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12 CITY OF SAN BUENAVENTURA

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF LOS ANGELES

15 SANTA BARBARA CHANNELKEEPER, a
16 California non-profit corporation,

17 Petitioner,

18 v.

19 STATE WATER RESOURCES CONTROL
20 BOARD, etc., et al.,

21 Respondents.

22 CITY OF SAN BUENAVENTURA, etc.,

23 Cross-Complainant

24 v.

25 DUNCAN ABBOTT, an individual, et al.

26 Cross-Defendants.
27
28

Case No. 19STCP01176

Judge: Honorable William F. Highberger

SUPPLEMENT TO JOINT REPORT

Date: August 25, 2022

Time: 10:00 a.m..

Dept: SS10

Action Filed: September 19, 2014

Trial Date: TBD


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SUPPLEMENT TO JOINT REPORT

The City of Ventura, Casitas Municipal Water District, City Of Ojai, and the East Ojai Group submit this supplement to the joint report filed on August 18, 2022 in advance of the status conference scheduled for August 25, 2022 at 10 a.m. A summary report entitled “Case No. 19STCP01176. Status Report 2. Structured Mediation Process” from mediator David Ceppos is attached hereto as Exhibit A.

Dated: August 22, 2022

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EXHIBIT A



California State University, Sacramento
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304 S Street, 3rd Floor · Sacramento, CA 95811

Date: August 18, 2022
To: Honorable William F. Highberger. Superior Court of the State of California, County of Los Angeles.
From: David Ceppos. Director and Managing Senior Mediator. Sacramento State, Consensus and Collaboration Program
Subject: Case No. 19STCP01176. Status Report 2. Structured Mediation Process

The following is a status report on the Structured Mediation Process for this Case. For clarity purposes the following parties: Casitas Municipal Water District, the City of Ojai, the City of San Buenaventura, and the East Ojai Group, are defined as the “Initial Mediation Parties” (IMP).

Mediation Process to Date

Since the issuance of Mediator Summary Report 1 on May 25, 2022, the mediator conducted the following activities that have resulted in the following general outcomes.

- Conducted meetings with individual IMPs to support their identification of key issues to be addressed in Session 2 (see description below).
- Met with various legal counsel representatives of individual landowners to discuss the Case and carry out confidential mediation-based interviews to define their respective parties’ interests and needs to be resolved in a mediated settlement.
- Met with attorneys representing the State Water Resources Control Board and California Department of Fish and Wildlife to discuss the Case and conduct confidential mediation-based interviews to define their respective parties’ interests and needs to be resolved in a mediated settlement.
- Met with various public and private water purveyor organizations and large-scale landowners to discuss the status of the mediation to date and to set the stage for future, formal mediation-based interviews to define their respective parties’ interests and needs to be resolved in a mediated settlement.
- Planned and facilitated Session 2 of the IMPs on June 28-29, 2022. General focus of discussion and outcomes included: continued description and expansion of the individual projects and overall effort defined as the “Watershed Enhancement Program” (WEP) (formerly referred to as the “Physical Solution”),
- Edited and authored portions of the Exempt Class Proposal that defines the basis to be classified as an Exempt Party while still ensuring that said parties remain under the Court’s jurisdiction
- Authored and released a watershed-wide email via a master listserve of all defendants and interested parties, announcing the availability of the Exempt Class Proposal and the mediator’s availability to meet with any interested party to discuss the Proposal, describe its intent, answer questions about the status of the mediation and identify (if feasible) a party’s level of support for the Exempt Class Proposal.
- Met again individually with five (5) individual legal counsel representatives of individual landowners (as also referenced above in bullet 2) to discuss the Exempt Class Proposal

- Met with (as of August 18, 2022), ten (10) individual parties responding to the email offer to discuss the Exempt Class Proposal. General outcomes are very favorable of the proposal with a small number of parties supporting the approach but requested some revisions (to be addressed in the coming weeks).
- Scheduled to meet with twelve (12) additional parties responding to the email offer to discuss the Exempt Class Proposal.

