

1 GENE TANAKA, Bar No, 101423  
2 Gene.Tanaka@bbklaw.com  
3 BEST BEST & KRIEGER LLP  
4 2001 N. Main Street, Suite 390  
5 Walnut Creek, California 94596  
6 Tel.: (925) 977-3300  
7 Fax: (925) 977-1870

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**FEE EXEMPT**

8 STEVE ANDERSON, Bar No. 186700  
9 Steve.Anderson@bbklaw.com  
10 SARAH CHRISTOPHER FOLEY, Bar No. 277223  
11 Sarah.Foley@bbklaw.com  
12 BEST BEST & KRIEGER LLP  
13 3390 University Avenue, 5th Floor  
14 Riverside, CA 92501  
15 Tel.: (951) 686-1450  
16 Fax: (951) 686-3083

17 Attorneys for Defendant and Appellant  
18 Cucamonga Valley Water District

19 [Other Attorneys on Next Page]

20 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
21 COUNTY OF SAN BERNARDINO

22 CHINO BASIN MUNICIPAL WATER  
23 DISTRICT,  
24  
25 Petitioner,  
26  
27 v.  
28  
29 CITY OF CHINO, et al.,  
30  
31 Defendants.

Case No. RCVRS 51010  
Judge: Stanford E. Reichert  
SECOND AMENDED NOTICE OF MOTION  
AND MOTION TO CONFIRM STAY PENDING  
APPEAL OF DEFENDANTS AND  
APPELLANTS CUCAMONGA VALLEY  
WATER DISTRICT, MONTE VISTA WATER  
DISTRICT AND CITY OF POMONA

[Filed Concurrently With:  
1. Mem. of P. & A;  
2. [Proposed] Ord.]  
Date: February 2, 2018  
Time: 1:30 p.m.  
Dept.: S35

1 THOMAS S. BUNN III, Bar No. 89502  
2 tombunn@lagerlof.com  
3 LAGERLOF, SENEAL, GOSNEY & KRUSE LLP  
4 301 N. Lake Avenue, 10th Floor  
5 Pasadena, CA 91101-5123  
6 Telephone (626) 793-9400  
7 Facsimile (626) 793-5900

8 Attorneys for Defendant and Appellant City of Pomona

9 ARTHUR G. KIDMAN, Bar No. 61719  
10 akidman@kidmanlaw.com  
11 ANDREW B. GAGEN, Bar No. 212257  
12 agagen@kidmanlaw.com  
13 KIDMAN LAW LLP  
14 2030 Main Street, Ste. 1300  
15 Irvine, CA 92614  
16 Telephone: (714) 755-3100  
17 Facsimile: (714) 755-3110

18 Attorneys for Defendant and Appellant Monte Vista Water District  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

LAW OFFICES OF  
BEST BEST & KRIEGER LLP  
3390 UNIVERSITY AVENUE, 5TH FLOOR  
P.O. BOX 1028  
RIVERSIDE, CALIFORNIA 92502

1 AMENDED NOTICE OF MOTION AND MOTION TO CONFIRM STAY

2  
3 TO ALL PARTIES AND THEIR ATTORNEYS:

4  
5 PLEASE TAKE NOTICE that the Motion to Confirm Stay has been continued from  
6 December 8, 2017, to February 2, 2018, at 1:30 p.m., or as soon thereafter as the matter may be heard,  
7 in Department S35 of the San Bernardino County Superior Court, located at 247 West Third Street,  
8 San Bernardino, California, Defendants and Appellants Cucamonga Valley Water District, Monte  
9 Vista Water District and City of Pomona (collectively "Defendants") shall move to confirm astay of  
10 the Court Order Denying the Chino Basin Watermaster's Motion Regarding 2015 Safe Yield Reset  
11 Agreement, etc., filed April 28, 2017 ("Order"), pending appeal. The Motion shall be made on the  
12 grounds that the Order is automatically stayed pursuant to California Civil Procedure Code Section  
13 916(a), and the Order is not binding until the appeal is final pursuant to the 1978 Judgment, Paragraph  
14 31(e).

