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AMERON INTERNATIONAL CORP.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

AMERON INTERNATIONAL CORP.,
a Delaware corporation

Plaintiff,

vs.

TAMCO, a California corporation
and DOES 1 through 100, inclusive,

Defendants.

CASE NO. CIVDS1601994

**[Assigned to the Hon. David Cohn
Dept. S-26]**

**PLAINTIFF AMERON
INTERNATIONAL CORP.'S
OPPOSITION TO AMENDED
NOTICE OF RELATED CASES;
DECLARATION OF VERONICA
ROTTER IN SUPPORT THEREOF**

**[Identified by Defendant as Being
Related: Case No. RCV51010, Dept.
R6]**

Complaint filed: February 9, 2016

Pursuant to Rule 3.300(g) of the California Rules of Court, Plaintiff, Ameron International Corp. ("Ameron"), hereby submits this Opposition to the Amended Notice of Related Cases filed

herein by Defendant TAMCO ("TAMCO") in which TAMCO purports to amend the Notice of Related Cases, filed by TAMCO on April 1, 2016, asking the Court determine that this action is related to the case entitled, *Chino Basin Municipal Water District v. City of Chino, et al.*, Case Number RCV 51010 ("Chino Basin Case").

Ameron further moves to strike TAMCO's Amended Notice.

I. INTRODUCTION

TAMCO had no legitimate reason for filing an *Amended* Notice of Related Cases. TAMCO does not identify any additional actions in its Amended Notice which it asserts are related to this case - that is, the only cases which it contends are related are this case and the Chino Basin Case, which were already the subject of its original Notice.

TAMCO's Amended Notice appears to be nothing more than an unauthorized reply to Ameron's opposition, despite the fact that Rule 3.300 makes no provision for a reply to an opposition. On that basis, Ameron asks this court to strike the Amended Notice.

The only apparent purpose for TAMCO's Amended Notice is to try to mislead the Court though an untrue and unsubstantiated assertion that there is some sort of ongoing proceeding currently pending in the Chino Basin Case involving TAMCO and Ameron. There is no such proceeding.

TAMCO filed a substantially identical Notice of Related Cases on April 1, 2016. Ameron filed its opposition to that Notice on April 11, 2016. TAMCO now makes almost identical arguments to those previously opposed by Ameron. The one additional argument in TAMCO's Amended Notice appears to be TAMCO's untrue claim that "Ameron's claims are similar to TAMCO's request in the Chino Basin Action that Watermaster establish the validity of the water transfer." (Defendant's Amended Notice of Related Cases ["Amended Notice"] pg. 4, lns. 3-5).

However, TAMCO provides absolutely no evidence to support this untrue assertion. In fact, the docket in the Chino Basin Case confirms that no such request is pending in the Chino Basin Case. (See, Exhibit A to Declaration of Veronica Rotter ["Rotter Decl."] ¶ 2 and 3). Quite simply, there is no pending matter or proceeding in the Chino Basin Case between Ameron and TAMCO. (Rotter Decl. ¶ 2 -6).

1 As previously discussed in detail in Ameron's Opposition to TAMCO's first Notice of
2 Related Cases, despite the broad mischaracterizations of Ameron's claims set forth in TAMCO's
3 Notice, and the untrue and misleading statements in its Amended Notice, this rescission and quiet
4 title action is not genuinely related to the Chino Basin Case within the scope of Rule 3.300 of the
5 California Rules of Court. The fundamental basis of Ameron's Complaint is that TAMCO and its
6 representatives attempted through mistake and through fraud to usurp the remaining water rights
7 which Ameron had retained under a property purchase and sale agreement.

8 In contrast, the Chino Basin Case was a very complicated determination, allocation and
9 adjudication of the water rights throughout the entire Chino Basin, involving hundreds of different
10 parties. This case only seeks to confirm Ameron's water retained rights associated with a single
11 property based in a contract with TAMCO for the sale of that property. None of the parties to the
12 Chino Basin Case were involved in that transaction. None of those parties are named in Ameron's
13 complaint and their water rights would not in any way be impacted by a judgment in this case.

14 Accordingly, and as discussed in further detail in Ameron's original opposition and below,
15 the two cases do *not* meet the criteria set forth in Rule 3.300(a) of the California Rules of Court in
16 that:

17 1. The two cases indisputably do *not* involve the same parties- Ameron has *not*
18 named any other owners of water rights in the Chino Basin as parties to this action and they were not
19 involved in any of the transactions alleged in the complaint;

20 2. The two cases indisputably are *not* based on the same or similar claims- the
21 Chino Basin case determined the relative rights of all of the owners in the Chino Basin and the safe
22 yield from that Basin; Ameron's complaint seeks cancellation of certain documents purporting to
23 transfer to TAMCO the remaining water rights which Ameron expressly reserved in the purchase
24 and sale agreement between those two parties, or, in the alternative, rescission due to fraud or
25 mistake. Ameron does not seek to quiet its title to those rights against *all* of the water rights owners
26 in the Chino Basin.

27 3. The two cases indisputably do *not* "arise from the same or substantially
28 identical transactions, incidents, or events requiring the determination of the same or substantially

1 identical questions of fact”; the transactions, incidents and events determined in the Chino Basin
2 Case occurred many years prior to the events alleged in Ameron’s complaint. TAMCO’s notice fails
3 to identify *any* “same or substantially identical transactions, incidents, or events”.

4 4. The two cases indisputably do *not* “arise from the same or substantially
5 identical questions of law”; TAMCO’s notice fails to identify *any* “same or substantially identical
6 questions of law”.

7 5. The two cases indisputably do not “involve claims against, title to, possession
8 of, or damages to the same property”; this case only involves the water rights in a single property,
9 not the hundreds of other properties involved in the Chino Basin Case.

