

1 Michael Duane Davis, SBN 093678
Marlene Allen-Hammarlund, SBN 126418
2 **GRESHAM SAVAGE NOLAN &**
3 **TILDEN, A Professional Corporation**
3750 University Avenue, Suite 250
Riverside, CA 92501-3335
4 Telephone: (951) 684-2171
Facsimile: (951) 684-2150
5

6 Attorneys for Cross-Defendants,
Service Rock Products Corporation, as successor-
7 in-interest to Owl Properties, Inc., and Sheep
Creek Water Company, Inc.
8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **IN AND FOR THE COUNTY OF LOS ANGELES**

11 Coordination Proceeding
Special Title (Rule 1550(b))

) Judicial Council Coordination
) Proceeding No. 4408

12 **ANTELOPE VALLEY GROUNDWATER**
13 **CASES**

) Santa Clara Case No. 1-05-CV-049053
) Assigned to the Honorable Jack Komar
) Department 17

14 Including Actions:

) **DESIGNATION OF EXPERT WITNESS**
) **AND ATTORNEY'S DECLARATION**
) **FILED BY CROSS-DEFENDANTS**
) **SERVICE ROCK PRODUCTS CORP.**
) **AND SHEEP CREEK WATER**
) **COMPANY, INC.**

15 Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
16 Superior Court of California, County of Los
Angeles, Case No. BC 325 201

17 Los Angeles County Waterworks District No.
18 40 v. Diamond Farming Co.
Superior Court of California, County of Kern,
19 Case No. S-1500-CV-254-348

) **PHASE 2 TRIAL:** October 6, 2008
) **DEPT.:** LASC Dept. 1
) **JUDGE:** Hon. Jack Komar

20 Wm. Bolthouse Farms, Inc. v. City of
Lancaster
21 Diamond Farming Co. v. City of Lancaster
Diamond Farming Co. v. Palmdale Water Dist.
22 Superior Court of California, County of
Riverside, consolidated actions, Case Nos. RIC
23 353 840, RIC 344 436, RIC 344 668

24 **AND RELATED ACTIONS.**
25 _____
26
27
28

///

///

///

1 Pursuant to California *Code of Civil Procedure* § 2034.260, Cross-Defendants, Service
2 Rock Products Corporation (“Service Rock”) and Sheep Creek Water Company (“Sheep
3 Creek”), hereby designate the following as an expert witness who may be called to testify at the
4 time of the Phase 2 Trial or related hearings:

5 Dr. Ram Arora
6 HydroVision, Inc.
7 1142 Ascott Valley Drive
8 Duluth, GA 30097
9 Telephone: (770) 4967-9766

10 Cross-Defendants further reserve the right to call additional witnesses at the time of trial
11 or hearing. Notice of the name, address and telephone number of any such expert, along with all
12 other required information, will be furnished when known.

13 Cross-Defendants further reserve the right to call in rebuttal any expert witness on issues
14 which have not yet been disclosed by discovery, as well as the right to designate further experts
15 prior to the trial or hearing pursuant to *Code of Civil Procedure* § 2034.280.

16 Cross-Defendants further reserve the right to call in as a witness at trial an expert not
17 previously designated for impeachment purposes pursuant to *Code of Civil Procedure* §
18 2034.310.

19 All designated experts will be made available for deposition, if desired, at a time and date
20 mutually convenient to all parties to this proceeding.

21 Dated: August 15, 2008

Respectfully Submitted,

22 GRESHAM SAVAGE NOLAN & TILDEN,
23 a Professional Corporation

24 
25 By: _____

26 Michael Duane Davis
27 Attorneys for Service Rock Products
28 Corporation and Sheep Creek Water Company

1 **DECLARATION OF MICHAEL DUANE DAVIS**

2

3 I, Michael Duane Davis, declare:

4 1. I am an attorney at law licensed to practice in the State of California and am a
5 shareholder of Gresham Savage Nolan & Tilden, APC, attorneys of record for Cross-Defendants,
6 Service Rock Products Corporation (“Service Rock”) and Sheep Creek Water Company (“Sheep
7 Creek”). If called upon to testify, I could and would testify as set forth herein. All of the items
8 set forth herein are within my personal knowledge and experience.

9 2. Cross-Defendants intend to offer the expert testimony of Dr. Ram Arora.

10 A. Dr. Arora has agreed to testify at trial.

11 B. Accompanying this declaration is the Curriculum Vitae for Dr. Arora,
12 whose expert testimony Cross-Defendants may offer at the Phase II trial or other hearings in this
13 action, either orally, by deposition testimony, or declaration. A true and correct copy of Dr.
14 Arora’s Curriculum Vitae is attached hereto as **Exhibit “A”**. Cross-Defendants reserve the right
15 to designate additional experts who may offer testimony at the trial or hearing.