15  
16 This Motion is based on this Second Amended Notice, the Memorandum of Points and  
17 Authorities and the [Proposed] Order, served on August 11, 2017, the pleadings and papers on file in  
18 this action, and any other matters properly before the Court at the hearing on the Motion.

19  
20 Dated: November 1, 2017

BEST BEST & KRIEGER LLP

21  
22 By: Gene Tanaka (II)  
23 GENE TANAKA  
24 STEVE ANDERSON  
25 SARAH CHRISTOPHER FOLEY  
26 Attorneys for Defendant and Appellant  
27 Cucamonga Valley Water District  
28

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 November 1, 2017 I served the following:

1. SECOND AMENDED NOTICE OF MOTION AND MOTION TO CONFIRM STAY PENDING APPEAL OF DEFENDANTS AND APPELLANTS CUCAMONGA VALLEY WATER DISTRICT, MONTE VISTA WATER DISTRICT AND CITY OF POMONA

/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 November 1, 2017 in Rancho Cucamonga, California.

  
\_\_\_\_\_  
By: Camille Gregory  
Chino Basin Watermaster

BRIAN GEYE  
AUTO CLUB SPEEDWAY  
9300 CHERRY AVE  
FONTANA, CA 92335

BOB KUHN  
THREE VALLEYS MWD  
669 HUNTERS TRAIL  
GLEN DORA, CA 91740

ROBERT BOWCOCK  
INTEGRATED RESOURCES MGMNT  
405 N. INDIAN HILL BLVD  
CLAREMONT, CA 91711

STEVE ELIE  
IEUA  
17017 ESTORIL STREET  
CHINO HILLS, CA 91709

GINO L. FILIPPI  
CBWM BOARD MEMBER  
305 N. 2<sup>ND</sup> AVE., PMB #101  
UPLAND, CA 91786

PAUL HOFER  
11248 S TURNER AVE  
ONTARIO, CA 91761

DON GALLEANO  
WMWD  
4220 WINEVILLE ROAD  
MIRA LOMA, CA 91752

BOB DiPRIMIO  
CBWM BOARD MEMBER  
11142 GARVEY AVENUE  
EL MONTE, CA 91733

JAMES CURATALO  
CUCAMONGA VALLEY WATER DIST  
PO BOX 638  
RANCHO CUCAMONGA, CA 91729

JEFF PIERSON  
PO BOX 1440  
LONG BEACH, CA 90801-1440

ALLEN HUBSCH  
LOEB & LOEB LLP  
10100 SANTA MONICA BLVD.  
SUITE 2200  
LOS ANGELES, CA 90067

BOB FEENSTRA  
2720 SPRINGFIELD ST,  
ORANGE, CA 92867

## Members:

Agnes Cheng	agnes.cheng@cc.sbcounty.gov
Al Lopez	alopez@wmwd.com
Alfonso Ruiz Jr.	Alfonso.Ruiz@gerdau.com
Amanda Coker	acoker@cityofchino.org
Andrea Olivas	aolivas@jcsd.us
Andrew Silva	Andrew.Silva@cao.sbcounty.gov
Andy Campbell	acampbell@ieua.org
Andy Malone	amalone@weewater.com
Ankita Patel	apatel@niagarawater.com
Anna Truong	ATruong@cbwm.org
April Robitaille	arobitaille@bhfs.com
April Woodruff	awoodruff@ieua.org
Arnold "AJ" Gerber	agerber@parks.sbcounty.gov
Arnold Rodriguez	jarodriguez@sarwc.com
Art Bennett	citycouncil@chinohills.org
Ashok Dhingra	ash@akdconsulting.com
Ben Lewis	benjamin.lewis@gswater.com
Ben Peralta	bperalta@tvmwd.com
Bill Thompson	bthompson@ci.norco.ca.us
Bob Bowcock	bbowcock@irmwater.com
Bob DiPrimio	rjdiprimio@sgvwater.com
Bob Feenstra	bobfeenstra@gmail.com
Bob Kuhn	bgkuhn@aol.com
Bob Kuhn	bkuhn@tvmwd.com
Bob Page	bpage@cao.sbcounty.gov
Brad Herrema	bherrema@bhfs.com
Braden Yu	bradeny@cvwdwater.com
Brandon Howard	brahoward@niagarawater.com
Brenda Fowler	balee@fontanawater.com
Brenda Trujillo	brendatrujillo@chinohills.org
Brent Yamasaki	byamasaki@mwdh2o.com
Brian Geye	bgeye@autoclubspeedway.com
Brian Hess	bhess@niagarawater.com
Brian Thomas	bkthomas@jcsd.us
Cameron Andreasen	memphisbelle38@outlook.com
Camille Gregory	cgregory@cbwm.org
Carol Bennett	cbennett@tkeengineering.com
Carol Boyd	Carol.Boyd@doj.ca.gov
Carolina Sanchez	csanchez@weewater.com
Casey Costa	ccosta@chinodesalter.org
Chad Blais	cblais@ci.norco.ca.us
Charles Field	cdfield@att.net
Charles Linder	Charles.Linder@nrgenergy.com
Charles Moorrees	cmoorrees@sawaterco.com
Chino Hills City Council	citycouncil@chinohills.org
Chris Berch	CBerch@ieua.org
Christopher R. Guillen	cguillen@bhfs.com
Chuck Hays	chays@fontana.org
Cindy Cisneros	cindyc@cvwdwater.com
Cindy LaCamera	clcamera@mwdh2o.com
Cindy Li	Cindy.li@waterboards.ca.gov

