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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

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14 CHINO BASIN MUNICIPAL WATER
15 DISTRICT,

16 Plaintiff,

17 vs.

18 CITY OF CHINO, ET AL.,

19 Defendants.

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Case No: RCVRS 51010

*Assigned for All Purposes to:
Honorable Gilbert G. Ochoa*

**STIPULATION AND [PROPOSED]
ORDER TO RESCHEDULE HEARING
ON THE APPROPRIATIVE POOL'S
MOTION FOR AWARD OF EXPENSES,
INCLUDING ATTORNEY FEES PER
CONTRACT AND CIVIL CODE
SECTION 1717**

Date: July 29, 2024
Time: 9:00 a.m.
Department: R17

STIPULATION AND [PROPOSED] ORDER TO RESCHEDULE HEARING ON APPROPRIATIVE POOL'S
MOTION

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STIPULATION

The Appropriative Pool (“AP” or “Moving Party”), City of Ontario (“Ontario”), Monte Vista Water District (“MVWD”), and City of Chino (“Chino”) (collectively the “Parties,” and each individually a “Party”) hereby stipulate as follows:

RECITALS

- 1. On June 26, 2024, the AP filed its Motion for Award of Expenses, Including Attorney Fees Per Contract and Civil Code Section 1717 (“Motion”). The Motion was set to be heard at 9:00 a.m. on July 29, 2024 in Department R17 of the above-entitled Court.
- 2. The Parties are discussing potential settlement of the Motion and wish to avoid the time and costs to brief the Motion and attend the hearing on the Motion. So, the parties wish to reschedule the hearing on the Motion to allow additional time to conclude such discussions.

TERMS


IT IS HEREBY STIPULATED that:

- 1. The Parties agree to reschedule the hearing on the Motion to **9:00 a.m. on August 22, 2024** in Department R17 of the above-entitled Court, located at 8303 Haven Avenue, Rancho Cucamonga, California, or at such other next available hearing date/time as the Court may direct.
- 2. The Parties agree that all papers opposing the Motion shall be filed and served by August 1, 2024 and all reply papers shall be filed and served by August 15, 2024.
- 3. All Parties reserve their respective rights to apply to the Court ex parte for expedited or temporary or emergency relief upon an appropriate showing.

IT IS SO STIPULATED.

Dated: July 12, 2024

NOSSAMAN LLP
FREDERIC A. FUDACZ
GINA R. NICHOLLS

By: 
Gina R. Nicholls
Attorneys for CITY OF ONTARIO

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

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Dated: July 12, 2024

JOHN J. SCHATZ, ESQ.

By: John J. Schatz / by GAW
John J. Schatz
Attorney for APPROPRIATIVE POOL

Dated: July 12, 2024

KIDMAN GAGEN LAW LLP

By: Andrew B. Gagen / by GAW
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Attorneys for MONTE VISTA WATER DISTRICT
and MONTE VISTA IRRIGATION COMPANY

Dated: July 12, 2024

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By: Jimmy L. Gutierrez / by GAW
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[PROPOSED] ORDER

IT IS HEREBY ORDERED THAT the hearing on the Motion is continued to August ____,
2024 at _____ a.m. in Department R17.

DATED: _____

Hon. Gilbert G. Ochoa

CHINO BASIN WATERMASTER

Case No. RCVRS 51010

Chino Basin Municipal Water District v. City of Chino, et al.

PROOF OF SERVICE

I declare that:

I am employed in the County of San Bernardino, California. I am over the age of 18 years and not a party to the action within. My business address is Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, California 91730; telephone (909) 484-3888.

On July 15, 2024 I served the following:

1. STIPULATION AND [PROPOSED] ORDER TO RESCHEDULE HEARING ON THE APPROPRIATIVE POOL'S MOTION FOR AWARD OF EXPENSES, INCLUDING ATTORNEY FEES PER CONTRACT AND CIVIL CODE SECTION 1717

/ X / BY MAIL: in said cause, by placing a true copy thereof enclosed with postage thereon fully prepaid, for delivery by the United States Postal Service mail at Rancho Cucamonga, California, addresses as follows:
See attached service list: Mailing List 1

/ ___ / BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee.

/ ___ / BY FACSIMILE: I transmitted said document by fax transmission from (909) 484-3890 to the fax number(s) indicated. The transmission was reported as complete on the transmission report, which was properly issued by the transmitting fax machine.

/ X / BY ELECTRONIC MAIL: I transmitted notice of availability of electronic documents by electronic transmission to the email address indicated. The transmission was reported as complete on the transmission report, which was properly issued by the transmitting electronic mail device.
See attached service list: Master Email Distribution List

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on July 15, 2024 in Rancho Cucamonga, California.



By: Ruby Favela Quintero
Chino Basin Watermaster

PAUL HOFER
11248 S TURNER AVE
ONTARIO, CA 91761

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2 HEXAM
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Ruby Favela Quintero

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