



BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

FILED
06-15-12
04:59 PM

CASE NO. C-1203016

Odd Fellows Sierra Homeowners'
Association, a California non-profit Mutual
Benefit Association,

Complainant,

vs.

Odd Fellows Sierra Recreation
Association, a California Corporation,

Defendant.

**COMPLIANCE FILING: INDIVIDUAL STATUS REPORT OF ODD FELLOWS
SIERRA RECREATION ASSOCIATION**

Timothy T. Trujillo
DAMBACHER, TRUJILLO & WRIGHT
32 N. Washington St.
Sonora, CA 95370
Telephone: 209-533-1883
FAX: 209-533-3884
Email: ttrujillo@dtwlawyers.com

Scott Shapiro
DOWNEY BRAND LLP
621 Capitol Mall, 18th Floor
Sacramento, California 95814
Telephone: (916) 444-1000
FAX: (916) 444-2100
E-mail: sshapiro@downeybrand.com

Attorneys for
Odd Fellows Sierra Recreation Association
P.O. Box 116
Long Barn, California 95335
Telephone: (916) 444-1000

June 15, 2012

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

CASE NO. C-1203016

Odd Fellows Sierra Homeowners'
Association, a California non-profit Mutual
Benefit Association,

Complainant,

vs.

Odd Fellows Sierra Recreation
Association, a California Corporation,

Defendant.

**COMPLIANCE FILING: INDIVIDUAL STATUS REPORT OF THE ODD FELLOWS
SIERRA RECREATION ASSOCIATION**

Pursuant to Administrative Law Judge Angela Minkin's May 14, 2012 direction to all parties, the Odd Fellows Sierra Recreation Association ("Recreation Association") files this report on the status of CPUC Proceeding C-1203016 (filed March 12, 2012). As discussed below, it is unclear whether Odd Fellows Sierra Homeowners' Association ("Homeowners' Association") is still actively participating in this matter. Accordingly, Recreation Association is filing this status report alone, with service on Homeowners Association's last designated attorneys, Scott Ward, Esq. and Ann Rankin, Esq.

After ALJ Minkin's May 14, 2012, grant of extension, the parties continued to negotiate but could not reach a settlement agreement. Still, the following new developments are relevant:

1. Counsel for Recreation Association was informed by Scott Ward, Esq., counsel for the Homeowners' Association, that each member of the Homeowners' Association board had resigned and that he and Ann Rankin, Esq., additional counsel for the Homeowners' Association, were no longer representing Homeowners' Association. With no members

of the board of directors currently serving¹, the Homeowners Association board is without authority to approve a settlement or to withdraw from the case. It is not clear, at this time, whether the Homeowners' Association will continue to participate in these proceedings.

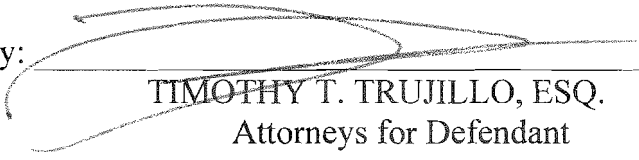
2. Recreation Association filed a complaint against Homeowners Association for the non-payment of the services provided by Recreation Association to Homeowners' Association, including water services, in the Superior Court of the County of Tuolumne on February 23, 2012. This complaint went unanswered, and Recreation Association took Homeowners' Association's default on the matter on June 1, 2012. A default prove-up hearing is set for July 2012.
3. Recreation Association is working with the County of Tuolumne to establish a Community Services District ("CSD"). When that CSD is formed, Recreation Association intends to transfer its water system to the CSD. After the transfer, the CSD alone will be responsible for providing water service to the lot owners of the subdivisions in Tuolumne County, California known as I.O.O.F. Odd Fellows Sierra Camp Subdivision No. 1 and I.O.O.F. Odd Fellows Sierra Camp Subdivision No. 2.
4. Due to the current developments, Recreation Association files this statement individually, rather than jointly.

Because no settlement could be reached, Recreation Association has filed an Answer to the Complaint, which will be filed concurrently with this Status Report. The proceedings in the related case, CPUC Proceeding Number C-1203017, continue to move forward. Recreation Association is prepared to move forward with a prehearing conference on both matters on June 28th, 2012.

¹ Counsel for the Recreation Association subsequently received information that possibly one member of the board of directors of Homeowners' Association has not resigned.

Respectfully submitted,
DAMBACHER, TRUJILLO & WRIGHT

By:



TIMOTHY T. TRUJILLO, ESQ.
Attorneys for Defendant

PROOF OF SERVICE

I am over the age of 18 and not a party to this action. My address is 32 N. Washington St., Sonora, CA 95370. On **June 15, 2012**, I served the foregoing document, described as:

VERIFIED ANSWER, COMPLIANCE FILING: INDIVIDUAL STATUS REPORT OF THE ODD FELLOWS RECREATION ASSOCIATION, AND ODD FELLOWS SIERRA RECREATION ASSOCIATION'S MOTION FOR STAY – CASE NO. C-1203016

on the parties or attorneys for the parties in this action addressed as follows:

Ann Rankin, Esq. 3911 Harrison St. Oakland, Ca 94611	Attorney for Complainant Telephone: 800-354-4529 Email: arankin@annrankin.com
--	--

Scott Ward, Esq. 995 Morning Star Dr., Ste. C Sonora, Ca 95370	Attorney for Complainant Telephone: 209-536-2750 Email: scott@youngwardlother.com
--	--

(BY U.S. MAIL) I placed a true and correct copy of the above document in a sealed envelope individually addressed to the above person(s) and deposited said envelope with the U.S. Postal Service at Sonora, California, with postage fully prepaid, in the ordinary course of business.

(BY UPS OVERNIGHT DELIVERY) I placed a true and correct copy of the above document in a sealed UPS overnight envelope/package, individually addressed to the above person(s) and caused such envelope/package to be deposited in a box or other facility regularly maintained by UPS and/or picked up by and authorized representative of UPS with fees fully prepaid at Sonora, California, in the ordinary course of business.

(BY EMAIL) To the emails listed above at approximately 2:30 p.m.(time)

(BY PERSONAL SERVICE) I personally hand delivered a true and correct copy of the above document by personally giving same to the above person(s).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on **June 15, 2012**, at Sonora, California.


Timothy T. Trujillo