10 6. Considering the fundamentally different nature of the claims alleged in
11 Ameron’s complaint, TAMCO is unable to make any genuine showing that the determination of this
12 case would “...require substantial duplication of judicial resources if heard by different judges.”

13 Accordingly, Ameron requests that this Court determine, pursuant to Rule 3.300(h), that
14 these cases are not related and *not* transfer this case to Department R6 in the Rancho Cucamonga
15 Division. Ameron also asks this Court to strike TAMCO’s Amended Notice.

16 **II. DISCUSSION**

17 Under California Rules of Court Rule 3.300(a), to qualify as “related” cases, the cases must
18 involve one or more of the following: (1) the same parties and claims, (2) “arise from the same or
19 substantially identical transactions, incidents, or events requiring the determination of the same or
20 substantially identical questions of law or fact”, (3) involve claims regarding title or damages of the
21 same property, and (4) “are likely for other reasons to require substantial duplication of judicial
22 resources.” Cal. Rules of Court Rule 3.300(a). The allegations of Ameron’s complaint, filed on
23 February 9, 2016, demonstrate that this case is not related to the Chino Basin Case.

24 The Complaint states causes of action to quiet title, remove cloud on title, rescission of
25 contract and fraud. Ameron also seeks to either a declaration that certain water rights are held by
26 Ameron, or, in the alternative, to rescind a contract for a transfer of certain water rights induced by
27 mistake of fact or fraud in the inducement. The events alleged in the Complaint occurred in 2013
28 and 2014. TAMCO seeks to cloud these issues by attempting to relate this action to an action filed

1 *and decided over 30 years prior*, the Chino Basin Case. The Chino Basin case was an action for
2 allocation of water rights in the Chino Basin between several water producers, which ultimately
3 included Ameron. In addition to allocating water rights, the judgment established the Chino Basin
4 Watermaster (“Watermaster”) to help plan, account for, and manage the Chino Basin. The Chino
5 Basin Case did not involve in any way a contract or transfer of water rights between Ameron and
6 TAMCO. In fact, TAMCO’s only relation to the water rights adjudicated by the Chino Basin Case
7 is as a partial successor to Ameron, not as an or original party to the Chino Basin judgment.

8 TAMCO attempts to argue that because the Chino Basin Case also involved many water
9 producers’ water rights, which included the initial allocation of the rights at issue here, it somehow
10 meets the requirements under California Rules of Court Rule 3.300 to be a “related case.” TAMCO
11 is incorrect.

12 **A. The Parties In This Action Are Not the Same As Those in the Chino Basin Case**

13 Rule 3.300(a) requires a related case to involve the same parties. Here, while ultimately, as
14 an owner of water rights in the Chino Basin, Ameron is a party to the Chino Basin Case along with
15 hundreds of other water rights owners, the parties from the Chino Basin Case are not the same
16 parties to this case within the scope of Rule 3.300. Although Ameron is part of a large group of
17 parties to the 1978 judgment, whose water rights to the entire Chino Basin were allocated and
18 adjudicated. The other parties to the 1978 judgment will not be affected by a dispute that centers
19 solely between Ameron and TAMCO – those third parties’ water rights are not as issue here, only
20 the specific rights that were the subject of the purported 2013 and 2014 transfers between Ameron
21 and TAMCO.

22 **B. There Are No Similar Issues or Claims Between the Case and the Chino Basin**
23 **Case**

24 The two cases do not involve similar or identical issues and claims as required by Rule
25 3.300(a) in that they do not “arise from the same or substantially identical transactions, incidents, or
26 events requiring the determination of the same or substantially identical questions of law or fact.”

27 As an initial matter, the Chino Basin Case and this case are not based on similar issues,
28 claims, transactions, or events, despite TAMCO’s assertions to the contrary. The Chino Basin Case

1 resulted in an allocation of water rights in the basin, and established the Watermaster. Here, Ameron
2 is enforcing a 2013 contract, and to remove the cloud on its title to its water rights arising from
3 misleading and fraudulent acts committed by TAMCO in 2013 and 2014. The events and
4 transactions in question have nothing to do with the initial allocation of water rights forty years ago.
5 One of the primary questions in this case is whether or not TAMCO misled and defrauded Ameron
6 employees to try to transfer Ameron's remaining water rights associated with a single property to
7 TAMCO.

8 Second, TAMCO attempts to oversimplify the causes of action alleged by Ameron in this
9 case. The Chino Basin Case involved an adjudication of water rights among multiple water
10 producers. In contrast, this action centers around misleading and fraudulent conduct on the part of
11 TAMCO. The transfer at issue here is one that occurred in 2013 and 2014 due to tortious conduct by
12 TAMCO, hardly the same facts which were the subject of the Chino Basin judgment. Indeed, the
13 causes of action in this case are completely different from the Chino Basin Case – here Ameron is
14 suing to quiet title, remove a cloud on title, and cancel or , alternatively, rescind a contract due to
15 mistake or fraud.

16 Finally, TAMCO attempts to argue that it has requested that the Watermaster approve the
17 validity of the transfer of water rights, and that, assuming that this request even took place, a request
18 such as that is enough to establish that the claims in this Complaint are similar or identical issues and
19 claims. The docket for the Chino Basin Case does not reflect TAMCO's assertion that it has
20 requested the Watermaster approve the validity of the contested transfer. (Rotter Decl. ¶ 4-6;
21 Exhibits "A" and "B" to Rotter Decl.). Such a request, should it exist, would still fail to vitiate the
22 facts and arguments presented in Ameron's Oppositions to TAMCO's first and second Notices of
23 Related Cases.

