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Exempt From Fees Per  
Govt. Code § 6103

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11 Attorneys for Defendant, Cross-Complainant, & Cross-Defendant  
12 INDIAN WELLS VALLEY WATER DISTRICT

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14  
15 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
16 FOR THE COUNTY OF ORANGE, CIVIL COMPLEX CENTER

17 MOJAVE PISTACHIOS, LLC; et al.,

18 Plaintiffs,

19 v.

20 INDIAN WELLS VALLEY WATER  
21 DISTRICT; et al.,

22 Defendants.

Case No. 30-2021-01187275-CU-OR-CJC

*[Related to: Case No. 30-2021-01187589-CU-  
WM-CXC; Case No. 30-2021-01188089-CU-  
WM-CXC; Case No. 30-2022-01239479-CU-  
MC-CJC; Case No. 30-2022-01239487-CU-  
MC-CJC; Case No. 30-2022-01249146-CU-  
MC-CJC]*

Assigned For All Purposes To:  
The Honorable William Claster, Dept. CX104

23  
24  
25 **NOTICE OF RULING FROM THE  
12/2/22 STATUS CONFERENCE**

26 **Next Status Conference:**

27 **Date: March 17, 2023**

28 **Time: 1:30 p.m.**

**Dept.: CX104**

1 INDIAN WELLS VALLEY WATER  
2 DISTRICT,

3 Cross-Complainant,

4 v.

5 ALL PERSONS WHO CLAIM A RIGHT  
6 TO EXTRACT GROUNDWATER IN THE  
7 INDIAN WELLS VALLEY  
8 GROUNDWATER BASIN NO. 6-54  
9 WHETHER BASED ON  
10 APPROPRIATION, OVERLYING RIGHT,  
11 OR OTHER BASIS OF RIGHT, AND/OR  
12 WHO CLAIM A RIGHT TO USE OF  
13 STORAGE SPACE IN THE BASIN; et al.,

14 Cross-Defendants.

15 SEARLES VALLEY MINERALS INC.,

16 Cross-Complainant,

17 v.

18 ALL PERSONS WHO CLAIM A RIGHT  
19 TO EXTRACT GROUNDWATER IN THE  
20 INDIAN WELLS VALLEY  
21 GROUNDWATER BASIN NO. 6-54  
22 WHETHER BASED ON  
23 APPROPRIATION, OVERLYING RIGHT,  
24 OR OTHER BASIS OF RIGHT, AND/OR  
25 WHO CLAIM A RIGHT TO USE OF  
26 STORAGE SPACE IN THE BASIN; et al.,

27 Cross-Defendants.

28 AND RELATED CASES.

Complaint Filed:  
Trial Date:

November 19, 2019  
None Set

1           **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2           **PLEASE TAKE NOTICE** that on December 2, 2022 at 1:30 p.m., the Court held a  
3 Status Conference in the above-captioned action and related actions. A true and correct copy of  
4 the Court’s December 2, 2022 Minute Order is attached as Exhibit “A” and incorporated by this  
5 reference. The Court made the following rulings:

6           1.       Next Status Conference: The Court set a Status Conference for March 17, 2023 at  
7 1:30 p.m. in Department CX104 of the Orange County Superior Court, Civil Complex Center,  
8 located at 751 West Santa Ana Boulevard, Santa Ana, California 92701. The March 17, 2023  
9 Status Conference is scheduled in each of the following related cases: Case  
10 No. 30-2021-01187275-CU-OR-CJC; Case No. 30-2021-01187589-CU-WM-CXC, consolidated  
11 with Case No. 30-2021-01188089-CU-WM-CXC; Case No. 30-2022-01239479-CU-MC-CJC;  
12 Case No. 30-2022-01239487-CU-MC-CJC; and Case No. 30-2022-01249146-CU-MC-CJC.

13           2.       Joint Status Conference Statement: The Court ordered the parties to submit one  
14 Joint Status Conference Statement discussing all related cases set for the March 17, 2023 Status  
15 Conference. The Court further ordered counsel for Defendant, Cross-Complainant, and  
16 Cross-Defendant Indian Wells Valley Water District (“District”) to take the lead in preparing,  
17 circulating, and filing the single joint statement, which shall be filed under Case  
18 No. 30-2021-01187275-CU-OR-CJC no later than March 10, 2023.

