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*Exempt from filing fee pursuant to
Gov't. Code Section 6103*

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Attorneys for Defendant\Cross-Complainant,
MOJAVE WATER AGENCY

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF RIVERSIDE**

11 CITY OF BARSTOW, et al
12 Plaintiff,

13 v.

14 CITY OF ADELANTO, et al
15 Defendant.

CASE NO.: CIV 208568

**NOTICE OF CONTINUANCE
OF HEARING DATE ON MOTION
FOR LEAVE TO FILE SECOND
AMENDED CROSS-COMPLAINT
BY THE MOJAVE WATER
AGENCY**

Date: July 21, 2022
Time: 8:30 a.m.
Dept.: 1

16
17 **AND RELATED CROSS ACTIONS**

Assigned for All Purposes to:
Hon. Craig G. Riemer, Judge Presiding

20 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

21 **PLEASE TAKE NOTICE THAT** upon the court's own motion, the hearing date on
22 Mojave Water Agency's Motion for Leave to File Second Amended Cross-Complaint By The
23 Mojave Water Agency currently set for June 30, 2022 at 8:30 a.m., has been continued to **July**
24 **21, 2022 at 8:30 a.m. in Department 1** of the above-entitled court.

25 Further, no later than July 14, 2022, the Court invites the moving party and any other
26 party, to file further briefing on the issue of whether leave to file a cross-complaint may be filed
27 if the Court has already entered a judgment on the underlying complaint and previously filed
28

**NOTICE OF CONTINUANCE OF HEARING DATE ON MOTION
FOR LEAVE TO FILE SECOND AMENDED CROSS-COMPLAINT BY THE MOJAVE WATER AGENCY**

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cross-complaint.

See attached Tentative Ruling

Notice to be given by Watermaster.

Dated: June 29, 2022

BRUNICK, McELHANEY & KENNEDY PLC

By: _____


William J. Brunick
Leland P. McElhanev
Attorneys for Defendant/Cross-complainant,
MOJAVE WATER AGENCY

Tentative Rulings for June 30, 2022 Department 1

**To request oral argument, you must notify Judicial Secretary
Amy Norton at (760) 904-5722
and inform all other counsel no later than 4:30 p.m.**

This court follows California Rules of Court, Rule 3.1308 (a) (1) for tentative rulings. (See Riverside Superior Court Local Rule 3316.) Tentative Rulings for each law & motion matter are posted on the Internet by 3:00 p.m. on the court day immediately before the hearing at <https://www.riverside.courts.ca.gov/OnlineServices/TentativeRulings/tentative-rulings.php>. If you do not have Internet access, you may obtain the tentative ruling by telephone at (760) 904-5722.

If the Court has issued a tentative ruling, no hearing will be conducted on the motion unless one of the parties requests oral argument. To request oral argument, no later than 4:30 p.m. on the court day before the hearing you must (1) notify the judicial secretary for Department 1 at (760) 904-5722 and (2) inform all other parties of the request and of their need to appear telephonically, as stated below. If no request for oral argument is made by 4:30 p.m., the tentative ruling **will become the final ruling** on the matter effective the date of the hearing. **UNLESS OTHERWISE NOTED, THE PREVAILING PARTY IS TO GIVE NOTICE OF THE RULING.**

If oral argument is requested, the hearing will be conducted at 8:30 A.M., even if the hearing had been scheduled to begin at 9:00 A.M.

IN LIGHT OF THE CORONAVIRUS PANDEMIC, IF ORAL ARGUMENT HAS BEEN REQUESTED, THE COURT ENCOURAGES COUNSEL AND SELF-REPRESENTED PARTIES TO APPEAR AT THE HEARING OF THE MOTION TELEPHONICALLY RATHER THAN IN PERSON.

TO APPEAR TELEPHONICALLY: On the day of the hearing, call into one of the phone numbers listed below, and input the meeting number (followed by #):

- Call-in Numbers: 1-833-568-8864 (Toll Free), 1-669-254-5252,
1-669-216-1590, 1-551-285-1373 or 1-646-828-7666
- Meeting Number: 160 638 4172

Please **MUTE** your phone until your case is called and it is your turn to speak. It is important to note that you must call fifteen (15) minutes prior to the scheduled hearing time to check in or there may be a delay in your case being heard.

For additional information and instructions on telephonic appearances, visit the court's website at <https://www.riverside.courts.ca.gov/PublicNotices/remote-appearances.php>

Effective May 3, 2021, official court reporters will not be available in unlimited civil for any pretrial proceedings, law and motion matters, case management hearings, civil restraining orders, and civil petitions. (See General Administrative Order No. 2021-19-1)

1.

CIV208568	CITY OF BARSTOW VS CITY OF ADELANTO	MOTION FOR LEAVE TO FILE SECOND AMENDED CROSS-COMPLAINT BY THE MOJAVE WATER AGENCY
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Tentative Ruling:

The hearing on the Mojave Water Agency's motion for leave to file a second amended cross-complaint is continued to 7-21-22 at 8:30 A.M. No later than 7-14-22, the moving party shall, and any other party may, file further briefing on the issue of whether leave to file a cross-complaint may be filed if the Court has already entered a judgment on the underlying complaint and previously filed cross-complaint. See, for instance, *City of Hanford v. Superior Court* (1989) 208 Cal.App.3d 580, which appears to hold at page 589 that a court abuses its discretion by granting leave to file a cross-complaint after judgment was entered on the underlying complaint.

The Watermaster shall give notice of this continuance and this order inviting further briefing.

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PROOF OF SERVICE

STATE OF CALIFORNIA }
COUNTY OF SAN BERNARDINO}


I am employed in the County of the San Bernardino, State of California. I am over the age of 18 and not a party to the within action; my business address is 13846 Conference Center Drive, Apple Valley, California 92307.

On June 29, 2022, the document(s) described below were served pursuant to the Mojave Basin Area Watermaster's Rules and Regulations paragraph 8.B.2 which provides for service by electronic mail upon election by the Party or paragraph 10.D, which provides that Watermaster shall mail a postcard describing each document being served, to each Party or its designee according to the official service list, a copy of which is attached hereto, and which shall be maintained by the Mojave Basin Area Watermaster pursuant to Paragraph 37 of the Judgment. Served documents will be posted to and maintained on the Mojave Water Agency's internet website for printing and/or download by Parties wishing to do so.

Document(s) filed with the court and served herein are described as follows:
NOTICE OF CONTINUANCE OF HEARING DATE ON MOTION FOR LEAVE TO FILE SECOND AMENDED CROSS-COMPLAINT BY THE MOJAVE WATER AGENCY

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

Executed on June 29, 2022 at Apple Valley, California.



Jeffrey D. Ruesch

Mojave Basin Area Watermaster Service List as of June 29, 2022

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Mojave Basin Area Watermaster Service List as of June 29, 2022

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Mojave Basin Area Watermaster Service List as of June 29, 2022

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Mojave Basin Area Watermaster Service List as of June 29, 2022

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Mojave Basin Area Watermaster Service List as of June 29, 2022

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