Craig Miller	CMiller@wmwd.com
Craig Stewart	Craig.Stewart@amec.com
Cris Fealy	cifealy@fontanawater.com
Curtis Paxton	cpaxton@chinodesalter.org
Curtis Stubbings	Curtis_Stubbings@praxair.com
Dan Arrighi	darrighi@sgvwater.com
Dan Chadwick	dchadwick@fontana.org
Danielle Soto	danielle_soto@CI.POMONA.CA.US
Darron Poulsen	darron_poulsen@ci.pomona.ca.us
Daryl Grigsby	daryl_grigsby@ci.pomona.ca.us
Dave Argo	daveargo46@icloud.com
Dave Crosley	DCrosley@cityofchino.org
David De Jesus	ddejesus@tvmwd.com
David Lovell	dlovell@dpw.sbcounty.gov
David Penrice	dpenrice@acmwater.com
David Ringel	david.j.ringel@us.mwhglobal.com
Dennis Dooley	ddooley@angelica.com
Dennis Mejia	dmejia@ci.ontario.ca.us
Dennis Williams	dwilliams@geoscience-water.com
Diana Frederick	diana.frederick@cdcr.ca.gov
Don Galleano	dongalleano@icloud.com
Earl Elrod	earl.elrod@verizon.net
Edgar Tellez Foster	etellezfoster@cbwm.org
Eric Fordham	eric_fordham@geopentech.com
Eric Garner	eric.garner@bbklaw.com
Eric Leuze	Eric.Leuze@nrgenergy.com
Eric Tarango	edtarango@fontanawater.com
Erika Clement	Erika.clement@sce.com
Eunice Ulloa - City of Chino	eulloa@cityofchino.org
Felix Hamilton	felixhamilton.chino@yahoo.com
Frank Brommenschenkel	frank.brommen@verizon.net
Frank Yoo	FrankY@cbwm.org
Gabby Garcia	ggarcia@mvwd.org
Gailyn Watson	gwatson@airports.sbcounty.gov
Geoffrey Kamansky	gkamansky@niagarawater.com
Geoffrey Vanden Heuvel	geoffreyvh60@gmail.com
Gerald Yahr	yahrj@koll.com
Giannina Espinoza	gia.espinoza@gerdau.com
Gina Nicholls	gnicholls@nossaman.com
Gino L. Filippi	Ginoffvine@aol.com
Gloria Rivera	gloriar@cvwdwater.com
Grace Cabrera	grace_cabrera@ci.pomona.ca.us
Greg Gage	ggage@wvwd.org
Greg Woodside	gwoodside@ocwd.com
Henry DeHaan	hpdehaan@verizon.net
Hope Smythe	hsmythe@waterboards.ca.gov
James Curatalo	jamesc@cvwdwater.com
James Jenkins	cnomgr@airports.sbcounty.gov
James McKenzie	jmckenzie@dpw.sbcounty.gov
Jane Anderson	janderson@jcsd.us
Janine Wilson	JWilson@cbwm.org
Jasmin A. Hall	jhall@ieua.org
Jason Marseilles	jmarseilles@ieua.org