19           3.       Initial Appearance Fee Waiver: The Court granted the District’s request to extend  
20 waiver of the initial appearance fee (filing fee) for Case No. 30-2021-01187275-CU-OR-CJC  
21 through February 28, 2023.

22           4.       Expert Disclosures: The Court ruled that it will continue to refrain from setting a  
23 deadline for expert disclosures in Case No. 30-2021-01187275-CU-OR-CJC until setting a  
24 phased trial and then it will set disclosure deadlines in phases as to the issues to be tried during  
25 that phase.

26           5.       Discovery & Initial Disclosures: The Court ruled that it will continue the stay on  
27 initial disclosures and discovery in Case No. 30-2021-01187275-CU-OR-CJC until setting a  
28 phased trial and then it will lift the stay in phases as to the issues to be tried during that phase.

1           6.     Electronic Service, Filing, & Case Management: The Court granted the parties’  
2 request to enter an Order Authorizing Electronic Filing and Service – Case Anywhere LLC in  
3 Case No. 30-2021-01187275-CU-OR-CJC. Attached as Exhibit “B” is a true and correct copy of  
4 the [Proposed] Order the Court indicated it would enter.

5           7.     Judicial Council Assignment: The Court confirmed that it will follow up with the  
6 Judicial Council regarding the parties’ Joint Request for Assignment by Chairperson of the  
7 Judicial Council (C.C.P. § 838(a)), which the parties filed with this Court in Case  
8 No. 30-2021-01187275-CU-OR-CJC and submitted to the Judicial Council on August 10, 2022.

9           8.     Notice: The Court ordered the District to give notice.

10  
11 DATED: December 6, 2022                   MURPHY & EVERTZ LLP

12  
13  
14 By:           /s/ Emily L. Madueno

15 Douglas J. Evertz  
16 Emily L. Madueno  
17 Attorneys for Defendant, Cross-Complainant, &  
18 Cross-Defendant  
19 INDIAN WELLS VALLEY WATER DISTRICT  
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# **EXHIBIT A**

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF ORANGE  
CIVIL COMPLEX CENTER**

**MINUTE ORDER**

DATE: 12/02/2022

TIME: 01:30:00 PM

DEPT: CX104

JUDICIAL OFFICER PRESIDING: William Claster

CLERK: G. Hernandez

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: . None, None

CASE NO: **30-2021-01187275-CU-OR-CJC** CASE INIT.DATE: 02/16/2021

CASE TITLE: **Mojave Pistachios, LLC vs. Indian Wells Valley Water District**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other Real Property

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EVENT ID/DOCUMENT ID: 73767061

**EVENT TYPE:** Status Conference

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**APPEARANCES**

Douglas J. Evertz and Emily L. Madueno, from Murphy & Evertz, LLP, present for Cross - Defendant, Cross - Complainant, Defendant(s).

Derek Hoffman, from Fennemore Dowling Aaron LLP, present for Cross - Defendant, Defendant(s).

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*Related cases listed below.*

Appearances noted by way of copy of business cards, and/or Appearance Calendar, attached hereto and incorporated herein by reference.

Hearing held with participants appearing remotely and in person.

Court and counsel discuss the status of this case and the related matters.

A Status Conference is scheduled for 03/17/2023 at 01:30 PM in Department CX104.

Attorney Douglas J. Evertz is to take the lead in the preparation of one status conference statement which encompasses all of the related matters. The status conference statement is to be filed in case number 30-2021-01187275 no later than 03/10/2023.

The Court grants the below requests as follows:

**Filing Fee:** The District's request that the Court extend the fee waiver through February 28, 2023.

**Expert Disclosures:** Request to continue to refrain from setting a deadline for expert disclosures until setting a phased trial and then set disclosures deadlines in phases as to the issues to be tried during that phase.

**Discovery Stay:** Request to continue the stay on initial disclosures and discovery until setting a phased trial and then lift the discovery stay in phases as to the issues to be tried during that phase.

**Electronic Service and Filing:** Request to enter an Order in the form of the attached Exhibit "E" to

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Defendant's 11/23/2022 Case Management Conference Statement (ROA #863) to provide for electronic filing, service, and case management through Case Anywhere.

Court orders Douglas J. Evertz, Counsel for Indian Wells Valley Water District to give notice.

