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5 Attorneys for
6 FONTANA WATER COMPANY and
7 CUCAMONGA VALLEY WATER DISTRICT

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN BERNARDINO

10
11 CHINO BASIN MUNICIPAL WATER
12 DISTRICT,

13 Plaintiff,

14 v.

15 CITY OF CHINO, et al.

16 Defendants.

Case No.: RCVRS51010

Assigned for All Purposes to the
Honorable Gilbert Ochoa

**FONTANA WATER COMPANY AND
CUCAMONGA VALLEY WATER
DISTRICT'S OBJECTION TO REQUEST
FOR JUDICIAL NOTICE IN SUPPORT OF
CITY OF ONTARIO'S COMBINED REPLY**

17
18 *Filed concurrently herewith:*

- 19 • Declaration of Thomas S. Bunn III
- 20 • Objection to Ontario's Combined Reply

Date: June 17, 2022
Time: 1:30 p.m.
Dept: S35

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Fontana Water Company and Cucamonga Valley Water District (“Agencies”) object to the City of Ontario’s Request for Judicial Notice. The Agencies agree that the documents are the type which may be judicially noticed. Nevertheless, court should deny the request because the documents are new evidence, which should not be offered for the first time with a reply. (See *Jay v. Mahaffey* (2013) 218 Cal. App. 4th 1522, 1536–38.) A fuller explanation is contained in Agencies’ Objection to Ontario’s Reply Brief, filed concurrently herewith.

Dated: June 3, 2022

LAGERLOF, LLP
By: Thomas S. Bunn III
THOMAS S. BUNN, III
Attorneys for Fontana Water Company and
Cucamonga Valley Water District

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 June 3, 2022 I served the following:

1. FONTANA WATER COMPANY AND CUCAMONGA VALLEY WATER DISTRICT'S OBJECTION TO REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF CITY OF ONTARIO'S COMBINED REPLY

/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: Master Email Distribution List

/ 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 June 3, 2022 in Rancho Cucamonga, California.



By: Janine Wilson
Chino Basin Watermaster

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