

VENTURA
SUPERIOR COURT
FILED

SEP 06 2013

MICHAEL D. PLANET
Executive Officer and Clerk

BY: _____, Deputy

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CASITAS MUNICIPAL WATER DISTRICT and
10 CASITAS MUNICIPAL WATER DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2013-1
11 (OJAI)

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 FOR THE COUNTY OF VENTURA
14

15 GOLDEN STATE WATER COMPANY,
a California corporation,

Cas No. 56-2013-00433986-CU-WM-VTA

16 Petitioner/Plaintiff,

RESPONDENTS'/DEFENDANTS'
STATUS CONFERENCE STATEMENT

17 vs.

Status Conference:

18 CASITAS MUNICIPAL WATER DISTRICT,
19 a quasi-municipal corporation, CASITAS
MUNICIPAL WATER DISTRICT
20 COMMUNITY FACILITIES DISTRICT
NO. 2013-1 (OJAI), a purported community
21 facilities district, ALL PERSONS
INTERESTED IN THE VALIDITY OF
22 CASITAS MUNICIPAL WATER DISTRICT
RESOLUTIONS NOS. 13-12, 13-13, AND
23 13-14 and DOES 1 through 50, inclusive,

Date: September 16, 2013
Time: 8:30 a.m.
Dept.: 43

Date Action Filed: March 26, 2013

24 Respondents/Defendants.
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1 Respondents/Defendants Casitas Municipal Water District and Casitas Municipal Water
2 District Community Facilities District No. 2013-1 (Ojai) submit the following Status Conference
3 Statement to the Court with respect to the Status Conference that is scheduled to be held in this
4 matter on September 16, 2013.

5 Petitioner/Plaintiff Golden State Water Company ("GSW") filed this action on March 26,
6 2013, seeking to invalidate the formation of Casitas Municipal Water District Community
7 Facilities District No. 2013-1 (Ojai), the sale of community facilities district ("CFD") bonds, and
8 the expenditure of the CFD bond proceeds for various purposes. In its June 10, 2013, Minute
9 Order, the Court ruled that GSW's action "is premature" since, under Government Code Sections
10 53341 and 53359, "the time for commencing such an action is 'within 30 days after' the [CFD]
11 special election" and the special election had not been held prior to this action being filed.
12 (Minute Order, page 4.)

13 The CFD special election was held on August 27, 2013. Attached hereto as Exhibit "A" is
14 a certified copy of the Ventura County Clerk Recorder/Registrar of Voters' certification of the
15 results of the canvass of the election. The CFD measure *passed* by an overwhelming vote of 2,154
16 "yes" votes to 310 "no" votes, or 87.42% in favor of the CFD.

17 Dated: September 5, 2013

RUTAN & TUCKER, LLP

18
19 By: 

Jeffrey M. Oderman
Attorneys for Respondents/Defendants
CASITAS MUNICIPAL WATER
DISTRICT and CASITAS MUNICIPAL
WATER DISTRICT COMMUNITY
FACILITIES DISTRICT NO. 2013-1 (OJAI)

EXHIBIT “A”


**CERTIFICATION OF COUNTY CLERK/REGISTRAR OF VOTERS
OF THE RESULTS OF THE CANVASS OF THE
AUGUST 27, 2013 CASITAS MUNICIPAL WATER DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2013-1 (OJAI) ELECTION**

State of California
County of Ventura } **SS.**

I, **MARK A. LUNN**, County Clerk/Registrar of Voters of said County, do hereby certify that, in pursuance to the provisions of Elections Code Section 15300, et seq., I did canvass the results of the votes cast in the Casitas Municipal Water District Community Facilities District No. 2013-1 (Ojai) Election held in said County on August 27, 2013 for the measure that was submitted to the vote of the voters, and that the Statement of Votes Cast to which this certificate is attached, is full, true and correct.

I hereby set my hand and official seal this 29th day of August 2013, at the County of Ventura.




