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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO – RANCHO CUCAMONGA DISTRICT**
10

11 CHINO BASIN MUNICIPAL WATER
DISTRICT,

12
13 Plaintiff,

14 v.

15 CITY OF CHINO, et al.,

16 Defendants.
17

CASE NUMBER: RCV 51010

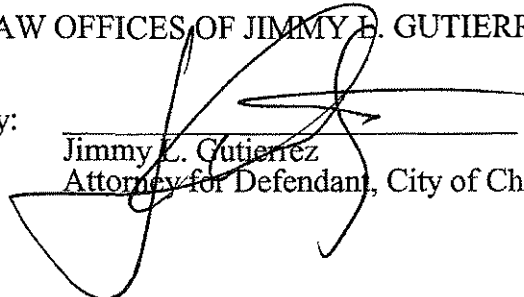
**DEFENDANT CITY OF CHINO'S
PEREMPTORY CHALLENGE**

(FEE-EXEMPT PURSUANT TO GOVERNMENT
CODE § 6103)

18 I, Jimmy L. Gutierrez, being duly sworn, deposes and says that I am the attorney for
19 defendant City of Chino, a party to in the within action and that the Honorable Barry Plotkin,
20 before whom this matter is pending or to whom it has been assigned, is prejudiced against
21 said defendant or the interest of said defendant so that defendant cannot or believes that it
22 cannot have a fair and impartial trial or hearing before said judge.

23 I declare under penalty of perjury under the laws of the State of California that the
24 foregoing is true and correct. Executed in Chino, California on August 22, 2008.

25 LAW OFFICES OF JIMMY L. GUTIERREZ

26
27 By: 
Jimmy L. Gutierrez
Attorney for Defendant, City of Chino
28

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA

3 COUNTY OF SAN BERNARDINO

} Case Number RCV 51010

4 I am employed in the County of San Bernardino, State of California. I am over the age
5 of 18 years, and not a party to the above-named action. My business address is: Law Offices
of Jimmy L. Gutierrez, 12616 Central Avenue, Chino, California, 91710.

6 On August 22, 2008, I served the foregoing document(s) described as:

7 **DEFENDANT CITY OF CHINO'S PEREMPTORY CHALLENGE**

8 by placing [] the original or [X] a true copy thereof, enclosed in a sealed envelope(s), and
9 addressed as follows:

10 **Alexandra Perez**
11 **Chino Basin Watermaster**
12 **9641 San Bernardino Road**
Rancho Cucamonga, CA 91730
E-mail: APerez@CBWM.ORG

13 [X] **BY E-MAIL (CODE CIV. PROC. 1010.6);** I caused the foregoing document(s) to
be transmitted by e-mail electronic transmission to the e-mail address referenced
above as last given by that person.

14 [] **BY FACSIMILE;** I served/transmitted the above-described document on the
15 interested parties in this action by sending a true copy thereof by facsimile
transmission pursuant to CRC §2008, from facsimile machine number (909) 628-
16 9803. The facsimile machine I used complied with CRC §2008 and no error was
reported by the machine. Pursuant to CRC § 2008(e)(3), I caused the machine to print
a transmission record of the transmission.

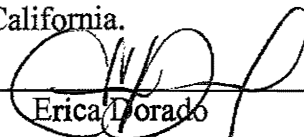
17 [] **BY FEDERAL EXPRESS;** I personally deposited such envelope or package
18 designated by FedEx, with delivery fees paid or provided for, individually addressed
to each of the parties on the attached service list, and caused such envelope(s) or
19 package(s) to be delivered by an authorized courier or driver authorized by Federal
Express to received documents.

20 [] **BY PERSONAL SERVICE;** I placed the foregoing document in sealed envelope(s)
individually addressed to the person referenced above in such envelope to be
delivered by hand to the offices of the addressee listed above.

21 [] **BY REGULAR MAIL;** I am "readily familiar" with the firm's practice of collection
22 and processing correspondence for mailing, under which it would be deposited with
the U.S. Postal Service on that same day, with postage thereon fully prepaid, at Chino,
23 California. I am aware that, on motion of the party served, service is presumed
invalid if postal cancellation date or postage meter date is more than one (1) day after
24 deposit of mailing affidavit.

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

26 Executed on August 22, 2008, at Chino, California.

27 
Erica Dorado

CHINO BASIN WATERMASTER
Case No. RCV 51010
Chino Basin Municipal Water District v. The City of Chino

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 within action. My business address is Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, California 91730; telephone (909) 484-3888.

On August 22, 2008 I served the following:

1) Defendant City of Chino's Peremptory Challenge

BY MAIL: in said cause, by placing a true copy thereof enclosed with postage thereon fully prepaid, for delivery by United States Postal Service mail at Rancho Cucamonga, California, addresses as follows:

See attached service list: Mailing List 1

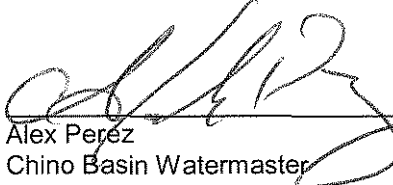
BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee.

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.

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.

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

Executed on August 22, 2008 in Rancho Cucamonga, California.



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