16 C. Dr. Arora is a Registered Geologist with a concentration in Hydrogeology.
17 He has continued his practice as a hydrogeologist while also teaching classes at the graduate
18 level. He has extensive expertise in the issues of earthquake faults, fractured rock hydrogeology,
19 runoff from local mountain ranges, surface flows, sub-basins (or sub-units), subsidence, safe
20 yield and recharge. Dr. Arora has served as an expert before and in that capacity has testified at
21 trial and depositions. Dr. Arora is familiar with the Antelope Valley Basin.

22 D. Dr. Arora has a PhD degree in Geology (Hydrogeology) from Boston
23 University and a Masters degree in Applied Geophysics (earthquake related issues). He has
24 taught at the University of Wisconsin (Oshkosh), Wayne State University (Detroit), and Georgia
25 State University (Atlanta). At Georgia State, he was a full professor and director of
26 Hydrogeology. He has taught courses in hydrology (including State and Federal water laws),
27 water resources management (including water rights, groundwater contamination, and inter-basin
28 surface and groundwater transfer) and hydrogeology (including groundwater hydraulics). In

1 1986, Dr. Arora was the first person in the country to develop and teach courses in fractured rock
2 hydrology. He also organized an international conference entitled “Fluid Flow in Fractured
3 Rocks” (1988). For six years, he managed the State of Georgia’s hydrology program (Surface
4 Water Basin and Ground Water Basin).

5 E. Dr. Arora founded HydroVision, an environmental engineering company,
6 which has helped numerous private and government clients on issues related to
7 hydrology/hydrogeology. He has taught and performed aquifer tests to calculate subsidence rate,
8 safe yield (including fractured bedrocks) and recharge parameters to aquifers. He has also
9 determined the local and bulk groundwater flow systems, their interaction with the surface water
10 bodies, and impact of rock movements by fluid (earthquake faults and fractured rock). Dr. Arora
11 has worked on several projects to determine the source of contamination in fractured rocks
12 environment where the geology and hydrogeology of surface and groundwater basin are
13 interconnected by fractures. Dr. Arora has been a key consultant in solving groundwater related
14 challenges in complex geologic environment for eight major projects and has conducted twenty
15 seminars for government agencies, consulting companies, businesses, and academia.

16 F. The general substance of the testimony that Dr. Arora is expected to give
17 is that of his analysis regarding the unique characteristics of the Antelope Valley water basin,
18 such as earthquake faults, fractured rock, runoff from local mountain ranges, surface flows,
19 groundwater flows (or pathways), the geology of the water basin and sub-basins (or sub-units),
20 management zones, recharge and other issues related raised in the Phase II trial.

21 G. Dr. Arora’s rate is \$290 per hour for testifying at depositions, mediations,
22 arbitrations, trial, and for travel time; plus all out-of-pocket expenses, including, but not limited
23 to, hotel, airfare, car rental, copying, postage, shipping, telephone calls, etc.

24 H. Dr. Arora is sufficiently familiar with the pending action to submit to a
25 meaningful oral deposition, including any opinions and their basis, concerning the testimony that
26 he is expected to give at trial.

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 15, 2008, at Riverside, California.



MICHAEL DUANE DAVIS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit “A”

**Curriculum Vitae
Professor Ram Arora, PhD**

through

**ROUND TABLE GROUP, INC.
601 Pennsylvania Ave., NW, South Building, #900
Washington, DC 20004**

[Attached]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF RIVERSIDE**

Re: ANTELOPE VALLEY GROUNDWATER CASES
Los Angeles County Superior Court Judicial Council Coordinated
Proceedings No. 4408; Santa Clara County Superior Court Case No. 1-05-CV-049053

I am employed in the County of Riverside, State of California. I am over the age of 18 years and not a party to the within action; my business address is: 3750 University Avenue, Suite 250, Riverside, CA 92501-3335.

On August 15, 2008, I served the foregoing document(s) described as **DESIGNATION OF EXPERT WITNESS AND ATTORNEY'S DECLARATION FILED BY CROSS-DEFENDANTS SERVICE ROCK PRODUCTS CORP. AND SHEEP CREEK WATER COMPANY, INC.** on the interested parties in this action in the following manner:

(X) **BY ELECTRONIC SERVICE** – I posted the document(s) listed above to the Santa Clara County Superior Court website, <http://www.scefiling.org>, in the action of the Antelope Valley Groundwater Cases,

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 15, 2008, at Riverside, California.


TERI D. GALLAGHER