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12 CITY OF SAN BUENAVENTURA

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

15
16 SANTA BARBARA CHANNELKEEPER, a
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.
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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

BEST BEST & KRIEGER LLP

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Dated: August 22, 2022

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Dated: August 22, 2022

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Dated: August 22, 2022

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EXHIBIT A



California State University, Sacramento
College of Continuing Education
Consensus and Collaboration Program
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.

All pages related to proof of service have been removed for purposes of posting on the Casitas Municipal Water District website.