24 **C. This Case Does Not Involve Title to the Same Property as the Chino Basin Case**

25 The third element of a "related" case is that both cases involve claims to title or damages of
26 the same property. Cal. Rules of Court Rule 3.300(a). TAMCO asserts in its Amended Notice:
27 "Ownership of the 82.858 acre-feet of water rights necessarily is at issue in the Chino Basin Action.
28

1 Thus, the two cases involve claims against, and title to, the same property.” (Amended Notice pg. 4,
2 Ins. 14-16). However, *no such proceeding is pending in the Chino Basin Case*. (Rotter Decl.¶ 5)

3 While the case does involve a cause of action to quiet title, it does not attempt to quiet title to
4 the same property that was the subject of the Chino Basin Case, and, thus, does not satisfy the third
5 element of related cases. In the Chino Basin Case, the court was adjudicating the rights to the water
6 of the *entire* Chino Basin, and many water producers were parties to the 1978 judgment. Here,
7 Ameron attempts to quiet title to its water rights transferred from Ameron to TAMCO, due to
8 TAMCO’s fraudulent and misleading conduct.

9 **D. Determination Of This Case Will Not Involve Duplication of Judicial Resources**

10 The final element in determining whether cases are related is whether the two cases “are
11 likely for other reasons to require substantial duplication of judicial resources.” Cal. Rules of Court
12 Rule 3.300(a).

13 The case is unlikely to require any duplication of judicial resources from the Chino Basin
14 Case, let alone a substantial duplication. The Chino Basin Case was resolved in 1978, and did not
15 involve the contract at issue here. Any continuing jurisdiction retained by the court in the Chino
16 Base Case centers solely on the decisions made in that case. The Court in the Chino Basin Case
17 does not purport to exercise continuing and plenary jurisdiction over any and all torts or contract
18 actions involving water rights in any way. In contrast, this case is based on statements, actions, and
19 transactions that occurred in 2013 and 2014, which are unrelated to the adjudication that was
20 completed in 1978. This action is based on misleading and fraudulent conduct, not an initial
21 allocation of water rights, which occurred in the Chino Basin Case. The Court will not likely need to
22 duplicate any efforts or resources associated with the Chino Basin Case when addressing the causes
23 of action in the case.

24 TAMCO further asserts in its Amended Notice: “The 82,858 acre-feet of safe yield water
25 rights at issue in Case No. CIVDS 1601994 exist and are administered pursuant to the Judgment.
26 Ultimately the Court in the Chino Basin Action must establish the ownership of those water rights,
27 whether by the action of Watermaster as an arm of the Court, or by undertaking de novo judicial
28 review pursuant to Peace 1, § 5.3(b)(vi) or pursuant to the Judgment, § 31, subd. (d) or § 61.”

1 ("Amended Notice" pg. 4, ln. 24- p.5, ln. 2). Again, no such proceeding is pending in the Chino
2 Basin Case. (Rotter Decl.¶ 6).

3 **III. CONCLUSION**

4 Based on the foregoing, Ameron asks that this Court strike the unauthorized Amended Notice
5 of Amended Cases filed by TAMCO , and respectfully requests that the Court deem these cases **not**
6 to be related pursuant to Rule 3.300.

7
8 Date: May 5, 2016

Respectfully submitted,

9 STAFF WEEMS LLP
10 RICHARD W. STAFF
and

11 LOCKE LORD LLP
12 JOHN J. HARRIS
13 VERONICA ROTTER

14 By 
15 VERONICA ROTTER
16 Attorneys for PLAINTIFF
17 AMERON INTERNATIONAL CORP.
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**DECLARATION OF VERONICA ROTTER IN SUPPORT OF OPPOSITION TO
AMENDED NOTICE OF RELATED CASES**

I, Veronica Rotter, declare:

1. I am an attorney associated with the law firm of Locke Lord LLP, attorneys of record for Plaintiff, Ameron International Corp. ("Ameron"). I am duly admitted to practice before this Court and I am a member of the State Bar of California. I make this declaration in support of Ameron's Opposition to the Amended Notice of Related Cases filed herein by Defendant, TAMCO ("TAMCO") in which TAMCO purports to amend the Notice of Related Cases that it filed on April 1, 2016, asking the Court determine that this action is related to the case entitled, Chino Basin Municipal Water District v. City of Chino, et al., Case Number RCV 51010 ("Chino Basin Case"). The facts set forth below are based on my personal knowledge and, if called and sworn as a witness, I could and would testify thereto.

2. Attached hereto as Exhibit "A" is a true and correct copy of the docket in the Chino Basin Case from January 19, 2016 to date. I obtained a copy of the docket from this Court's website at the following link:
<http://openaccess.sbcourt.org/OpenAccess/CIVIL/civildetails.asp?casenumber=RS51010&courtcode=X&casetype=RCV&dsn=>

3. Attached hereto as Exhibit "B" is a true and correct copy of the portion of docket in the Chino Basin Case entitled "Complaints/Parties". The *only* active complaint listed in this report is a complaint (0001-CMP) listing the Chino Basin Municipal Water District and the Chino Basin Watermaster as plaintiffs, and the Cities of Chino, Pomona, Fontana and CCG Ontario, LLC, Monte Vista Water District and Monte Vista Irrigation Company, as defendants. Neither Ameron nor TAMCO are identified as parties to that action. TAMCO does not contend that this action is related in any way to that pending proceeding. All of the other complaints listed in Exhibit B reference judgments entered in June 2012, well before the events alleged in Ameron's Complaint.

