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13 Attorneys for Plaintiff Richard Wood and the Class

14 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
15 **COUNTY OF LOS ANGELES**

16 Coordination Proceeding  
17 Special Title (Rule 1550(b))  
18 ANTELOPE VALLEY GROUNDWATER  
19 CASES

Judicial Council Coordination  
Proceeding No. 4408  
(Honorable Jack Komar)

20 RICHARD A. WOOD, an individual, on  
21 behalf of himself and all others similarly  
22 situated,

Case No.: BC 391869

**REQUESTS FOR PRODUCTION  
OF DOCUMENTS TO CHARLES  
TAPIA, SET 1**

Plaintiff,

v.

23 LOS ANGELES COUNTY  
24 WATERWORKS DISTRICT NO. 40; et  
25 al.

Defendants.

26 PROPOUNDING PARTY: PLAINTIFF RICHARD WOOD

27 RESPONDING PARTY: DEFENDANT CHARLES TAPIA, individually and  
28 as trustee of the Nellie Tapia Family Trust

SET NO.: ONE

1  
**DECLARATION OF MICHAEL D. MCLACHLAN RE: PUBLICATION  
OF SUMMARY CLASS NOTICE OF SETTLEMENT**

1 **INSTRUCTIONS**

2 Pursuant to *Code of Civil Procedure* section 2031.010, Plaintiff hereby  
3 requests that on July 10, 2015 at 10:00 a.m., Defendant produce and permit the  
4 inspection and photocopying of the following at the Law Offices of Michael D.  
5 McLachlan, 44 Hermosa Avenue, Hermosa Beach, California 90254, the  
6 documents requested below.

7 C.C.P. section 2031.210 requires that:

8 (a) The party to whom an inspection demand has been directed shall  
9 respond separately to each item or category of item by any of the following:

10 (1) A statement that the party will comply with the particular demand for  
11 inspection and any related activities.

12 (2) A representation that the party lacks the ability to comply with the  
13 demand for inspection of a particular item or category of item.

14 (3) An objection to the particular demand.

15 (b) In the first paragraph of the response immediately below the title of the  
16 case, there shall appear the identity of the responding party, the set number, and  
17 the identity of the demanding party.

18 (c) Each statement of compliance, each representation, and each objection  
19 in the response shall bear the same number and be in the same sequence as the  
20 corresponding item or category in the demand, but the text of that item or  
21 category need not be repeated.

22 C.C.P. section 2031.230 requires that:

23 A representation of inability to comply with the particular  
24 demand for inspection shall affirm that a diligent search and a reasonable  
25 inquiry has been made in an effort to comply with that demand. This  
26 statement shall also specify whether the inability to comply is because the  
27 particular item or category has never existed, has been destroyed, has been  
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1 lost, misplaced, or stolen, or has never been, or is no longer, in the  
2 possession, custody, or control of the responding party. The statement  
3 shall set forth the name and address of any natural person or organization  
4 known or believed by that party to have possession, custody, or control of  
5 that item or category of item.

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7 If in response to this demand Defendant refuses to produce any document  
8 based upon a claim of privilege, state with respect to each document:

- 9 (a) its title or nature (e.g., letter, memorandum, telegraph, etc.);  
10 (b) its date, number of pages, and attachments or appendices;  
11 (c) the identity of each person who composed or originated it;  
12 (d) the identity of each person or entity, if any, to whom the  
13 original and each copy was sent, distributed, shown, or  
14 explained;  
15 (e) its nature or contents in sufficient detail to aid the court and  
16 counsel in ascertaining whether the documents are privileged;  
17 (f) the name and last known address of each person and/or entity  
18 who presently has custody of the original or a copy; and  
19 (g) the reasons for and nature of the privileges claimed.

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21 **DEFINITIONS**

22 1. "YOU" or "YOUR" means CHALRES TAPIA, individually and as  
23 trustee of the Nellie Tapia Family Trust, as well as his agents and employees, as  
24 well as predecessor entities or family members or affiliated family entities or  
25 trusts holding ownership interest in the PROPERTY.

26 2. "DOCUMENT" means the items identified in California Evidence  
27 Code section 250, and include any and all other means by which information is

1 recorded or transmitted, including but not limited to, all originals, copies,  
2 transcriptions and drafts of all written, recorded, or graphic matters, however  
3 produced or reproduced. This definition includes, but is not limited to, all of the  
4 following: pleadings, deposition transcripts, appraisal reports, storage records,  
5 test results, technical reports whether final or in draft form, process descriptions,  
6 books, pamphlets, procedural descriptions, checklists, manifests, items showing  
7 the chain of custody of substances and materials, catalogues, advertising  
8 materials and brochures; records; notes, memoranda and summaries; schedules;  
9 contracts and agreements; photocopies, drawings, specifications and sketches;  
10 invoices, proposals, quotations, orders and acknowledgments; diaries,  
11 timesheets, time records, and desk, pocket, wall and other calendars; reports,  
12 projections and forecasts; appraisals; memoranda of telephone or in person  
13 conversations and meetings; letters, telegrams, telexes, cables, and other written,  
14 typed or printed communicates; tapes, transcripts and recordings; photographs,  
15 slides, negatives, pictures and films; financial statements; accounting records, tax  
16 returns and bank records; microfilms and other film records or impressions, tape  
17 recordings or computer cards, floppy disks or print-outs, and all copies of any  
18 such documents except those that are identical in every respect to the original  
19 documents, any data in digital form of any kind, electronic mail (“e-mail”),  
20 electronic notes, data or images residing on magnetic tape, computer hard  
21 drivers, computer disk drives, computer network servers, cd-roms, and the like,  
22 and any other graphic, recorded, written, printed, electronic, or typed material of  
23 any nature whatsoever.

24 3. “RELATE(S) TO,” “RELATED TO” or “RELATING TO” means to  
25 refer to, reflect, concern, pertain to or in any manner be connected with the  
26 matter discussed.



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8. All leases for OTHER LEASED PROPERTY.

9. All contracts for the purchase of water by YOU for use in the Basin.

10. All DOCUMENTS RELATING to the application of water delivered by AVEK on the PROPERTY.

11. All DOCUMENTS RELATING to the application of water delivered by AVEK on the OTHER LEASED PROPERTY.

12. All plans or drawings of the electrical supply system on the PROPERTY, including without limitation, the location of electrical meters, electrical transmission lines, electrical service panels, well equipment, the electrical supply for the cold storage facility and any other structures, fixtures or devices on the PROPERTY using electricity during the period of January 1, 1999 to the present.

13. All DOCUMENTS RELATING to YOUR transfer to third parties of water purchased from AVEK.

14. The trust instrument for the Nellie Tapia Family trust as well as all modifications and amendments thereto.

15. All documents showing the transfer of real property assets into the Nellie Tapia Family Trust.

DATED: June 8, 2015

LAW OFFICES OF MICHAEL D. McLACHLAN  
LAW OFFICE OF DANIEL M. O'LEARY

By: \_\_\_\_\_  
Michael D. McLachlan  
Attorneys for Plaintiff