PROOF OF SERVICE

I am a resident of the State of California and over the age of eighteen years, and not a party to the action herein; my business address is Best Best & Krieger LLP, 2001 N. Main Street, Suite 390, Walnut Creek, CA 94596. On August 22, 2022, I served the following document(s):

SUPPLEMENT TO JOINT REPORT

- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Diego, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. ***TO THE SPECIFIC PARTIES LISTED BELOW.***
- I caused such envelope to be delivered via overnight delivery. Such envelope was deposited for delivery by United Parcel Service following the firm's ordinary business practices.
- by transmission via **E-Service to File & ServeXpress** to the person(s) set forth below. Local Rules of Court 2.10 (P).
- By e-mail or electronic transmission.** I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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Nightingale Family Trust; Heide C. Kurtz, Trustee of The Kurtz Family Trust Dated January 19, 2019; Randall Leavitt, Trustee of The Randall B. Leavitt 2010 Trust; Edward C. Leicht and Jacqueline M. Leicht, Trustees of The Leicht Family 2013 Revocable Trust Dated March 1, 2013; Paul Lepiane and Bengtson Bo; Robert Levin and Lisa Solinas, Trustees of The Levin Family Living Trust; Francis Longstaff and Shauna Longstaff, Trustees of The Longstaff Trust Dated October 11, 2018; Mandy Macaluso, Trustee of The Living Trust of Mandy Macaluso; Marilyn Wallace, Trustee of The Marilyn Wallace Separate Property Trust; Daniel J. McSweeney and Yoko McSweeney; Wendell M. Mortensen and Laura L. Mortensen, Trustees of The Mortensen Family Revocable Trust; Timothy Jerome Murch and Jody Caren Murch, Trustees of The Jodim Family 2007 Trust Dated July 31, 2007; Chris E. Platt and Hanh H. Platt; Robert Erickson, Trustee and Ronald Wilson; Michael D. Robertson and Kimberly A. Robertson, Trustees of The Robertson Family Trust; James P. Robie, Trustee of the Robie Family Trust; Petter Romming and Kimi Romming, Trustees; Marc Saleh, Trustee of The Saleh Family Trust; Konrad Stefan Sonnenfeld, Trustee of The Konrad Stefan Sonnenfeld Living Trust; Mark Sutherland, Trustee of The Sutherland Marital Trust; John H. Thacher and Caroline H. Thacher, Trustees of The Thacher Family Trust Dated January 2004; Gilbert G. Vondriska and Carolyn J. Vondriska, Trustees of The Vondriska Living Trust; William D. Rusin, Sr., Trustee of the William D. Rusin Sr. Revocable Trust; Oscar D. Acosta, Trustee of the Acosta Trust; Chris E. Platt and Hanh H. Plat; Deborah Lys Martin Crawford; Diane Syvertson, Trustee of the Diana Syvertson Living Trust; Erica J. Abrams, Trustee of the Erica J. Abrams Trust; Frank Clay Creasey Jr.; Frederic DeVault; Gilbert G. Vondriska and Carolyn J. Vondriska, Trustees of the Vondriska Living Trust; James P. Robie, Trustee of the Robie Family Trust; John H. Thacher and Caroline H. Thacher, Trustees of the Thacher Family Trust dated January 2004; Mandy Macaluso, Trustee of the Living Trust of Mandy Macaluso; Margot J. Griswold; Mark Sutherland, Trustee of the Sutherland Marital Trust; Randall Leavitt, Trustee of the Randall B. Leavitt 2010 Trust; Raul E. Alvarado and Hildegard M. Alvarado, trustees

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of the Alvarado Family Trust; Sumeet Bhatia and Michael McDonald; Timothy Jerome Murch and Jody Caren Murch, Trustees of the Jodim Family 2007 Trust dated July 31, 2007; Wendell M. Mortensen and Laura L. Mortensen, Trustees of the Mortensen Family Revocable Trust; Petter Romming and Kimi Romming, Trustees; William Armstrong and April Nardini; William Erickson; Rancho Sueño, LLC; James and Andrea Pendleton; Wayne Tate and Janice Priebe-Tate, Trustees of the Tate Trust, as Community Property ; Susan K. Capper, Trustee of the Capper Trust Dated August 28, 2003, Roe 42;

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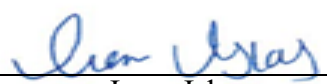
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37 Executed on August 22, 2022 at Walnut Creek, California.

38 
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