4. I have reviewed the docket (Exhibit A), as well as the Case Report and Exhibit B, and I found nothing to substantiate the factual assertion made in TAMCO's Amended Notice that

1 "Ameron's claims are similar to TAMCO's request in the Chino Basin Action that Watermaster
2 establish the validity of the water transfer." (Defendant's Amended Notice of Related Cases
3 ["Amended Notice"] pg. 4, lns. 3-5). The Docket confirms that there is no pending proceeding in
4 the Chino Basin Case between Ameron and TAMCO.

5 5. TAMCO also asserts in its Amended Notice: "Ownership of the 82.858 acre-feet of
6 water rights necessarily is at issue in the Chino Basin Action. Thus, the two cases involve claims
7 against, and title to, the same property." ("Amended Notice" pg. 4, lns. 14-16). Based on my review
8 of the Docket in the Chino Basin Case, there is no pending proceeding in the Chino Basin Case
9 between Ameron and TAMCO which may "involve claims against, and title to, the same property."

10 6. TAMCO further asserts in its Amended Notice: "The 82.858 acre-feet of safe yield
11 water rights at issue in Case No. CIVDS 1601994 exist and are administered pursuant to the
12 Judgment. Ultimately the Court in the Chino Basin Action must establish the ownership of those
13 water rights, whether by the action of Watermaster as an arm of the Court, or by undertaking de
14 novo judicial review pursuant to Peace 1, § 5.3(b)(vi) or pursuant to the Judgment, § 31, subd. (d) or
15 § 61." ("Amended Notice" pg. 4, ln. 24- p.5, ln. 2). Based on my review of the Docket in the Chino
16 Basin Case, there is no pending proceeding in the Chino Basin Case between Ameron and TAMCO
17 which regarding "the ownership of those water rights."

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

20 Executed in Los Angeles, California on May 5, 2016.

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23 VERONICA ROTTER
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Exhibit A

Actions




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Case Type:








Case Number:

Case RCVRS51010 - CHINO BASIN MUNI WATER DIST -V- CITY OF CHINO

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Viewed	Date	Action Text	Disposition	Image
	06/10/2016 1:30 PM DEPT. R6C	MOTION RE: OBJCTN/RQST FOR ENTRY OF ORDR RE FILING/SERVICE - Minutes		
	06/10/2016 1:30 PM DEPT. R6C	MOTION RE: WATERMASTERS MOTION FOR SAFE YIELD RESET - Minutes		
	06/10/2016 1:30 PM DEPT. R6C	MOTION RE: FOR CHINO TO CONDUCT DISCOVERY - Minutes		
	05/06/2016 1:30 PM DEPT. R6C	MOTION RE: OBJCTN/RQST FOR ENTRY OF ORDR RE FILING/SERVICE	VACATED	
	05/06/2016 1:30 PM DEPT. R6C	MOTION RE: WATERMASTERS MOTION FOR SAFE YIELD RESET	VACATED	
	05/06/2016 1:30 PM DEPT. R6C	MOTION RE: FOR CHINO TO CONDUCT DISCOVERY	VACATED	
	05/06/2016	ON COURT'S MOTION, THE MTN FOR CHINO TO CONDUCT DISCOVERY HEARING PRESENTLY SET IN THIS CASE, IS ORDERED RESET FOR 06/10/16 AT 01:30 IN DEPARTMENT R6C. NOTICE SENT TO ALL COUNSEL OF RECORD.	Not Applicable	
N	04/26/2016	AMENDED NOTICE OF RELATED CASE FILED.	Not Applicable	
	04/26/2016	ORDER FOR ADDITIONAL BRIEFING & CONTINUING ALL MATTERS CURRENTLY SET FOR 5/6/16 WITH PROOF FILED.	Not Applicable	
N	04/25/2016	WATERMASTERS RSPNS TO CHINOS OBJCTNS TO DECL OF HERREMA IN SPPT OF OPP TO CHINOS MTN FILED.	Not Applicable	
N	04/25/2016	WATERMASTERS RESPONSE TO REQUEST FOR ENTRY OF	Not	

		ORDER REGARDING FILING AND SERVICE FILED.	Applicable	
	04/25/2016	VACATE LM37 HEARING SCHEDULED FOR 05/06/16 AT 01:30 IN DEPARTMENT R6C.	Not Applicable	
N	04/25/2016	ORDER FOR ADDITIONAL BRIEFING AND CONTINUING ALL MATTERS CURRENTLY SET FOR 5/6/16 FILED.	Not Applicable	
	04/25/2016	ON COURT'S MOTION, THE OBJCTN/RQST FOR ENTRY OF ORDER RE FILING/SERVICE HEARING PRESENTLY SET IN THIS CASE, IS ORDERED RESET FOR 06/10/16 AT 01:30 IN DEPARTMENT R6C. NOTICE SENT TO ALL COUNSEL OF RECORD.	Not Applicable	
	04/25/2016	ON COURT'S MOTION, THE WATERMASTERS MOTION FOR SAFE YIELD RESET HEARING PRESENTLY SET IN THIS CASE, IS ORDERED RESET FOR 06/10/16 AT 01:30 IN DEPARTMENT R6C. NOTICE SENT TO ALL COUNSEL OF RECORD.	Not Applicable	
	04/11/2016	CHINOS REPLY TO WATERMASTERS RESPONSE RECEIVED.	Not Applicable	
	04/11/2016	JURUPAS ADDL RSPNSE TO REQ FOR CLARIFICATION RECEIVED.	Not Applicable	
N	04/11/2016	AMERON INTERNATIONAL CORPS OPPOSITION TO NOTICE OF RELATED CASES FILED.	Not Applicable	
	04/11/2016	JURUPA COMMUNITY SERVICES ADDITIONAL RESPONSE TO 3/22/16 REQUEST FOR CLARIFICATION FILED.	Not Applicable	
	04/11/2016	CITY OF CHINOS REPLY TO WATERMASTERS RESPONSE TO ORDER FOR ADDITIONAL BRIEFING FILED.	Not Applicable	
	04/11/2016	WATERMASTERS FURTHER RESPONSE TO ORDER FOR ADDITIONAL BRIEFING FILED.	Not Applicable	
	04/08/2016 1:30 PM DEPT. R6C	MOTION RE: FOR CHINO TO CONDUCT DISCOVERY	VACATED	
	04/08/2016 1:30 PM DEPT. R6	MOTION RE:	VACATED	
	04/08/2016 1:30 PM DEPT. R6C	HEARING RE: OBJCTN/RQST FOR ENTRY OF ORDR RE FILING/SERVICE	VACATED	
	04/08/2016 1:30 PM DEPT. R6C	MOTION RE: WATERMASTERS SAFE YIELD RESET	VACATED	
	04/01/2016	CHINOS RSPNS TO JUDGES QUESTIONS RECEIVED.	Not Applicable	
	04/01/2016	DEC OF TODD CORBIN IN RSPNS TO RQST FOR CLRFACTN RECEIVED.	Not Applicable	
	04/01/2016	JURUPA CMMNTY RSPNS TO RQST FOR CLARIFICATION RECEIVED.	Not Applicable	
N	04/01/2016	NOTICE OF RELATED CASE FILED.	Not Applicable	
N	04/01/2016	JURUPA COMMNTY SRVCS DISTRICTS RSPNS TO JUDGES RQST FOR CLARIFICATION FILED.	Not Applicable	
N	04/01/2016	CITY OF CHINOS RESPONSES TO JUDGE REICHERTS	Not	