Jason Pivovarovff	jpivovarovff@ieua.org
Jean Perry	JPerry@wmwd.com
Jeanina M. Romero	jromero@ci.ontario.ca.us
Jeannette Vagnozzi	jvagnozzi@ci.upland.ca.us
Jeffrey L. Pierson	jpierson@intexcorp.com
Jennifer Hy-Luk (jhyluk@ieua.org)	jhyluk@ieua.org
Jesse White	jesse.white@gerdau.com
Jessie Ruedas	Jessie@thejclawfirm.com
Jesus Placentia	jplasencia@cityofchino.org
Jim Bowman	jbowman@ci.ontario.ca.us
Jim Taylor	jim_taylor@ci.pomona.ca.us
Jo Lynne Russo-Pereyra	jolynner@cvwdwater.com
Joanne Chan	jchan@wwwd.org
Joe Graziano	jgraz4077@aol.com
Joe Grindstaff	jgrindstaff@ieua.org
Joe Joswiak	JJoswiak@cbwm.org
Joel Ignacio	jignacio@ieua.org
John Abusham	john.abusham@nrg.com
John Bosler	johnb@cvwdwater.com
John Huitsing	johnhuitsing@gmail.com
John Lopez and Nathan Cole	customerservice@sarwc.com
John Mendoza	jmendoza@tvmwd.com
John Partridge	jpartridge@angelica.com
John V. Rossi	jrossi@wmwd.com
Jon Lambeck	jlambeck@mwdh2o.com
Jose Alire	jalire@cityofchino.org
Jose Galindo	jose_a_galindo@praxair.com
Joseph P. LeClaire	jleclaire@dbstephens.com
Josh Swift	jmswift@fontanawater.com
Joshua Aguilar	jaguilar@ieua.org
Julie Cavender	julie.cavender@cdcr.ca.gov
Julie Saba	jsaba@jcsd.us
Justin Brokaw	jbrokaw@marygoldmutualwater.com
Justin Nakano	JNakano@cbwm.org
Karen Johnson	kejwater@aol.com
Kathleen Brundage	kathleen.brundage@californiasteel.com
Kathy Kunysz	kkunysz@mwdh2o.com
Kathy Tiegs	Kathyt@cvwdwater.com
Kati Parker	kparker@ieua.org
Kati Parker	katiandcraig@verizon.net
Katie Gienger	kgienger@ontarioca.gov
Keith Person	keith.person@waterboards.ca.gov
Kelly Berry	KBerry@sawpa.org
Ken Jeske	kjeske1@gmail.com
Ken Waring	kwaring@jcsd.us
Kevin Blakeslee	kblakeslee@dpw.sbcounty.gov
Kevin Sage	Ksage@IRMwater.com
Krystn Bradbury	kbradbury@ontarioca.gov
Kyle Snay	kylesnay@gswater.com
Landon Kern	lkern@cityofchino.org
Laura Mantilla	lmantilla@ieua.org
Lawrence Dimock	lawrence.dimock@cdcr.ca.gov
Lee Moore	Lee.Moore@nrgenergy.com



Linda Jadeski	ljadeski@wwd.org
Linda Minky	LMinky@BHFS.com
Lisa Lemoine	LLemoine@wmwd.com
Marco Tule	marco.tule@nrg.com
Maribel Sosa	Maribel_Sosa@ci.pomona.ca.us
Mark Wiley	mwiley@chinohills.org
Marsha Westropp	MWestropp@ocwd.com
Martin Zvirbulis	martinz@cvwdwater.com
Mathew C. Ballantyne	mballantyne@cityofchino.org
Matthew H. Litchfield	mlitchfield@wwd.org
Michael Sigsbee	msigsbee@ci.ontario.ca.us
Mike Blazevic	mblazevic@weewater.com
Mike Maestas	mikem@cvwdwater.com