List of related cases:

30-2021-01187589 - Mojave Pistachios, LLC vs Indian Wells Valley Groundwater Authority  
30-2021-01187275 - Mojave Pistachios, LLC vs Indian Wells Valley Water District  
30-2022-01249146 - Mojave Pistachios, LLC vs Indian Wells Valley Groundwater Authority  
30-2022-01239487 - Indian Wells Valley Groundwater Authority vs Searles Valley Minerals, LLC  
30-2022-01239479 - Indian Wells Valley Groundwater Authority vs Mojave Pistachios, LLC

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**Calendar #13 Case Number: 30-2022-01239479-CU-MC-CJC Case Title: Indian Wells Valley Groundwater Authority vs. Mojave Pistachios, LLC,**

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Event: 01:30 PM - Status Conference

<b>Participant</b>	<b>Role</b>	<b>Attorney for</b>	<b>Law Firm/Company Name</b>	<b>Specially Appearing</b>
Scott Slater	Attorney	Mojave Pistachios, LLC	Brownsntein Hyatt Farber Schreck	No
Kyle H. Brochard	Attorney	Indian Wells Valley Groundwater Authority	Richards, Watson & Gershon	No
R. Lee Leininger	Attorney	United States	U.S. Department of Justice	No
Phillip Hall	Attorney	Indian Wells Valley Groundwater Authority	County of Kern	No
Elisabeth Esposito	Attorney	Defendants Mojave Pistachios, et al.	Brownstein Hyatt Farber Schreck, LLP	No
Scott Slater	Defendant	Mojave Pistachios	Brownstein, Hyatt, Farber and Schreck	No
Wendy Wang	Attorney	Searles Minerals Valley	Best Best & Krieger	No
Elaine Mead	Interested Party			No
James L. Markman	Attorney	Indian Wells Valley Groundwater Authority	Richards, Watson Gershon	No
Wendy Wang	Attorney	Searles Valley Minerals	Best Best & Krieger LLP	No
Keith Lemieux	Attorney	City of Ridgecrest	Aleshire & Wynder	No
Joshua Nugent	Interested Party			No
Alexandra Abbey	Cross-Defendant		United States Navy	No
Alexandra Abbey	Cross-Defendant		United States Navy	No
Alexandra Abbey	Cross-Defendant		United States Navy	No

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**Calendar #14 Case Number: 30-2022-01249146-CU-MC-CJC Case Title: Mojave Pistachios, LLC vs. Indian Wells Valley Groundwater Authority**

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Event: 01:30 PM - Status Conference

<b>Participant</b>	<b>Role</b>	<b>Attorney for</b>	<b>Law Firm/Company Name</b>	<b>Specially Appearing</b>
Kyle H. Brochard	Attorney	Indian Wells Valley Groundwater Authority	Richards, Watson & Gershon	No



Phillip Hall	Attorney	Indian Wells Valley Groundwater Authority	County of Kern	No
Elisabeth Esposito	Attorney	Plaintiffs Mojave Pistachios, LLC, et al.	Brownstein Hyatt Farber Schreck, LLP	No
Scott S. Slater	Plaintiff	Mojave Pistachio	Brownstein, Hyatt, Farber and Schreck	No
Wendy Wang	Attorney	Searles Mineral Valley	Best Best & Krieger	No
Elaine Mead	Interested Party			No
Wendy Wang	Attorney	Searles Valley Minerals	Best Best & Krieger LLP	No
Joshua Nugent	Interested Party			No
Dave Gehlert	Attorney	United States		No

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**Calendar #15 Case Number: 30-2021-01187275-CU-OR-CJC Case Title: Mojave Pistachios, LLC vs. Indian Wells Valley Water District**

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Event: 01:30 PM - Status Conference

<b>Participant</b>	<b>Role</b>	<b>Attorney for</b>	<b>Law Firm/Company Name</b>	<b>Specially Appearing</b>
James Worth	Attorney	Indian Wells Valley Water District	McMurtrey, Hartsock, Worth & St. Lawrence	No
Kyle H. Brochard	Attorney	Indian Wells Valley Groundwater Authority	Richards, Watson & Gershon	No
Stan Rajtora	Defendant			No
James Worth	Attorney	Indian Wells Valley Water District	McMurtrey, Hartsock, Worth & St. Lawrence	No
Phillip Hall	Attorney	County of Kern	County of Kern	No
Melanie A. Tory	Cross-Defendant	The City of Los Angeles, acting by and through its Department of Water and Power	Los Angeles City Attorney's Office	No
Elisabeth Esposito	Attorney	Plaintiffs and cross-defendants Mojave Pistachios, LLC, et al.	Brownstein Hyatt Farber Schreck, LLP	No
James L. Markman	Attorney	Indian Wells Valley Groundwater Sustainability Agency	Richards, Watson & Gershon	No
Don Quist	Cross-Defendant			No
Scott S. Slater	Plaintiff	Mojave Pistachio	Brownstein, Hyatt, Farber and Schreck	No