		QUESTIONS FILED.	Applicable	
N	04/01/2016	WATERMASTERS RESPONSE TO ORDER FOR ADDITIONAL BRIEFING FILED.	Not Applicable	
	03/30/2016	ON COMPLAINT (UNLIMITED) FILED 01/02/1998 OF CHINO BASIN MUNICIPAL WATER DISTRICT FOR CITY OF CHINO, ATTORNEY GUTIERREZ, FIERRO & ERICKSON, A.P.C. ADDED.	Not Applicable	
	03/30/2016	ON COMPLAINT (UNLIMITED) FILED 01/02/1998 OF CHINO BASIN MUNICIPAL WATER DISTRICT FOR CITY OF CHINO, ATTORNEY DESMOND, NOLAN, LIVAICH & CUNNINGHAM ADDED.	Not Applicable	
N	03/30/2016	NOTICE OF ASSOCIATION OF COUNSEL FILED.	Not Applicable	
N	03/23/2016	ORDER (FINDINGS AND ORDER RE: RELATED CASE) WITH PROOF OF SERVICE FILED	Not Applicable	
	03/22/2016	VACATE HRG HEARING SCHEDULED FOR 04/08/16 AT 01:30 IN DEPARTMENT R6C.	Not Applicable	
	03/22/2016	VACATE LM37 HEARING SCHEDULED FOR 04/08/16 AT 01:30 IN DEPARTMENT R6C.	Not Applicable	
	03/22/2016	ON COURT'S MOTION, THE MOTION FOR ENTRY OF ORDR RE FILING/SERVICE HEARING PRESENTLY SET IN THIS CASE, IS ORDERED RESET FOR 05/06/16 AT 01:30 IN DEPARTMENT R6C. NOTICE SENT TO ALL COUNSEL OF RECORD.	Not Applicable	
	03/22/2016	ON COURT'S MOTION, THE WATERMASTERS MOTION FOR SAFE YIELD RESET HEARING PRESENTLY SET IN THIS CASE, IS ORDERED RESET FOR 05/06/16 AT 01:30 IN DEPARTMENT R6C. NOTICE SENT TO ALL COUNSEL OF RECORD.	Not Applicable	
	03/22/2016	ORDER CONTINUING ALL MATTERS CURRENTLY SET FOR 4/8/16 WITH PROOF OF SERVICE FILED	Not Applicable	
	03/22/2016	ORDER CONTINUING ALL MATTERS CURRENTLY SET FOR 4/8/16 FILED	Not Applicable	
	03/22/2016	ON COURT'S MOTION, THE CITY OF CHINOS MOTION TO CONDUCT DISCOVERY HEARING PRESENTLY SET IN THIS CASE, IS ORDERED RESET FOR 05/06/16 AT 01:30 IN DEPARTMENT R6C. NOTICE SENT TO ALL COUNSEL OF RECORD.	Not Applicable	
N	03/09/2016	DECLARATION OF B.HERREMA IN SPPT OF REQ.FOR CRT TO RECEIVE REPT FILED	Not Applicable	
N	03/09/2016	REQUEST RE: COURT TO RECEIVE & FILE 36TH ANNUAL REPORT FILED.	Not Applicable	
N	03/07/2016	FINDING & ORDER AFTER HEARING; HEARING DATE: 02/26/16 FILED.	Not Applicable	
	02/26/2016 1:30 PM DEPT. R6C	HEARING RE: NOTICE OF RELATED CASE - <u>Minutes</u>	Pre-D Complete	
	02/26/2016 1:30 PM DEPT. R6C	MOTION RE: CHINO TO CONDUCT DISCOVERY 000100 FILED BY 0002	VACATED	
	02/26/2016 1:30 PM DEPT. R6C	MOTION RE: WATERMASTERS SAFE YIELD RESET	VACATED	
		VACATE L&M HEARING SCHEDULED FOR 02/26/16 AT 01:30 IN	Not	

	02/22/2016	DEPARTMENT R6C.	Applicable	
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Actions