## Members:

Maria Mendoza-Tellez	MMendoza@weewater.com
Marilyn Levin	marilyn.levin@doj.ca.gov
Mario Garcia	mgarcia@tvmwd.com
Mark Kinsey	mkinsey@mwwd.org
Mark Wildermuth	mwildermuth@weewater.com
Marla Doyle	marla_doyle@ci.pomona.ca.us
Martha Davis	mdavis@ieua.org
Martin Rauch	martin@rauchcc.com
Melanie Otero	melanie_otero@ci.pomona.ca.us
Melissa L. Walker	mwalker@dpw.sbcounty.gov
Michael Adler	michael.adler@mcmcnet.net
Michael Camacho	MCamacho@pacificaservices.com
Michael Cruikshank	MCruikshank@DBStephens.com
Michael P. Thornton	mthornton@tkeengineering.com
Michael T Fife	MFife@bhfs.com
Mike Sigsbee	msigsbee@ci.ontario.ca.us
Monica Heredia	mheredia@chinohills.org
Moore, Toby	TobyMoore@gswater.com
Nadeem Majaj	nmajaj@chinohills.org
Nadia Picon-Aguirre	naguirre@wvwd.org
Natalie Costaglio (natalie.costaglio@mcmcnet.net)	natalie.costaglio@mcmcnet.net
Nathan deBoom	n8deboom@gmail.com
Neetu Gupta	ngupta@ieua.org
Nicole Escalante	NEscalante@ci.ontario.ca.us
Noah Golden-Krasner	Noah.goldenkrasner@doj.ca.gov
Pam Wilson	pwilson@bhfs.com
Patty Jett	pjett@spacecenterinc.com
Paul Deutsch	paul.deutsch@amec.com
Paul Hofer	farmwatchtoo@aol.com
Paul Hofer	farmerhofer@aol.com
Paul Leon	pleon@ci.ontario.ca.us
Paula Lantz	paula_lantz@ci.pomona.ca.us
Penny Alexander-Kelley	Palexander-kelley@cc.sbcounty.gov
Pete Hall	pete.hall@cdcr.ca.gov
Pete Hall	rpetehall@gmail.com
Pete Vicario	PVicario@cityofchino.org
Peter Hettinga	peterhettinga@yahoo.com
Peter Kavounas	PKavounas@cbwm.org
Peter Rogers	progers@chinohills.org
Peter Thyberg	Peter.Thyberg@cdcr.ca.gov
Rachel Avila	R.Avila@MPGLAW.com
Rachel Ortiz	rortiz@nossaman.com
Ramsey Haddad	ramsey.haddad@californiasteel.com
Randall McAlister	randall.mcalister@ge.com
Raul Garibay	raul_garibay@ci.pomona.ca.us
Ray Wilkings	rwilkings@autoclubspeedway.com
Rene Salas	Rene_Salas@ci.pomona.ca.us
Richard Zuniga	richard.zuniga@nov.com
Rick Darnell	Richard.Darnell@nrgenergy.com
Rick Hansen	rhansen@tvmwd.com