Stan Rajtora	Defendant			No
Brett Stroud	Attorney	BT-OH, LLC	Young Wooldridge, LLP	No
Scott S. Slater	Attorney	Mojave Pistachio	Brownstein, Hyatt, Farber and Schreck	No
Ron Kicinski	Interested Party			No
Wendy Wang	Attorney	Searles Minerals Valley	Best Best & Krieger	No
Elaine Mead	Interested Party			No
Scott S. Slater	Attorney	Mojave Pistachio	Brownstein, Hyatt, Farber and Schreck	No
Wendy Wang	Attorney	Searles Valley Minerals	Best Best & Krieger LLP	No
Don Zdeba	Interested Party		Indian Wells Valley Water District	No
Robert Kuhs	Attorney	Granite Construction Company	LeBeau Thelen, LLP	No
Joshua Nugent	Interested Party			No
Ann Simshauser	Cross-Defendant			No
Ann Simshauser	Cross-Defendant			No
Stan Rajtora	Defendant			No

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**Calendar #16 Case Number: 30-2021-01187589-CU-WM-CXC Case Title: Mojave Pistachios, LLC vs. Indian Wells Valley Groundwater Authority**

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Event: 01:30 PM - Status Conference

<b>Participant</b>	<b>Role</b>	<b>Attorney for</b>	<b>Law Firm/Company Name</b>	<b>Specially Appearing</b>
Kyle H. Brochard	Attorney	Indian Wells Valley Groundwater Authority	Richards, Watson & Gershon	No
Phillip Hall	Attorney	Indian Wells Valley Groundwater Authority	County of Kern	No
Elisabeth Esposito	Attorney	Petitioners and Plaintiffs Mojave Pistachios, LLC	Brownstein Hyatt Farber Schreck, LLP	No
Scott S. Slater	Attorney	Plaintiff	Brownstein, Hyatt, Farber and Schreck	No
Elaine Mead	Interested Party			No
Wendy Wang	Attorney	Searles Minerals Valley	Best Best & Krieger LLP	No

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**Calendar #17 Case Number: 30-2022-01239487-CU-MC-CJC Case Title: Indian Wells Valley Groundwater Authority vs. Searles Valley Minerals Inc.**

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Event: 01:30 PM - Status Conference

<b>Participant</b>	<b>Role</b>	<b>Attorney for</b>	<b>Law Firm/Company Name</b>	<b>Specially Appearing</b>
Kyle H. Brochard	Attorney	Indian Wells Valley Groundwater Authority	Richards, Watson & Gershon	No
Phillip Hall	Attorney	Indian Wells Valley Groundwater Authority	County of Kern	No
Elaine Mead	Interested Party			No
Wendy Wang	Attorney	Searles Valley Minerals Inc.	Best Best & Krieger LLP	No
Robert Kuhs	Attorney	Granite Construction Company	Lebeau Thelen LLP	No

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# **EXHIBIT B**

1 James A. Worth, State Bar No. 147207  
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Exempt From Fees Per  
Govt. Code § 6103

6 John C. Murphy, State Bar No. 94192  
7 Douglas J. Evertz, State Bar No. 123066  
8 Emily L. Madueno, State Bar No. 251721  
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14 Email: jmurphy@murphyevertz.com  
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16 emadueno@murphyevertz.com

Attorneys for Defendant, Cross-Complainant, & Cross-Defendant  
INDIAN WELLS VALLEY WATER DISTRICT

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
16 FOR THE COUNTY OF ORANGE, CIVIL COMPLEX CENTER

18 MOJAVE PISTACHIOS, LLC; et al.,

19 Plaintiffs,

20 v.