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Case Type:











Case Number:

Case RCVRS51010 - CHINO BASIN MUNI WATER DIST -V- CITY OF CHINO

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Viewed	Date	Action Text	Disposition	Image
N	02/05/2016	ORDER CONTINUING 2/16/16 HRGS & NTC OF RELATED CASE HRG WITH PROOF OF SERVICE FILED	Not Applicable	
N	02/04/2016	ORDER CONTINUING 2/26/16 HEARINGS; NOTICE OF HEARING ON NOTICE OF RELATED CASE FILED	Not Applicable	
	02/04/2016 8:30 AM DEPT. R6	HEARING RE: CONTINUANCE OF 02/26/16 HEARING - Minutes	Pre-D Complete	
N	02/02/2016	NOTICE OF ORDER FILED BY CHINO BASIN WATERMASTER. (IMAGED)	Not Applicable	
N	02/02/2016	ORDER GRANTING DEFENDANT MONTE VISTA WATER DISTRICTS REQUEST TO RELATE CASES FILED	Not Applicable	
N	02/02/2016	REQUEST FOR ENTRY OF ORDER RE FILING AND SERVICE FILED.	Not Applicable	
N	02/02/2016	PROPOSED ORDER ON FILING AND SERVICE RECEIVED.	Not Applicable	
N	02/02/2016	NON-AG (OVERLYING) POOLS STMT RE WTRMSTRS MTN RE 2015 SAFE YIELD RESET FILED.	Not Applicable	
	02/02/2016	VOL 1 ORDERED FOR NTC OF RELATED CASE	Not Applicable	
N	02/01/2016	PRPSD ORDR TO CHINOS OBJ TO DEC OF T EGOSCUE IN SPRT OF AG POOLS OPP TO MTN RE DSCVRY FILED.	Not Applicable	
N	02/01/2016	CHINOS OBJCTNS TO DEC OF T EGOSCUE IN SPRT OF AG POOLS OPP TO MTN TO PERMIT DSCVRY FILED.	Not Applicable	
N	02/01/2016	CHINOS RPLY TO OVERLYING (AG) POOLS OPP TO MTN TO PERMIT DSCVRY FILED.	Not Applicable	
N	02/01/2016	CHINOS RPLY TO POMONAS OPP TO MTN TO PERMIT DISCOVERY FILED.	Not Applicable	
N	02/01/2016	PRPSD ORDR TO CHINOS OBJ TO DEC OF P KAVOUNAS IN SPRT OF WTRMSTRS OPP TO MTN RE DSCVRY FILED.	Not Applicable	
N	02/01/2016	CHINOS OBJCTNS TO DEC OF P KAVOUNAS IN SPRT OF WTRMSTRS OPP TO MTN TO PERMIT DISCOVERY FILED.	Not Applicable	
N	02/01/2016	PRPSD ORDR TO CHINOS OBJ TO DEC OF B HERREMA IN SPRT OF WTRMSTRS OPP TO MTN RE DISCOVERY FILED.	Not Applicable	

N	02/01/2016	CHINOS OBJCTNS TO DEC OF B HERREMA IN SPRT OF WTRMSTRS OPP TO MTN TO PERMIT DISCOVERY FILED.	Not Applicable	
N	02/01/2016	DEC OF J GUTIERREZ SPRT OF CHINOS RPLY TO WTRMSTRS OPP TO MTN TO PERMIT DISCOVERY FILED.	Not Applicable	
N	02/01/2016	CHINOS RPLY TO WTRMSTRS OPP TO MTN TO PERMIT CHINO TO CONDUCT DSCVRY FILED.	Not Applicable	
N	02/01/2016	OVERLYING (AG) POOLS JNDR TO WTRMSTRS RPLY TO OPP TO MTN RE 2015 SAFE YIELD RESET FILED.	Not Applicable	
N	02/01/2016	POMONAS JNDR IN WTRMSTRS REPLY TO OPPO TO MTN RE 2015 SAFE YIELD RESET FILED.	Not Applicable	
N	02/01/2016	WTRMSTR RSPNS TO CHINOS OBJCTN TO DEC OF KAVOUNAS IN SPRT OF MTN RE 2015 SAFE YIELD RESET FILED.	Not Applicable	
N	02/01/2016	WTRMSTR RSPNS TO CHINOS OBJCTN TO DEC OF WILDERMU TH SPRT MTN RE 2015 SAFE YIELD RESET FILED.	Not Applicable	
N	02/01/2016	SUPPL DEC OF D MAURIZIO IN SPRT OF WTRMSTRS RPLY TO OPP TO MTN RE 2015 SAFE YEILD RESET FILED.	Not Applicable	
N	02/01/2016	SIPPL DEC OF P KAVOUNAS IN SPRT OF WTRMSTRS RPLY TO OPP TO MRN RE 2015 SAFE YIELD RESET FILED.	Not Applicable	
N	02/01/2016	SUPPL DEC OF M WILDERMUTH IN SPRT OF WTRMSTRS RPLY TO OPP TO MTN RE 2015 SAFE YIELD RESET FILED.	Not Applicable	
N	02/01/2016	WATERMASTERS RPLY TO OPPSTNS TO MTN RE 2015 SAFE YIELD RESET AGREEMENT FILED.	Not Applicable	
N	01/29/2016	NOTICE OF RELATED CASE FILED.	Not Applicable	
N	01/28/2016	DECL OF STEVEN GUESS IN SPRT OF [PROPOSED] ORDR ON 1/22/16 NTC OF RELATED CASE HRG FILED.	Not Applicable	
N	01/22/2016	NOTICE OF RULING RE: ORDER RE-APPOINTING NINE MEMBER WATERMASTER BOARD FILED.	Not Applicable	
N	01/22/2016	ORDER RE-APPOINTING NINE MEMBER WATERMASTER BOARD FOR A FURTHER THREE-YEAR TERM FILED	Not Applicable	
	01/22/2016 1:30 PM DEPT. R6C	HEARING RE: NOTICE OF RELATED CASE - <u>Minutes</u>	Pre-D Complete	
	01/22/2016 1:30 PM DEPT. R6C	MOTION RE: TO RE-APPOINT NINE-MEMBER WATERMASTER BOARD - <u>Minutes</u>	GRANTED	
N	01/20/2016	RQST FOR JDCL NTC IN SPRT OF OPPSTN TO WTRMSTRS MTN RE 2015 SAFE YIELD RESET AGRMNT FILED.	Not Applicable	
N	01/20/2016	DECL OF T CORBIN IN SPRT OF OPPSTN TO WTRMSTRS MTN RE 2015 SAFE YIELD RESET AGRMNT FILED.	Not Applicable	
N	01/20/2016	DECL OF R DONLAN IN SPRT OF OPPSTN TO WTRMSTRS MTN RE 2015 SAFE YIELD RESET AGRMNT FILED.	Not Applicable	
N	01/20/2016	JURUPA COMMUNITY SERVICES OPPSTN TO WTRMSTRS MTN RE 2015 SAFE YIELD RESET AGRMNT FILED.	Not Applicable	
N	01/19/2016	WATERMASTERS OPPOSITION TO CHINOS MOTION TO PERMIT CHINO TO CONDUCT DISCOVERY FILED.	Not Applicable	
N	01/19/2016	CITY OF POMONAS OPPSTN TO CHINOS MTN TO PRMT CHINO TO CONDUCT DISCOVERY FILED.	Not Applicable	
N	01/19/2016	OVERLYING (AGRICULTURAL) POOL OPPOSITION TO CHINOS MTN TO PRMT CHINO TO CONDCT DSCVRY FILED.	Not Applicable	

