
6 of the River," and delivered through the Colorado River Aqueduct. "Non-Metropolitan Water"
7 shall include, but is not limited to, water delivered to MWD by SDCWA pursuant to the 2003
8 Exchange Agreement.

9 For purposes of clarity and convenience, the document request numbers mirror those in
10 Judge Warren's Recommendation, though certain requests were modified by the parties during
11 the meet-and-confer process. Any requests that were withdrawn by the Water Authority and IID
12 during the course of the meet-and-confer process appear with the words "Withdrawn."

13 CUSTODIANS

14 The Water Authority and IID have agreed to limit MWD's and the Member Agencies'
15 obligations to search for responsive documents. MWD and the Member Agencies will search all
16 paper and electronic documents of specified custodians and, where applicable, central files or
17 primary repositories. Except for good cause shown, no Metropolitan or Member Agency
18 employee may provide evidence or testimony to this Court until that employee's documents have
19 been searched and produced consistent with this Order, which production may occur after the
20 production dates in this Order

21 With respect to Document Request Nos. 1-5, 7-17, and 20-24 to MWD, the list of
22 applicable custodians is as follows: Steve Arakawa, Tim Blair, James Bodnar, Grace Chan, Shane
23 Chapman, Tom DeBacker, Brandon Goshi, Gilbert Ivey, Jeff Kightlinger, Stathis Kostopoulous,
24 Debra Man, Roger Patterson, Tom Philp, June Skillman, David Sumi, Brian Thomas, Deven
25 Upadhyay, RJ Van den Berg, and Linda Waade.

26 With respect to Document Request No. 6 to MWD, the list of applicable custodians is as
27 follows: Steve Arakawa, Shane Chapman, Tom DeBacker, Brandon Goshi, Gilbert Ivey, Jeff
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1 Kightlinger, Jack Maloy, Debra Man, Dan Rodrigo, June Skillman, Karen Tachiki, Greg Tayler,
2 Brian Thomas, Dennis Underwood, and John Wodraska.

3 With respect to Document Request Nos. 18 and 19 to MWD, the list of applicable
4 custodians is as follows: Shane Chapman, Tom DeBacker, Ron Gastelum, Brandon Goshi,
5 Gilbert Ivey, Jeff Kightlinger, Debra Man, Tom Philp, Marcia Scully, June Skillman, Brian
6 Thomas, Deven Upadhyay, Peter Von Haam, and Linda Waade.

7 The Water Authority and IID are ordered to meet and confer with the Member Agencies
8 and non-parties to agree on appropriate lists of custodians from those entities.

9 The above lists of custodians are set forth without prejudice to the Water Authority and/or
10 IID later seeking production of documents maintained by other individuals whose identities may
11 be revealed through the discovery process. In the event the Water Authority and/or IID seek
12 production of documents maintained by individuals not on the lists above, the parties should meet
13 and confer in an attempt to resolve the issue before bringing the issue to the Court.

14 **DOCUMENT REQUESTS TO MWD**

15 The Court ORDERS that MWD respond to the following document requests:

- 16 1. All documents, including drafts, that were generated in connection with the
17 preparation of Board Action Memo 8-2 for the April 13, 2010 MWD Board Meeting.
- 18 2. All documents that discuss or were generated in connection with the preparation of
19 the Raftelis Report, including the materials that were provided to Raftelis in connection with its
20 preparation of the Report.
- 21 3. All documents that were generated in connection with or that discuss the written
22 and/or oral testimony provided by the Water Authority at the March 8, 2010 hearing of the MWD
23 Business and Finance Committee on the subject of MWD's 2011-2012 water rates.
- 24 4. All communications between MWD staff, employees or consultants that discuss
25 the development, formulation or adoption of MWD's 2011-2012 water rates, or any component
26 thereof.
- 27 5. All documents that discuss the allocation by MWD of costs to any component that
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1 is a part of the unbundled rates that it approved in April 2010 for calendar years 2011-2012,
2 regardless of how that component is characterized (*e.g.*, System Access Rate; System Power
3 Rate; Water Stewardship Rate; Supply Rate; Readiness-to-Serve Charge; Capacity Charge, etc.).