21 INDIAN WELLS VALLEY WATER  
22 DISTRICT; et al.,

23 Defendants.

Case No. 30-2021-01187275-CU-OR-CJC

*[Related to: Case No. 30-2021-01187589-CU-  
WM-CXC; Case No. 30-2021-01188089-CU-  
WM-CXC; Case No. 30-2022-01239479-CU-  
MC-CJC; Case No. 30-2022-01239487-CU-  
MC-CJC; Case No. 30-2022-01249146-CU-  
MC-CJC]*

Assigned For All Purposes To:  
The Honorable William Claster, Dept. CX104

**[PROPOSED] ORDER AUTHORIZING  
ELECTRONIC FILING AND SERVICE –  
CASE ANYWHERE LLC**

1 INDIAN WELLS VALLEY WATER  
2 DISTRICT,

3 Cross-Complainant,

4 v.

5 ALL PERSONS WHO CLAIM A RIGHT  
6 TO EXTRACT GROUNDWATER IN THE  
7 INDIAN WELLS VALLEY  
8 GROUNDWATER BASIN NO. 6-54  
9 WHETHER BASED ON  
10 APPROPRIATION, OVERLYING RIGHT,  
11 OR OTHER BASIS OF RIGHT, AND/OR  
12 WHO CLAIM A RIGHT TO USE OF  
13 STORAGE SPACE IN THE BASIN; et al.,

14 Cross-Defendants.

15 SEARLES VALLEY MINERALS INC.,

16 Cross-Complainant,

17 v.

18 ALL PERSONS WHO CLAIM A RIGHT  
19 TO EXTRACT GROUNDWATER IN THE  
20 INDIAN WELLS VALLEY  
21 GROUNDWATER BASIN NO. 6-54  
22 WHETHER BASED ON  
23 APPROPRIATION, OVERLYING RIGHT,  
24 OR OTHER BASIS OF RIGHT, AND/OR  
25 WHO CLAIM A RIGHT TO USE OF  
26 STORAGE SPACE IN THE BASIN; et al.,

27 Cross-Defendants.

28 AND RELATED CASES.

Complaint Filed:  
Trial Date:

November 19, 2019  
None Set

1 **ORDER**

2 Under Code of Civil Procedure section 838(b), this matter—a comprehensive  
3 adjudication—has been deemed to be a complex action within the meaning of the California  
4 Rules of Court, rule 3.400 *et seq.* As such, this is a case that requires specialized management to  
5 avoid placing unnecessary burdens on the Court or the parties, and to keep costs reasonable.

6 Pursuant to Code of Civil Procedure section 187 and California Rules of Court,  
7 rules 2.253(b) and 3.751 and the joint request of the major pumpers within the subject basin as  
8 made in the Joint Case Management Conference for the Case Management Conference on  
9 December 2, 2022, the Court makes this Order to reduce the costs of litigation and to facilitate  
10 case management, document retrieval, and case organization. The Court finds that entry of this  
11 Order is necessary for the just, expeditious, and efficient litigation of this case and that  
12 compliance with the terms of this Order will not result in unnecessary hardship or significant  
13 prejudice to any of the parties in this matter.

14 When a party to this litigation wishes to file or serve a document, that party shall  
15 effectuate the filing and service of the document by the procedures set forth in this Order:

16 1. To facilitate case management, document retrieval, and case organization, the  
17 parties will utilize the services of Case Anywhere LLC (“Case Anywhere”) and its litigation  
18 system (“Case Management System”) for providing electronic filing, electronic service, storage,  
19 and delivery of court-filed and discovery-related documents through a secure website. Counsel  
20 of record for any party to this case must sign up with Case Anywhere and will be individually  
21 responsible for payment of applicable Case Anywhere fees. Unrepresented parties may, but are  
22 not required to, sign up with Case Anywhere. The Court, at its option, may also use Case  
23 Anywhere and the Case Management System for these purposes as well as to communicate with  
24 counsel of record.

25 **Service and Filing**

26 2. The Case Management System shall apply to the service and filing of documents.  
27  
28

1 **Service List and Sign-Up**

2 3. Within five (5) days of this Order, counsel for Defendant, Cross-Complainant,  
3 and Cross-Defendant Indian Wells Valley Water District (“District”) shall submit to Case  
4 Anywhere a complete and current service list which will contain email addresses where  
5 available. Within five (5) days of this Order, counsel of record for each party shall provide the  
6 following information to Case Anywhere:

- 7 (a) Office address;
- 8 (b) Office telephone number;
- 9 (c) Office facsimile number;
- 10 (d) The identity of the party or parties represented;
- 11 (e) The identity of attorney(s) of record for the party or parties represented;
- 12 (f) A list of other attorney(s) to be provided access on behalf of the party or  
13 parties represented (if any);
- 14 (g) A list of firm professional staff to be provided access on behalf of the  
15 party or parties represented (if any);
- 16 (h) Email addresses of all attorneys and professional staff to be provided  
17 access on behalf of the party or parties represented; and
- 18 (i) The name and address of the individual designated on behalf of the party  
19 or parties represented to receive billing invoices.

