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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.

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

11

12 By: 

13 Frederic A. Fudacz  
14 Attorneys for Main San Gabriel Basin Watermaster

## **MEMORANDUM OF POINTS AND AUTHORITIES**

## I. INTRODUCTION AND BACKGROUND

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

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

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

## II. A CONTINUANCE IS APPROPRIATE

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

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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