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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY<br>NAME: Eric L. Garner (130665), Christopher M. Pisano (192831) Alison K. Toivola (350252)<br>FIRM NAME: Best Best & Krieger LLP<br>STREET ADDRESS: 300 South Grand Ave. 25 <sup>th</sup> Floor<br>CITY: Los Angeles<br>STATE: CA ZIP CODE: 90071<br>TELEPHONE NO.: (213) 617-8100<br>FAX NO.:<br>EMAIL ADDRESS: eric.garner@bbklaw.com, cristopher.pisano@bbklaw.com, alison.toivola@bbklaw.com<br>ATTORNEY FOR (name): Defendant and Cross-Complainant Shadow Mountain Ranch, LLC | <b>FOR COURT USE ONLY</b>                       |
| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE</b><br>STREET ADDRESS: 4050 Main Street<br>MAILING ADDRESS: Same as above<br>CITY AND ZIP CODE: Riverside, CA 92501<br>BRANCH NAME: Riverside Historic Courthouse                                                                                                                                                                                                                                                                                                  |                                                 |
| PLAINTIFF/PETITIONER: The Mojave Water Agency<br>DEFENDANT/RESPONDENT: Shadow Mountain Ranch, LLC                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                 |
| <b>REQUEST FOR DISMISSAL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | CASE NUMBER:<br>JCCP5265, CIV208568 (Lead Case) |
| <b>A conformed copy will not be returned by the clerk unless a method of return is provided with the document.</b>                                                                                                                                                                                                                                                                                                                                                                                                      |                                                 |
| <b>This form may not be used for dismissal of a derivative action or a class action or of any party or cause of action in a class action. (Cal. Rules of Court, rules 3.760 and 3.770.)</b>                                                                                                                                                                                                                                                                                                                             |                                                 |

1. TO THE CLERK: Please **dismiss** this action as follows:

- a. (1) ☐ With prejudice (2) ☒ Without prejudice (3) ☐ Without prejudice and with the court retaining jurisdiction (Code Civ. Proc., § 664.6)
- b. (1) ☐ Complaint (2) ☐ Petition
- (3) ☐ Cross-complaint filed on (date): by (name):
- (4) ☐ Cross-complaint filed on (date): by (name):
- (5) ☐ Entire action of all parties and all causes of action
- (6) ☒ Other (specify)\*: Dismissal of Apr. 30, 2026 First Am. Cross-Complaint **ONLY** as against Shunxing Weng

2. (Complete in all cases except family law cases.)

The court ☐ did ☒ did not waive court fees and costs for a party in this case. (This information may be obtained from the clerk. If court fees and costs were waived, the declaration on the back of this form must be completed.)

Date: September 22, 2026

Alison K. Toivola

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

\* If dismissal requested is of specified parties only, of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed

  
(SIGNATURE)

Attorney or party without attorney for  
☐ Plaintiff/Petitioner ☐ Defendant/Respondent ☒ Cross-Complainant

3. TO THE CLERK: Consent to the above dismissal is hereby given.<sup>†</sup>

Date: September 22, 2026

Alison K. Toivola

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

<sup>†</sup> If item 1a(3) is checked, all parties must sign.

If a cross-complaint—or Response—Marriage/Domestic Partnership (form FL-120) seeking affirmative relief—is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).

☐ Check here and use form MC-025 or a separate page for additional signatures. Include date, printed name, and party information.

  
(SIGNATURE)

Attorney or party without attorney for  
☐ Plaintiff/Petitioner ☐ Defendant/Respondent ☒ Cross-Complainant

4. ☐ Dismissal entered as requested on (date):

5. ☐ Dismissal entered on (date): as to only (name):

6. ☐ Dismissal **not entered** as requested for the following reasons (specify):

7. a. ☐ Attorney or party without attorney notified on (date):

b. ☐ Attorney or party without attorney not notified. Filing party failed to provide

☐ a copy to be conformed ☐ means to return conformed copy

Date: Clerk, by \_\_\_\_\_, Deputy

PLAINTIFF/PETITIONER: The Mojave Water Agency  
 DEFENDANT/RESPONDENT: Shadow Mountain Ranch, LLC

CASE NUMBER:  
 JCCP5265, CIV208568 (Lead Case)

### COURT'S RECOVERY OF WAIVED COURT FEES AND COSTS

If a party whose court fees and costs were initially waived has recovered or will recover \$10,000 or more in value by way of settlement, compromise, arbitration award, mediation settlement, or other means, the court has a statutory lien on that recovery. The court may refuse to dismiss the case until the lien is satisfied. (Gov. Code, § 68637.)

### Declaration Concerning Waived Court Fees

1. The court waived court fees and costs in this action for *(name)*:
2. The person named in item 1 is *(check one below)*
  - a. ☐ not recovering anything of value by this action.
  - b. ☐ recovering less than \$10,000 in value by this action.
  - c. ☐ recovering \$10,000 or more in value by this action. *(If item 2c is checked, item 3 must be completed.)*
3. All court fees and court costs that were waived in this action have been paid to the court *(check one)*: ☐ Yes ☐ No

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY MAKING DECLARATION)



\_\_\_\_\_  
 (SIGNATURE)

**PROOF OF SERVICE**

I, Vanessa Guillen-Becerra, declare:

I am a citizen of the United States and employed in San Bernardino County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 2855 E. Guasti Road, Suite 400, Ontario, California 91761. On September 22, 2026, I served a copy of the within document(s):

**REQUEST FOR DISMISSAL**

- ☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, the United States mail at Ontario, California addressed as set forth below.
- ☒ by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

*Please see attached Service List.*

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on September 22, 2026, at Fontana, California.

  
\_\_\_\_\_  
Vanessa Guillen-Becerra

**Service List**

In re The Mojave Water Agency, as the Mojave Basin Area Watermaster v. All Persons Who are not parties to the comprehensive groundwater adjudication in the *City of Barstow, et al. v. City of Adelanto, et al.*, Riverside Superior Court Case No. CIV208568, and are either producing more than 10 acre-feet of Basin groundwater annually, or using Basin groundwater for unlawful purposes, and Does 1 through 2,000

Riverside Superior Court Case No.: CIVSB 2218461 (transferred)  
Mojave Basin Water Cases JCCP5265

**Via E-MAIL**

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