Rick Rees	Richard.Rees@amec.com
Rick Zapien	rzapien@cbwm.org
Rita Pro	rpro@cityofchino.org
Robert C. Hawkins	RHawkins@earthlink.net
Robert DeLoach	robertadeloach1@gmail.com
Robert Neufeld	robneu1@yahoo.com
Robert Stockton	bstockton@wmwd.com
Robert Tock	rtock@jcsd.us
Robert Wagner	rwagner@wbecorp.com
Rogelio Matta	rmatta@fontana.org
Roger Florio	roger.florio@ge.com
Ron Craig	ronc@mbakerintl.com
Ron LaBrucherie, Jr.	ronLaBrucherie@gmail.com
Ronald C. Pietersma	rcpietersma@aol.com
Rosemary Hoerning	rhoerning@ci.upland.ca.us
Ryan Shaw	RShaw@wmwd.com
Sandra S. Rose	directorrose@mvwd.org
Sarah Schneider	sarah.schneider@amec.com
Scott Burton	sburton@ci.ontario.ca.us
Scott Runyan	srunyan@cc.sbcounty.gov
Scott Slater	sslater@bhfs.com
Seth J. Zielke	sjzielke@fontanawater.com
Shaun Stone	sstone@ieua.org
Sheri Rojo	smrojo@aol.com
Sonya Barber	sbarber@ci.upland.ca.us
Sonya Bloodworth	sbloodworth@wmwd.com
Sophie Akins	Sophie.Akins@cc.sbcounty.gov
Steve Riboli	steve.riboli@sanantoniowinery.com
Steve Sentes	ssentes@cbwcd.org
Steve Smith	ssmith@ieua.org
Steven J. Elie	selie@ieua.org
Steven J. Elie	s.elie@mpglaw.com
Suki Chhokar	schhokar@sdcwa.org
Susan Collet	scollett@jcsd.us
Sylvie Lee	slee@ieua.org
Taya Victorino	tayav@cvwdwater.com
Teri Layton	tlayton@sawaterco.com
Terry Catlin	tlcatlin@wfajpa.org
Tim Barr	tbarr@wmwd.com
Todd Corbin	tcorbin@jcsd.us
Todd Minten	tminten@chinodesalter.org
Tom Cruikshank	tcruikshank@spacecenterinc.com
Tom Harder	tharder@thomashardercompany.com
Tom Haughey	tom@haugheyinsurance.com
Tom O'Neill	toneill@ci.ontario.ca.us
Toni Medell - RBF Consulting (mmedel@mbakerintl.com)	mmedel@mbakerintl.com
Tony Long (tlong@angelica.com)	tlong@angelica.com
Van Jew	vjew@mvwd.org
Veva Weamer	vweamer@weewater.com
Vicki Hahn	vhahn@tvmwd.com
Vicky Rodriguez	vrodrigu@ci.ontario.ca.us
Vivian Castro	VCastro@cbwcd.org

W. C. "Bill" Kruger  
William Urena

citycouncil@chinohills.org  
wurena@angelica.com

## Members:

Allen W. Hubsch  
Andrew Gagen  
Arthur Kidman  
Catharine Irvine  
Christopher M. Sanders (cms@eslawfirm.com)

ahubsch@loeb.com  
agagen@kidmanlaw.com  
akidman@kidmanlaw.com  
cirvine@DowneyBrand.com

Dan McKinney  
David Aladjem  
Elizabeth P. Ewens (epe@eslawfirm.com)

cms@eslawfirm.com  
dmckinney@douglascountylaw.com  
daladjem@downeybrand.com

Fred Fudacz  
Fred Galante  
Gene Tanaka  
Irene Islas (irene.islas@bbklaw.com)  
Jean Cihigoyenetché  
Jim Markman  
Jimmy Gutierrez - Law Offices of Jimmy Gutierrez (jimmylaredo@gmail.com)

epe@eslawfirm.com  
ffudacz@nossaman.com  
fgalante@awattorneys.com  
Gene.Tanaka@bbklaw.com  
irene.islas@bbklaw.com  
Jean@thejclawfirm.com  
jmarkman@rwglaw.com

jimmy@city-attorney.com

jimmylaredo@gmail.com  
jimmy@city-attorney.com  
jkuperberg@rutan.com  
jrharper@harperburns.com  
jschatz13@cox.net  
mhensley@hensleylawgroup.com  
marty@thejclawfirm.com  
mstaples@jdtplaw.com  
njacobs@somachlaw.com  
RVisser@sheppardmullin.com  
red@eslawfirm.com  
rodbaker03@yahoo.com

Joel Kuperberg

John Harper

John Schatz

Mark D. Hensley

Martin Cihigoyenetché

Michelle Staples

Nick Jacobs

Randy Visser

Robert E. Donlan

Rodney Baker

Shawnda M. Grady - Ellison, Schneider & Harris L.L.P.

sgrady@eslawfirm.com  
Steve.Anderson@bbklaw.com  
skennedy@bmklawplc.com  
steve.anderson@bbklaw.com  
tjryan@sgvwater.com  
TomBunn@Lagerlof.com  
THMcP@aol.com  
tracy@egoscuelaw.com  
tgeren@sheppardmullin.com  
bbrunick@bmblawoffice.com

Steve Anderson

Steve Kennedy

Steve M. Anderson

Timothy Ryan

Tom Bunn

Tom McPeters

Tracy J. Egoscue

Trish Geren

William J Brunick