

PRESS RELEASE

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FOR IMMEDIATE RELEASE

COURT FINDS WATER DISTRICT MISSED DEADLINE TO APPEAL

MARYSVILLE, CA – On September 9, 2020, the Yuba County Superior Court denied the North Yuba Water District's (NYWD) request to postpone Dr. Gretchen Flohr's motion for attorney's fees in her successful action to enforce the California Public Records Act.

"The NYWD board majority want this case to go on forever so that they never have to release records that will finally show the public what is really been going on with the Forbestown Ditch pipeline project," Flohr said. "I am so grateful the judge shut the door on that and said no."

Flohr is an elected member of the NYWD board of directors, but since she was elected, NYWD General Manager, Jeff Maupin - supported by the board majority - has not allowed Flohr to access to records and information about the mysterious plans to put a pipeline in the Forbestown Ditch.

"People all over the District are worried that the pipeline isn't designed to carry all the water needed for present and future residential, agricultural and firefighting uses," Flohr said. "I am an elected NYWD Director. I have the right to know what is going on, and so does the public," she said. "The records I am seeking will let everyone know if we are spending taxpayer money wisely."

On March 31, 2020, Flohr filed a lawsuit to enforce her and the public's right to access the records NYWD was withholding. On July 30, 2020, Judge Stephen Berrier ordered NYWD to give Flohr all of the records she sued to get.

"I am convinced that the District planned on appealing the Court's orders," said Paul Nicholas Boylan, an attorney based in Davis who specializes in free speech and records access law. "The California Public Records act allows only 25 days to challenge an order to produce records. NYWD missed that deadline."

"This case is over," Boylan concluded. "My only concern is that NYWD doesn't realize that yet."

The order denying the District's request states:

The Court finds that the time for Respondent to seek judicial review of the Court's orders made as part of the Court's July 30, 2020, Statement of Decision - a file-stamped copy of which was served via mail upon the parties - has expired, the Court's orders to produce records are no longer subject to appellate review, and, consequently, only Petitioner's fee motion remains to be adjudicated. [The District] is instructed to comply with the Court's orders and produce the records described in the Court's Statement of Decision forthwith.

Judge Berrier's order is attached..