

NOSSAMAN LLP  
FREDERIC A. FUDACZ, State Bar No. 050546  
ffudacz@nossaman.com  
ALFRED E. SMITH, State Bar No. 186257  
asmith@nossaman.com  
777 South Figueroa Street, 34<sup>th</sup> Floor  
Los Angeles, CA 90017  
Telephone: (213) 612-7800  
Facsimile: (213) 612-7801

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Attorneys for Main San Gabriel Basin Watermaster

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

UPPER SAN GABRIEL VALLEY  
MUNICIPAL WATER DISTRICT,

Plaintiff,

vs.

CITY OF ALHAMBRA, et al.

Defendant.

Case No: C 924 128

Assigned for all purposes to:  
Honorable Maureen Duffy-Lewis, Dept. 38

**EX PARTE APPLICATION OF THE MAIN  
SAN GABRIEL BASIN WATERMASTER  
REQUESTING CONTINUANCE OF THE  
FURTHER STATUS CONFERENCE RE  
GOLDEN MUSSEL ISSUES**

**Hearing**

**Date: February 2, 2026  
Time: 8:30 a.m.  
Place: Dept. 38**



1 **EX PARTE APPLICATION**

2 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

3 **PLEASE TAKE NOTICE** that on February 2, at 8:30 a.m., or as soon thereafter as the  
4 matter may be heard, in Department 38 of the above-entitled Court, located at 111 North Hill  
5 Street, Los Angeles, California, the Main San Gabriel Basin Watermaster ("Watermaster") will,  
6 and hereby does, apply ex parte for an order requesting a continuance of the Further Status  
7 Conference Re Golden Mussel Issues presently set for February 5, 2026 at 9:30 a.m.

8  
9 DATED: January 29, 2026

NOSSAMAN LLP  
Frederic A. Fudacz  
Alfred E. Smith

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12    
13 By: \_\_\_\_\_  
14 Frederic A. Fudacz  
Attorneys for Main San Gabriel Basin Watermaster

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION AND BACKGROUND**

3 The Main San Gabriel Basin Watermaster (“Watermaster”) asks that this Court  
4 continue the Further Status Conference Re Golden Mussel Issues currently set for February  
5 5, 2026, at 9:30 a.m., in Department 38 of the above-entitled Court.

6 On December 5, 2025 at 10 a.m., a Status Conference was held on Basin Conditions  
7 and Operations, Judge Duffy-Lewis presiding. Among the subjects addressed was the  
8 impact of the Golden Mussel issue on supplemental water replenishment operations under  
9 the Judgment. In a Presentation made by staff of Watermaster, it was noted that Los  
10 Angeles County Department of Public Works (“County”) “ordered the shutdown of imported  
11 deliveries” on September 24, 2025, citing the discovery of Golden Mussel Veligers in  
12 Silverwood Lake. Watermaster staff also stated that it had requested that the County  
13 participate in the presentation to the Court. However, the County did not participate.

14 Because the County was not present, and its importance to the Court’s understanding  
15 of the issue, the Court ordered a further Status Conference be held specifically on the  
16 Golden Mussel issue on February 5, 2026 at 9:30 a.m. and ordered that the County be  
17 present.

18 **II. A CONTINUANCE IS APPROPRIATE**

19 Since the Order was issued setting a Further Status Conference negotiations have  
20 continued between the County and Watermaster regarding the resumption of imported water  
21 deliveries to the Main San Gabriel Basin. Progress has been made as reflected in a letter from  
22 Mark Pestrella, Director of Public Works for the County of Los Angeles, and Chief Engineer of  
23 Los Angeles County Flood Control District. Said letter is attached as Exhibit A to the  
24 Declaration of Frederic Fudacz filed herewith. To enable the parties to further their  
25 negotiations regarding the terms proposed by Mr. Pestrella, Watermaster requests a  
26 continuance of the hearing to late March, or the earliest date thereafter convenient to the  
27 Court. This continuance would also allow Mr. Pestrella to participate in the briefing to the  
28


1 Court, and thus make best use of the Court's time. Mr. Pestrella has a conflicting appointment  
2 on February 5 that would not allow him to participate on the date currently set.

3 **III. CONCLUSION.**

4 For the foregoing reasons, Watermaster respectfully requests that the Court continue  
5 the Further Status Conference to a date in late March or the earliest date thereafter convenient  
6 to the Court.

7  
8 DATED: January 29, 2026

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14 Attorneys for Main San Gabriel Basin Watermaster  
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