N	01/19/2016	STATE OF CA JNDR TO OVERLYING POOLS OPPSTN TO CHINOS MTN TO PRMT CHINO TO CONDUCT DSCVRY FILED.	Not Applicable	
N	01/19/2016	DECL OF R SHIBATANI IN SPRT OF CHINOS OPPSTN TO WTRMSTRS MTN RE 2015 SAFE YIELD RESET FILED.	Not Applicable	
N	01/19/2016	CHINOS OBJCTNS TO DEC OF M WILDERMUTH SBMTD W/ WTRMSTRS MTN RE 2015 SAFE YIELD RESET FILED.	Not Applicable	
N	01/19/2016	DECL OF D CROSLEY IN SPRT OF CHINOS OPPSTN TO WTRMSTRS MTN RE 2015 SAFE YIELD RESET FILED.	Not Applicable	
N	01/19/2016	PRPSD ORDR RE CHINOS OBJCTNS TO DEC OF M WILDERMUTH FILED.	Not Applicable	
N	01/19/2016	PRPSD ORDR RE CHINOS OBJCTNS TO DEC OF P KAVOUNAS FILED.	Not Applicable	
N	01/19/2016	CHINOS OBJCTNS TO DECL OF P KAVOUNAS SBMTD W/ WTRMSTRS MTN RE 2015 SAFE YIELD RESET AGRMNT FILED.	Not Applicable	
N	01/19/2016	CITY OF CHINOS OPPSTN TO WTRMSTRS MTN RE 2015 SAFE YIELD RESET AGRMNT FILED.	Not Applicable	
N	01/19/2016	JNDR BY NON-AGRCLTRL POOL CMTE IN OPP BY AGRCLTRL POOL TO CHINOS MTN TO PERMIT DSCVRY FILED.	Not Applicable	
N	01/19/2016	ORDR-HRG ON NTC OF RLTD CASE/CNFRMTN OF HRG ON MTN TO RE-APPNT WTRMSTR BRD W/PROOF FILED.	Not Applicable	

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Exhibit B

Complaints/Parties

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[Minutes](#)
[Pending Hearings](#)
[Case Report](#)
[Images](#)

Case Type:

Case Number:

Case RCVRS51010 - CHINO BASIN MUNI WATER DIST -V- CITY OF CHINO

Complaint Number: 0001 — CMP Original Filing Date: 01/02/1998 Complaint Status: ACTIVE				
Party Number	Party Type	Party Name	Attorney	Party Status
1	PLAINTIFF	CHINO BASIN MUNICIPAL WATER DISTRICT	CIHIGOYENETCHE GROSSBERG & CLOUSE	
3	PLAINTIFF	CHINO BASIN WATERMASTER	BROWNSTEIN HYATT FARBER SCHRECK, LLP	
2	DEFENDANT	CITY OF CHINO	DESMOND, NOLAN, LIVAICH & CUNNINGHAM	Serve Required (WaitS)
			GUTIERREZ, FIERRO & ERICKSON, A.P.C.	
4	DEFENDANT	CITY OF POMONA	ARNOLD M ALVAREZ-GLASMAN	Serve Required (WaitS)
			LAGERLOF SENEAL BRADLEYGOSNEY & KRUSE LLP	
7	INTERVENOR	CCG ONTARIO, LLC	, BAKER, MANOCK & JENSEN	N/A
8	INTERVENOR	CITY OF FONTANA	Unrepresented	N/A
9	DEFENDANT	MONTE VISTA WATER DISTRICT	KIDMAN LAW LLP	Serve Required (WaitS)
10	DEFENDANT	MONTE VISTA IRRIGATION COMPANY	KIDMAN LAW LLP	Serve Required (WaitS)

