

FEE EXEMPT

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

13 CHINO BASIN MUNICIPAL WATER
14 DISTRICT,

15 Plaintiff,

16 v.

17 CITY OF CHINO et al.,

18 Defendants.

Case No. RCVRS 51010

Assigned for All Purposes to the
Honorable Stanford E. Reichert

**AGRICULTURAL POOL'S
STATUS REPORT REGARDING
THE CONCLUSION OF COURT
ORDERED MEDIATION IN
RESPONSE TO MOTION OF AP
MEMBER AGENCIES RE: AG
POOL LEGAL AND OTHER
EXPENSES**

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**AGRICULTURAL POOL’S STATUS REPORT REGARDING
THE CONCLUSION OF MEDIATION**

The Overlying (Agricultural) Pool (Agricultural Pool) respectfully submits this Status Report regarding the conclusion of the Court-ordered mediation.

A mediation regarding the “Motion of Appropriate Pool Member Agencies Re: Agricultural Pool Legal and Other Expenses” was conducted with the parties on March 22, 2021 and concluded without resolution. The mediator has declared an impasse and provides notice to the Court that it may proceed with the matter. The mediator’s notice is evidence of compliance with the mediation provisions of the Peace Agreement and is attached hereto as Exhibit A. Pursuant to Section 9.3(c)(vi) of the Peace Agreement, the mediation process shall be deemed complete on April 1, 2021.

Due to the breach of contract and default by certain members of the Appropriate Pool, the Agricultural Pool has continued to incur significant damages including having to pay past due legal fees from a limited and finite reserve account and an inability to continue normal functions with delayed regular Pool meetings. At this time, the Agricultural Pool respectfully requests that the Court issue a decision.


Dated: March 25, 2021

EGOSCUE LAW GROUP, INC.

By: Tracy J. Egoscue
TRACY J. EGOSCUE
Attorneys for
OVERLYING (AGRICULTURAL) POOL

Exhibit A

Mediator Hon. Peter D. Lichtman's
March 22, 2021 Notice

From: Tracy J. Egoscue Tracy@egoscuelaw.com 
Subject: Fwd: Chino Basin Municipal Water District v. City of Chino, et al.
Date: March 23, 2021 at 4:30 PM
To: Tarren Alicia Torres tarren@egoscuelaw.com

Tracy J. Egoscue
Egoscue Law Group, Inc.
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Sent from my iPhone

Begin forwarded message:

From: "Hon. Peter D. Lichtman (Ret.)" <judgelichtman@signatureresolution.com>
Date: March 22, 2021 at 5:11:42 PM PDT
To: gnicholls@nossaman.com, tracy@egoscuelaw.com
Cc: Jasmine Lu <jlu@signatureresolution.com>
Subject: Chino Basin Municipal Water District v. City of Chino, et al.

Dear Counsel:

In accord with Section 9.3 sub-part 6 of the Peace Agreement, the mediator notes that a mediation was conducted with the parties but regrettably was unsuccessful. Accordingly, the mediator hereby declares an impasse and notifies the court that it may proceed with its ruling on the matter briefed, argued and submitted.
The confidentiality provision of the statute governing mediations precludes any further information from being disclosed.

I wish to thank all counsel for their participation.

This communication may be relayed to the court as evidence of compliance with the provisions of the Peace Agreement.

Hon. Peter D. Lichtman (Ret.)

SIGNATURE
RESOLUTION

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633 West 5th Street, Suite 1000 Los Angeles, CA 90071
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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 within action. My business address is Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, California 91730; telephone (909) 484-3888.

On March 25, 2021 I served the following:

1. AGRICULTURAL POOL'S STATUS REPORT REGARDING THE CONCLUSION OF COURT ORDERED MEDIATION IN RESPONSE TO MOTION OF AP MEMBER AGENCIES RE: AG POOL LEGAL AND OTHER EXPENSES

/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 March 25, 2021 in Rancho Cucamonga, California.



By: Janine Wilson
Chino Basin Watermaster

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