4 6. All documents that discuss the negotiation of the terms ultimately memorialized as
5 Sections 5.2 and 11.1 of the October 10, 2003 Amended and Restated Agreement Between the
6 Metropolitan Water District of Southern California and the San Diego County Water Authority
7 for the Exchange of Water (“2003 Exchange Agreement”).

8 7. All communications between any MWD employee and any employee or staff
9 member of Malcolm Pirnie from July 1, 2009 to the present that discuss the calculation of
10 MWD’s 2011-2012 water rates, or any component thereof.

11 8. All communications between any MWD employee and any employee or staff
12 member of Cordoba Corporation from July 1, 2009 to the present that discuss the calculation of
13 MWD’s 2011-2012 water rates, or any component thereof.

14 9. All communications between any MWD employee and any Member Agency
15 Working Group Participant from July 1, 2009 to the present that discuss the calculation of
16 MWD’s 2011-2012 water rates.

17 10. All documents from July 1, 2009 to the present that discuss the Water Authority’s
18 position concerning MWD’s allocation of its costs to particular MWD rate components in
19 MWD’s 2011-2012 water rates, excluding any documents transmitted between MWD and the
20 Water Authority.

21 11. All documents created on or before April 13, 2010 that discuss the effect on any
22 MWD member agency of any proposed or actual changes to MWD’s water rates, particularly (but
23 not limited to) changes to the allocation of MWD’s costs from one rate component (*e.g.*, system
24 access rate) to another (*e.g.*, system supply rate), and all documents created after April 13, 2010
25 that discuss this subject matter in connection with MWD’s 2011-2012 water rates.

26 12. All manuals, treatises, reports, memoranda, studies, or white papers that discuss
27 industry standards for the allocation of water costs to various rate components (*e.g.*,
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1 transportation, supply), and all documents of any type that discuss MWD's compliance or lack of
2 compliance with such industry standards in the setting of MWD's wholesale water rates.

3 13. All manuals, treatises, reports, memoranda, studies, or white papers that discuss
4 industry standards for measuring the costs of providing services within a public water system, and
5 all documents of any type that discuss MWD's compliance or lack of compliance with such
6 industry standards in the setting of MWD's wholesale water rates.

7 14. All documents created on or before April 13, 2010 that discuss MWD's allocation
8 into rate categories (*e.g.*, supply, system access rate, system power rate) of charges or costs
9 associated with MWD's purchase of State Water Project water from the California Department of
10 Water Resources, and all documents created after April 13, 2010 that discuss this subject matter
11 in connection with MWD's 2011-2012 water rates.

12 15. All documents created on or before April 13, 2010 that discuss whether the Water
13 Stewardship Rate should be charged as part of MWD's rates for the wheeling or transportation of
14 Non-Metropolitan water, and all documents created after April 13, 2010 that discuss this subject
15 matter in connection with MWD's 2011-2012 water rates.

16 16. All reports, including drafts, created on or before April 13, 2010 regarding any
17 MWD actual or proposed water rate structure prepared by MWD's outside consultants Red Oak
18 Consulting, Arcadis, or any other outside consultants, and all documents created after April 13,
19 2010 that discuss this subject matter in connection with MWD's 2011-2012 water rates.

20 17. All documents created on or before April 13, 2010 that discuss any of the draft or
21 final reports that are responsive to Request for Production No. 16, and all documents created after
22 April 13, 2010 that discuss this subject matter in connection with MWD's 2011-2012 water rates.

23 18. All documents that discuss the need for, implementation of, or exercise of the Rate
24 Structure Integrity Provision to address any MWD member agency's potential or actual challenge
25 to Metropolitan's 2011-2012 water rates.

