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EXEMPT FROM FILING FEES
[GOVERNMENT CODE § 6103]

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA

17 COUNTY OF SAN FRANCISCO

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19 SAN DIEGO COUNTY WATER
AUTHORITY,
20
21 Petitioner and Plaintiff,
22 v.
23 METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA; et al.,
24 Respondents and Defendants.

Case Nos. CPF-10-510830; CPF-12-512466

**RESPONDENT AND DEFENDANT
METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA'S
NOTICE OF MOTION AND MOTION TO
REOPEN EXPERT DISCOVERY FOR
LIMITED PURPOSE**

Date: August 6, 2014
Time: 3:00 p.m.
Dept.: 304
Judge: Hon. Curtis E. A. Karnow

Actions Filed: June 11, 2010; June 8, 2012
Trial Date: Phase II trial date not yet set

1 TO THE CLERK OF THE COURT, AND TO ALL PARTIES AND THEIR
2 ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE THAT on August 6, 2014, at 3:00 p.m., or as soon thereafter as
4 the matter can be heard, in Department 304 of the above-entitled Court, located at 400 McAllister
5 St., San Francisco, CA 94102-45145, Respondent and Defendant Metropolitan Water District of
6 Southern California (“MWD”) will and hereby does move the Court pursuant to California Code
7 of Procedure § 2024.050 for an Order reopening expert discovery for the limited purpose of
8 allowing MWD to augment its list of damages experts and to provide supplemental expert reports
9 concerning damages, in the event the Court determines that San Diego County Water Authority’s
10 breach of contract claims can be litigated.

11 This motion is made on the grounds that if there will be a breach of contract adjudication,
12 then MWD seeks to present damages evidence that was only possible to develop after the Court’s
13 April 24, 2014 Statement of Decision on Rate Setting Challenges.

14 This motion is based on this Notice of Motion and Motion, the Memorandum of Points and
15 Authorities in Support Thereof, the supporting declaration of Alex Baxter and attached exhibits,
16 all matters of which this Court takes judicial notice, the pleadings and other papers on file in this
17 action, and such further evidence and argument as may be presented at or before the hearing this
18 motion.

19 The Parties met and conferred on this motion on June 25, 2014.

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21 DATED: July 1, 2014

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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23 By: /s/ Eric J. Emanuel
24 Eric J. Emanuel
25 Attorneys for Respondent and Defendant,
26 Metropolitan Water District of Southern
27 California
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