Complaint Number: 0002 — AO
Original Filing Date: 08/11/2010
Complaint Status: judgment with opinion 06/14/2012

Party Number	Party Type	Party Name	Attorney	Party Status
5	APPELLANT	CALIFORNIA STEEL INDUSTRIES INC	SHEPPARD MULLIN RICHTER & HAPTON	
1	RESPONDENT	CHINO BASIN MUNICIPAL WATER DISTRICT	CIHIGOYENETCHE GROSSBERG & CLOUSE	Serve Required (WaitS)
2	RESPONDENT	CITY OF CHINO	Unrepresented	Serve Required

				(WaitS)
3	RESPONDENT	CHINO BASIN WATERMASTER	BROWNSTEIN HYATT FARBER SCHRECK, LLP	Serve Required (WaitS)
6	RESPONDENT	NON-AGRICULTURAL (OVERLYING) POOL COMMITTEE	HOGAN LOVELLS US LLP	N/A

Complaint Number: 0003 — AO**Original Filing Date:** 08/11/2010**Complaint Status:** judgment with opinion 06/14/2012

Party Number	Party Type	Party Name	Attorney	Party Status
6	APPELLANT	NON-AGRICULTURAL (OVERLYING) POOL COMMITTEE	HOGAN LOVELLS US LLP	
1	RESPONDENT	CHINO BASIN MUNICIPAL WATER DISTRICT	CIHIGOYENETCHE GROSSBERG & CLOUSE	Serve Required (WaitS)
2	RESPONDENT	CITY OF CHINO	Unrepresented	Serve Required (WaitS)
3	RESPONDENT	CHINO BASIN WATERMASTER	BROWNSTEIN HYATT FARBER SCHRECK, LLP	Serve Required (WaitS)
4	RESPONDENT	CITY OF POMONA	LAGERLOF SENECA BRADLEYGOSNEY & KRUSE LLP	Serve Required (WaitS)
5	RESPONDENT	CALIFORNIA STEEL INDUSTRIES INC	SHEPPARD MULLIN RICHTER & HAPTON	Serve Required (WaitS)

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

)
) ss.

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is: 300 South Grand Avenue, Suite 2600, Los Angeles, CA 90071. On May 5, 2016, I served the foregoing document described as:

PLAINTIFF AMERON INTERNATIONAL CORP.'S OPPOSITION TO AMENDED NOTICE OF RELATED CASES

on the parties or attorneys for parties in this action who are identified on the attached service list, using the following means of service. (If more than one means of service is checked, the means of service used for each party is indicated on the attached service list).

- ☐ **BY PERSONAL SERVICE.** I placed ___ the original or ___ a true copy of the foregoing document in sealed envelopes individually addressed to each of the parties on the attached service list, and caused such envelope to be delivered by hand to the offices of each addressee.
- ☐ **BY FACSIMILE TRANSMISSION.** I caused ___ the original or ☒ a true copy of the foregoing document to be transmitted to each of the parties on the attached service list at the facsimile machine telephone number as last given by that person on any document which he or she has filed in this action and served upon this office.
- ☐ **BY MAIL.** I placed ___ the original or ☒ a true copy of the foregoing document in a sealed envelope individually addressed to each of the parties on the attached service list, and caused each such envelope to be deposited in the mail at 300 South Grand Avenue, Suite 2600, Los Angeles, CA 90071. Each envelope was mailed with postage thereon fully prepaid. I am readily familiar with this firm's practice of collection and processing of correspondence for mailing. Under that practice, mail is deposited with the United States Postal Service the same day that it is collected in the ordinary course of business.
- ☒ **BY E-MAIL.** I caused the foregoing document(s) to be transmitted by e-mail electronic transmission to the e-mail address on the attached service list as last given by that person on any document which he or she has filed in this action and served upon this office.
- ☐ **BY EXPRESS MAIL.** I placed ___ the original or ___ a true copy of the foregoing document in a sealed envelope individually addressed to each of the parties on the attached service list, and caused each such envelope to be deposited in the mail at 300 South Grand Avenue, Suite 2600, Los Angeles, CA 90071. Each envelope was mailed with Express Mail postage thereon fully prepaid. I am readily familiar with this firm's practice of collection and processing of correspondence for mailing. Under that practice, mail is deposited with the United States Postal Service the same day that it is collected in the ordinary course of business.
- ☐ **BY FEDERAL EXPRESS.** I placed ___ the original or ___ a true copy of the foregoing document in a sealed envelope or package designated by Federal Express with delivery fees paid or provided for, individually addressed to each of the parties on the attached service list, and caused such envelope or package to be delivered at 300 South Grand Avenue, Suite 2600, Los Angeles, CA 90071, to an authorized courier or driver authorized by Federal Express to receive documents.
- ☒ **(State)** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- ☐ **(Federal)** I declare that I am employed in the office of a member of the bar of this court, at whose direction the service was made.

Executed on May 5, 2016, at Los Angeles, California.


Lillian Dominguez

SERVICE LIST VIA U.S. MAIL
Ameron International Corp. vs. TAMCO
San Bernardino County Superior Court
Case No. CIVDS 1601994

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SERVICE LIST VIA E-MAIL ONLY*Ameron International Corp. vs. TAMCO*

San Bernardino County Superior Court

Case No. CIVDS 1601994

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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 May 5, 2016 I served the following:

1. PLAINTIFF AMERON INTERNATIONAL CORP'S OPPOSITION TO AMENDED NOTICE OF RELATED CASES; DECLARATION OF VERONICA ROTTER IN SUPPORT THEREOF

/X/ 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.

/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.

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

Executed on May 5, 2016 in Rancho Cucamonga, California.



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Chino Basin Watermaster

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