20 Any unrepresented parties opting to sign up with Case Anywhere shall provide similar contact  
21 information. This information, whether provided by represented or unrepresented parties, shall  
22 be provided to Case Anywhere by email at its support address ([support@caseanywhere.com](mailto:support@caseanywhere.com)),  
23 citing the case title in the subject line, or through the Case Initiation Form located on the Case  
24 Anywhere website (<https://www.caseanywhere.com/get-started/initiate-a-new-case>). Each party  
25 that signs up with Case Anywhere is responsible for providing up-to-date information for Case  
26 Anywhere’s service list. Each user is responsible for ensuring that his or her email account  
27 settings will allow receipt of emails from [service@caseanywhere.com](mailto:service@caseanywhere.com).



1 **Filing of Documents**

2 4. All documents required to be electronically filed under Orange County Superior  
3 Court Local Rules, rule 352 shall be filed in conformity with that rule, the terms of which are  
4 incorporated by reference. Rule 352 is available at: [http://www.occourts.org/online-](http://www.occourts.org/online-services/efiling/efiling-civil.html)  
5 [services/efiling/efiling-civil.html](http://www.occourts.org/online-services/efiling/efiling-civil.html).

6 **Service of Documents and Website**

7 5. When any party wishes to serve a document, that party shall serve the document  
8 according to all the requirements and procedures of this Order. All references to “document” in  
9 this Order shall be interpreted to include any exhibits or attachments to the document and shall  
10 include both pleadings and discovery-related documents (such as interrogatories, requests for  
11 production, deposition notices, and etc.); provided, however, that each party shall determine  
12 individually whether to use the Case Management System to serve document productions and  
13 correspondence.

14 6. Case Anywhere shall establish and maintain an Internet website (“Case  
15 Management Website”) for this litigation. Case Anywhere will post to the Case Management  
16 Website all documents served by the parties as provided in this Order and shall serve each  
17 document on the parties included on the service list provided to Case Anywhere in accordance  
18 with the procedures in this Order.

19 7. Each party shall serve each document via electronic transfer of the document file  
20 to Case Anywhere (in Word, WordPerfect, or PDF format) through the Internet. Each party shall  
21 title each document the same as the title of the document on the caption page. Each document  
22 electronically served pursuant to this Order shall be deemed to have been served under the  
23 California Code of Civil Procedure and California Rules of Court.

24 8. After Case Anywhere receives a document, Case Anywhere shall convert such  
25 document into PDF format (if it is not already uploaded in PDF format) and post it to the Case  
26 Management Website. Proposed orders and other documents directed by the Court to be  
27 uploaded in native format should be designated as “not for conversion to PDF format” by the  
28 uploading user.

1           9.       Case Anywhere shall send an email to all registered users notifying them that the  
2 document has been posted to the Case Management Website. The email shall contain a  
3 hypertext link to the document.

4           10.      Electronic service shall be complete at the time of transmission by a party to Case  
5 Anywhere, provided any period of notice or any right or duty to do any act or make any response  
6 within any period or on a date certain after service of the document, which time period or date is  
7 prescribed by statute or rule of court, shall be extended after service by electronic transmission  
8 by two court days, but the extension shall not extend the time for filing a notice of intention to  
9 move for new trial, a notice of intention to move to vacate judgment pursuant to Code of Civil  
10 Procedure section 663a, or a notice of appeal.

11          11.      If a document that is to be filed with the Court is rejected by the Court for filing  
12 after it has been posted on the Case Management Website by Case Anywhere, the rejection was  
13 caused by an aspect of the caption of the document, and the party seeking to file the document  
14 successfully files it with the Court within two (2) court days of its rejection with revisions to the  
15 caption only, then the party filing the document shall promptly submit a notice of successful  
16 filing, including the date of the filing and the revised page(s) of the caption, to Case Anywhere  
17 for posting on the Case Management Website. In all other circumstances in which a document to  
18 be filed with the Court is rejected for filing after Case Anywhere has posted it on the Case  
19 Management Website, the party that caused the document to be posted shall promptly notify  
20 Case Anywhere in writing that the document was rejected by the Court for filing. Case  
21 Anywhere shall cause a permanent notation to be placed on the Case Management Website in  
22 conjunction with that document memorializing the fact of its rejection.

