

Ojai FLOW Inc.

Friends of locally owned water

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NEWS RELEASE

AN EMERGENCY CALL TO ACTION

GOLDEN STATE WATER ASKING OJAI FLOW MEMBERS TO PAY \$50,000 – COURT TO DECIDE ON JANUARY 24th, 2017. RATE PAYERS ASKED TO COME AND SHOW SUPPORT!

December 22, 2016, Ojai California,

For questions: Contact Pat McPherson 805-895-3537, info@OjaiFlow.com .

Background:

On behalf of all of Ojai's Golden State ratepayers, five Ojai FLOW board members, with the contingency-basis help of Ryan Blatz Law in Ojai and Ball & Yorke Law in Ventura, filed a class action lawsuit against Golden State Water Company last year on behalf of all Ojai Golden State rate payers.

The suit is to recover damages caused by the nearly two-year delay resulting from Golden State's groundless challenge about the use of Mello-Roos financing for the acquisition of the Golden State operations in Ojai. Casitas couldn't go forward with the "taking" phase and ultimately give us the lower Casitas water rates that 87% of us voted for until the courts ruled in our favor, which happened in July 2015, when the California Supreme Court refused to hear the case.

Golden State challenged the Ojai FLOW class action lawsuit for damages, saying it was a SLAPP suit (a strategic lawsuit against public participation; check it out on the Internet). Unfortunately, on October 25, 2016 Judge Vincent O'Neil ruled against us and in favor of Golden State. This made little sense, because the same judge ruled in favor of Casitas, which had filed a similar cause of action for damages incurred because of that delay. (Golden State is now appealing that decision.)

Because the judge ruled that our class action suit is a SLAPP suit, Golden State is now asking the five Ojai FLOW board members to pay \$50,000. If we appeal the decision that it's a SLAPP suit, the costs will be even more.

The January 24 hearing is very important because that is when the judge will determine how much money, if any, must be paid for Golden State costs. Golden State is asking as much as \$800 per hour. We feel that if the courtroom is filled with Ojai's Golden State ratepayers, the judge may understand that it's Golden State that is trying to stop public participation, and thus may rule that no court costs shall be paid to Golden State.

From the beginning, all Ojai FLOW board members have volunteered their time, with no more to gain by their efforts than any other Golden State ratepayer in Ojai. This threat is serious, because if there are fees to be paid, Ojai FLOW board members Pat McPherson, Dale Hanson, Richard Hajas, Bob Daddi, and Stan Greene will be personally responsible to pay them.

So please come, Ojai ratepayers and local elected officials, and stick together with us against this grim threat. Kindly mark your calendars: Tuesday, January 24, 8:20 a.m. in courtroom 41 at the Ventura County main court building on Victoria.

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