26 19. All documents created in connection with the development of Board Action Memo
27 8-7 for the June 14, 2011 meeting of the MWD Legal and Claims Committee recommending that
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1 MWD exercise the Rate Structure Integrity Provision to cancel contracts with San Diego,
2 including any communications with any Member Agency Working Group participant or any other
3 third party regarding this subject.

4 20. All documents that reflect MWD's participation in the Economic Study prepared
5 by the LAEDC (Freeman, Erie, Kogan and Groves, authors), including any materials that MWD
6 provided to support the drafting of the Study.

7 21. Documents sufficient to show each cost that MWD recovered, or expected or
8 intended to recover, through its 2011 and 2012 System Access Rate.

9 22. Documents sufficient to show each cost that MWD recovered, or expected or
10 intended to recover, through its 2011 and 2012 System Power Rate.

11 23. Documents sufficient to show each cost that MWD recovered, or expected or
12 intended to recover, through its 2011 and 2012 Water Stewardship Rate.

13 24. All documents created on or before April 13, 2010 that discuss which MWD costs
14 should or should not be included in any MWD wheeling rates set on or after January 1, 2008, and
15 all documents created after April 13, 2010 that discuss this subject matter in connection with
16 MWD's 2011-2012 water rates.

17 **DOCUMENT REQUESTS TO MEMBER AGENCIES**

18 The Court ORDERS that each Member Agency¹ respond to the following document
19 requests:

20 1. All communications about the development, evaluation or adoption by MWD of
21 water rates for 2011-2012.

22 2. All communications about the allocation by MWD of costs to any component that
23 is a part of MWD's unbundled rates (e.g., System Access Rate; System Power Rate; Water
24 Stewardship Rate; Supply Rate) approved in April 2010 for the 2011-2012 calendar years.

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26 ¹ While written out for illustrative purposes as requests to a single Member Agency defendant,
27 the Municipal Water District of Orange County (MWDOC), these requests should be answered
28 individually by each Member Agency defendant, and each Member Agency defendant separately
should produce responsive documents.

1 3. All communications about the anticipated or actual financial impact on MWDOC
2 of any proposed or actual changes to MWD's 2011-2012 water rates, particularly (but not limited
3 to) changes to the allocation of MWD costs from one rate component (e.g., system access rate) to
4 another (e.g., system supply rate).

5 4. All manuals, treatises, reports, memoranda, studies, or white papers that discuss
6 industry standards for the allocation of water costs to various rate components (e.g.,
7 transportation, supply), and all documents of any type that discuss MWD's compliance or lack of
8 compliance with such industry standards in the setting of MWD's 2011-2012 water rates.

9 5. All manuals, treatises, reports, memoranda, studies, or white papers that discuss
10 industry standards for measuring the costs of providing services within a public water system, and
11 all documents of any type that discuss MWD's compliance or lack of compliance with such
12 industry standards in the setting of MWD's 2011-2012 water rates.

13 6. All communications about the need for, implementation of, or exercise of the Rate
14 Structure Integrity Provision to address any MWD member agency's potential or actual challenge
15 to MWD's 2011-2012 water rates.

16 7. All documents that reflect MWDOC's participation in the Economic Study
17 prepared by the LAEDC (Freeman, Erie, Kogan and Groves, authors), including any materials
18 that MWD or MWDOC provided to support the drafting of the Study.

19 8. Withdrawn.

20 9. All communications about the actual or anticipated response of the Water
21 Authority to MWD's water rates for 2011-2012.

22 10. All communications between any MWDOC agent or employee and any agent or
23 employee of Malcolm Pirnie that discuss MWD's 2011-2012 water rates, or any component
24 thereof.

