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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 11 COUNTY OF LOS ANGELES

12 SANTA BARBARA CHANNELKEEPER, a  
 13 California non-profit corporation,

14 Petitioner,

15 v.

16 STATE WATER RESOURCES CONTROL  
 17 BOARD, a California State Agency; CITY OF  
 18 SAN BUENAVENTURA, a California  
 municipal corporation, incorrectly named as  
 CITY OF BUENAVENTURA,

19 Respondents.

20 CITY OF SAN BUENAVENTURA, a  
 21 California municipal corporation,

22 Cross-Complainant,

23 v.

24 DUNCAN ABBOTT, an individual, et al.,

25 Cross-Defendants.  
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 27  
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Case No. 19STCP01176

Judge: Honorable William F. Highberger

**CROSS-DEFENDANT THE WOOD-  
 CLAEYSSSENS FOUNDATION'S  
 STATUS REPORT RE MOTION  
 REQUESTING THE COURT TO  
 APPOINT A SCIENTIFIC ADVISOR  
 FOR HYDROGEOLOGY**

Date: October 18, 2021  
 Time: 1:30 p.m.  
 Dept.: S10

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Attorney for Cross-Defendant  
THE WOOD-CLAEYSSSENS FOUNDATION

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Cross-Defendant The Wood-Claeyssens Foundation (“Foundation”) hereby submits this Status Report re Motion Requesting the Court to Appoint a Scientific Advisor for Hydrogeology (“Motion”) filed by Claude R. & Patricia E. Baggerly (collectively, “Baggerly”) in support of its Opposition to the Motion filed on September 7, 2021. The Foundation reiterates its continued opposition to the Motion for the reasons previously stated, and joins in the City of San Buenaventura’s (“City”) October 12, 2021 Supplemental Status Conference Report.

As a further status update on this matter, the City, the California Department of Fish and Wildlife, the City of Ojai, the East Ojai Group, and the State Water Resources Control Board have designated expert witnesses for the first phase of trial. These expert witnesses represent a variety of parties, from agricultural interests, to municipalities, to trustee agencies, and include the professional, Mr. Jordan Kear, identified as the potential “scientific advisor” in the Motion. Additional expert witnesses may also be disclosed in December.

Identifying, vetting, and retaining a qualified expert witness to act as a “scientific advisor,” when numerous professionals have already been retained, will take a considerable amount of time. This retention process would be followed by the preparation of an expert report and depositions, which will also take a considerable amount of time. This process could not be complete by the trial date presently set in February 2022, necessitating the continuance of the trial at the expense of the fishery, and prejudice to the parties and the public interest. For these reasons, as well as the reasons stated in the Foundation’s and the City’s past briefing on the Motion, the Motion should be denied.

Dated: October 14, 2021

**BROWNSTEIN HYATT FARBER SCHRECK, LLP**

By: 

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