MARK A. LUNN, CERA
Clerk Recorder/Registrar of Voters
County of Ventura
State of California

CERTIFICATE OF THE COUNTY CLERK
(Elections Code Section 15372)

CASITAS MUNICIPAL WATER DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2013-1 (OJAI) ELECTION
MEASURE "V"

AUGUST 27, 2013

State of California }
County of Ventura } SS.

I, MARK A. LUNN, Clerk Recorder/Registrar of Voters of the County of Ventura, State of California, do hereby certify that the following is a true and correct Canvass of the Ballots Cast for and against Measure "V" for the Casitas Municipal Water District Community Facilities District No. 2013-1 (Ojai) Election held on August 27, 2013.

I certify that the total ballots cast at the Casitas Municipal Water District Community Facilities District No. 2013-1 (Ojai) Election are as follows:

<u>PRECINCT BALLOTS CAST</u>	<u>VOTE BY MAIL BALLOTS CAST</u>	<u>TOTAL BALLOTS CAST</u>
968	1,499	2,467

I further certify that the total votes cast on Measure "V" are as follows:

<u>MEASURE "V"</u>	<u>PRECINCT VOTE</u>	<u>VOTE BY MAIL VOTE</u>	<u>TOTAL VOTE</u>
BONDS YES	854	1,300	2,154
BONDS NO	113	197	310

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
this 29th day of August, 2013.



MARK A. LUNN, CERA
Clerk Recorder/Registrar of Voters
County of Ventura

[illegible]

REGISTRATION & TURNOUT
County of Ventura

Completed Precincts:	9 of 9	
Total Registration	4,796	
Election Day Ballots Cast	968	20.18%
Vote By Mail Ballots Cast	1,499	31.26%
Total Ballots Cast	2,467	51.44%

CASITAS MUNICIPAL WATER DISTRICT CFD

Completed Precincts:	9 of 9	
BONDS YES	2,154	87.42%
BONDS NO	310	12.58%

1 **PROOF OF SERVICE BY MAIL**

2 *Golden State Water Company v. Casitas Municipal Water District, et al.*
3 Ventura County Superior Court Case No. 56-2013-00433986-CU-WM-VTA

4 **STATE OF CALIFORNIA, COUNTY OF ORANGE**

5 I am employed by the law office of Rutan & Tucker, LLP in the County of Orange, State of
6 California. I am over the age of 18 and not a party to the within action. My business address is
611 Anton Boulevard, Suite 1400, Costa Mesa, California 92626-1931.

7 On September 5, 2013, I served on the interested parties in said action the within:

8 **RESPONDENTS'DEFENDANTS' STATUS CONFERENCE STATEMENT**

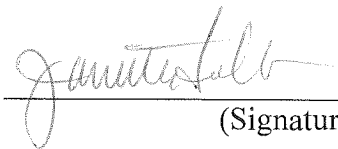
9 by placing a true copy thereof in sealed envelope(s) addressed as stated on the following page.

10 In the course of my employment with Rutan & Tucker, LLP, I have, through first-hand
11 personal observation, become readily familiar with Rutan & Tucker, LLP's practice of collection
12 and processing correspondence for mailing with the United States Postal Service. Under that
13 practice I deposited such envelope(s) in an out-box for collection by other personnel of Rutan &
14 Tucker, LLP, and for ultimate posting and placement with the U.S. Postal Service on that same day
15 in the ordinary course of business. If the customary business practices of Rutan & Tucker, LLP
16 with regard to collection and processing of correspondence and mailing were followed, and I am
17 confident that they were, such envelope(s) were posted and placed in the United States mail at
18 Costa Mesa, California, that same date. I am aware that on motion of party served, service is
19 presumed invalid if postal cancellation date or postage meter date is more than one day after date
20 of deposit for mailing in affidavit.

21 Executed on September 5, 2013, at Costa Mesa, California.

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

24
25 Janette Hollmer
26 (Type or print name)

27 
28 (Signature)

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PROOF OF SERVICE BY MAIL

Golden State Water Company v. Casitas Municipal Water District, et al.
Ventura County Superior Court Case No. 56-2013-00433986-CU-WM-VTA

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