25 11. All communications between any MWDOC agent or employee and any agent or
26 employee of Cordoba that discuss MWD's 2011-2012 water rates, or any component thereof.
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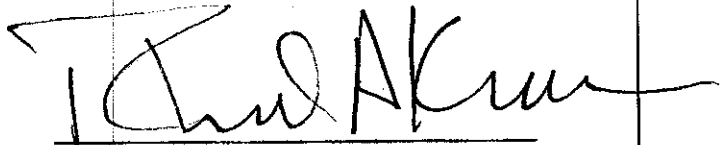
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Documents protected from disclosure by the attorney-client privilege or work-product doctrine that were generated after the date the initial complaint in this action was filed need not be placed on a privilege log. The parties are encouraged to work cooperatively to determine whether there are any other categories of documents they can agree need not be included in the privilege log, and may bring any unresolved issues to the Court. Other than as stated above, this Order is not intended to rule on the scope of privilege logs to be produced in this action.

Nothing in this order is intended to preclude any Party from serving additional discovery on any topic at a later stage of this case.

IT IS SO ORDERED.

Dated: 9/13/12


HON. RICHARD A. KRAMER
San Francisco Superior Court

APPROVED AS TO FORM

Dated: September 12, 2012

MORRISON & FOERSTER LLP

By: 
JAMES J. BROSNAHAN
S. RAJ CHATTERJEE

Attorneys for Respondent and Defendant
METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Dated: September 12, 2012

CITY OF TORRANCE

By: JOHN L. FELLOWS, III
PATRICK Q. SULLIVAN

Attorneys for Respondent and Defendant
CITY OF TORRANCE

1 Documents protected from disclosure by the attorney-client privilege or work-product
2 doctrine that were generated after the date the initial complaint in this action was filed need not be
3 placed on a privilege log. The parties are encouraged to work cooperatively to determine whether
4 there are any other categories of documents they can agree need not be included in the privilege
5 log, and may bring any unresolved issues to the Court. Other than as stated above, this Order is
6 not intended to rule on the scope of privilege logs to be produced in this action.

7 Nothing in this order is intended to preclude any Party from serving additional discovery
8 on any topic at a later stage of this case.

9 IT IS SO ORDERED.

10 Dated:

HON. RICHARD A. KRAMER
San Francisco Superior Court

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APPROVED AS TO FORM

15

16 Dated: September 12, 2012

MORRISON & FOERSTER LLP

17

18

By:


JAMES J. BROSNAHAN
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19

Attorneys for Respondent and Defendant
METROPOLITAN WATER DISTRICT
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20

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22 Dated: September 12, 2012


CITY OF TORRANCE

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By:


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1 Dated: September 12, 2012

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3 By: 
STEVEN M. KENNEDY

4 Attorneys for Respondent and Defendant
5 THREE VALLEYS MUNICIPAL WATER
6 DISTRICT

7 Dated: September 12, 2012

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9 By: STEVEN O'NEILL
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10 Attorneys for Respondent and Defendant
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12 DISTRICT, FOOTHILL MUNICIPAL
13 WATER DISTRICT and LAS VIRGENES
14 MUNICIPAL WATER DISTRICT

15 Dated September 12, 2012

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16 By: MICHAEL J. GARCIA
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19 Attorneys for Respondent and Defendant
20 CITY OF GLENDALE

21 Dated: September 12, 2012

CITY OF LOS ANGELES

22 By: VICTOR SOFELKANIK
23 CARMEN A. TRUTANICH
24 RICHARD M. BROWN

25 Attorneys for Respondent and Defendant
26 CITY OF LOS ANGELES

27 Dated: September 12, 2012

ALESHIRE & WYDNER, LLP

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Dated: September 12, 2012

BRUNICK, McELHANEY & BECKETT

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Dated: September 13, 2012

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1 Dated: September 12, 2012

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THREE VALLEYS MUNICIPAL WATER
DISTRICT

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Dated: September 12, 2012

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Dated September 12, 2012

CITY OF GLENDALE

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