23          12.      All documents posted on the Case Management System will be identified by:  
24 (a) the name of the serving counsel of record or unrepresented party; (b) the caption(s) of the  
25 case(s) to which the document belongs; and (c) the title of the document set forth in its caption.

26          13.      The Case Management System shall contain an index of all documents served in  
27 the litigation that is searchable and sortable according to methods that are useful.

1           14.     Access to the Case Management System will be limited to registered users.  
2 Registered users will consist of authorized Court personnel, Court-appointed special masters and  
3 referees, counsel of record and their designated staff members, parties, consultants, and experts.  
4 Case Anywhere will provide each registered user with a username and password to access the  
5 Case Management System and the documents served in the litigation. Case Anywhere personnel  
6 will perform all administrative functions for the Case Management System, but all initial data as  
7 well as additions, deletions, or changes to the service list must be provided by the parties. Any  
8 disputes regarding initial data or additions, deletions, or changes to the service list shall be  
9 submitted by Case Anywhere to the Court for resolution.

10           15.     Every pleading, document, and instrument served electronically shall bear a  
11 facsimile or typographical signature of at least one of the attorneys of record (or, if applicable,  
12 the signature of an unrepresented party), along with the typed name, address, telephone number,  
13 and State Bar of California number of such attorney. Typographical signatures shall be treated  
14 exactly as personal signatures for purposes of electronically served documents under the  
15 California Code of Civil Procedure and California Rules of Court. The serving party of any  
16 document requiring multiple signatures (e.g., stipulations, joint status reports, and etc.) must list  
17 thereon all the names of other signatories by means of an “s/ \_\_\_” block for each. By submitting  
18 such a document, the serving party certifies that each of the other signatories has expressly  
19 agreed to the form and substance of the document and that the serving party has the actual  
20 authority to submit the document electronically. The serving party must maintain any records  
21 evidencing this concurrence for subsequent production to the Court if so ordered or for  
22 inspection upon request by a party.

23           16.     Any document transmitted to the Case Management System shall certify in the  
24 Proof of Service that a true and correct copy was electronically served by transmission to Case  
25 Anywhere.

26           17.     This Order, and any modifications to it, shall also apply to any new parties that  
27 subsequently enter the action. All such parties must register with Case Anywhere within five (5)  
28 days of their first appearance in the case.

1 18. Case Anywhere shall have available to registered users a telephone helpline  
2 ((800) 884-3163) and e-mail support ([support@caseanywhere.com](mailto:support@caseanywhere.com)).

3 **Conclusion of Service**

4 19. Unless otherwise instructed by the Court, Case Anywhere shall maintain the Case  
5 Management Website and provide access to registered users until the earlier of the following two  
6 events: (a) all parties have exhausted their appeals (or all appeal periods have lapsed) or, if the  
7 matter is settled as to all parties, all parties have been dismissed from the case; or (b) the Court  
8 instructs Case Anywhere to terminate the service.

9 20. Notwithstanding the above, access for individual counsel of record will be  
10 terminated upon the earlier of the following: (a) all parties represented by that counsel of record  
11 have been voluntarily dismissed; (b) the counsel of record no longer represents any party in the  
12 litigation; or (c) a final judgment for or against each party represented by the counsel of record  
13 has been issued and all appeals therefrom have been exhausted or concluded. Access for  
14 unrepresented parties will be terminated upon the earlier of the following: (a) the party has been  
15 voluntarily dismissed; or (b) a final judgment for or against the party has been issued and all  
16 appeals therefrom have been exhausted or concluded. Each counsel of record and unrepresented  
17 party is responsible for informing Case Anywhere of the foregoing occurrence.

18 21. Each counsel of record shall notify Case Anywhere if access by any of its  
19 registered users shall be terminated for any reason. Upon receipt of such notification, Case  
20 Anywhere shall terminate access rights for the indicated individual. Access to the Case  
21 Management Website must be maintained for at least one attorney of record for a represented  
22 party unless access has otherwise been terminated pursuant to the provisions above.

23 22. Counsel for the District shall give notice of this Order.

24 **IT IS SO ORDERED.**

25  
26 Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable William Cluster

JUDGE OF THE SUPERIOR COURT