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6 Attorneys for Cross-Defendant/Cross-Complainant,  
A.V. UNITED MUTUAL GROUP; and Cross-  
7 Defendants, ADAMS BENNETT INVESTMENTS,  
LLC; MIRACLE IMPROVEMENT CORPORATION  
8 dba GOLDEN SANDS MOBILE HOME PARK, aka  
GOLDEN SANDS TRAILER PARK, named as ROE  
9 1121; ST. ANDREW'S ABBEY, INC., named as ROE  
623; SERVICE ROCK PRODUCTS, L.P.; and  
10 SHEEP CREEK WATER COMPANY, INC.

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **IN AND FOR THE COUNTY OF LOS ANGELES**

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

) Judicial Council Coordination  
) Proceeding No. 4408

14 **ANTELOPE VALLEY GROUNDWATER**  
15 **CASES**

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

16 Including Consolidated Actions:

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

) **CROSS-DEFENDANT, ST. ANDREW'S**  
) **ABBHEY, INC.'S [ROE 623] TRIAL**  
) **BRIEF FOR PHASE 4 TRIAL**

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

) Phase 4 Trial Date: May 28, 2013  
) Time: 9:00 A.M.  
) Dept.: TBD  
) Judge: Hon. Jack Komar

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

26 **AND RELATED ACTIONS.**  
27  
28

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 Cross-Defendant, **SAINT ANDREW'S ABBEY, INC.** ("St. Andrew's Abbey") by and  
3 through its attorneys of record, Michael Duane Davis, Esq., Marlene L. Allen-Hammarlund, Esq.  
4 and Derek R. Hoffman, Esq. of Gresham Savage Nolan & Tilden, PC, hereby submits the  
5 following Trial Brief for the Phase 4 Trial proceedings, in accordance with the Court's Minute  
6 Order for the May 17, 2013 Pre-Trial Conference.

7 St. Andrew's Abbey's Witness List and Exhibit List will be submitted under separate  
8 cover.

9  
10 **1. Party: SAINT ANDREW'S ABBEY, INC.**

11  
12 **2. Claims to Current Groundwater Production** [The following figures do not  
13 account for any in-lieu water, any claimed return flows from imported water, any water from  
14 natural springs, any water produced outside the Area of Adjudication, or any water other than the  
15 groundwater produced within the Area of Adjudication during 2011 and 2012]:

16 **a. 2011:** 149 acre feet

17 **b. 2012:** 201 acre feet

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19 **3. Status of Stipulation to Claims:**

20 **a. Public Water Supplier** – Stipulation pending.

21 **b. Overlyers' Group** –There is no objection to St. Andrew's Abbey's 2011  
22 and 2012 groundwater production by the Overlyers' Group.

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24 **4. Supporting Information and Data:**

25 **a.** Responses to December 12, 2012 Discovery Order for Phase 4 Trial,  
26 submitted under penalty of perjury, and filed by posting on December 21, 2012; and

27 **b.** First Supplemental Responses to December 12, 2012 Discovery Order for  
28 Phase 4 Trial, submitted under penalty of perjury, and filed by posting on January 15, 2013.

1           **5. Offer of Proof / Proposed Order:** St. Andrew's Abbey will make an offer of  
2 proof at the Phase 4 Trial, that its 2011 groundwater production was 149 acre feet, and that its  
3 2012 groundwater production was 201 acre feet. St. Andrew's Abbey will also submit a  
4 proposed order for the Court to make findings that St. Andrew's Abbey's claimed groundwater  
5 production for 2011 was 149 acre feet, and that its claimed groundwater production for 2012 was  
6 201 acre feet.

7  
8 Respectfully submitted,

GRESHAM SAVAGE NOLAN & TILDEN, PC

9  
10 By: 

MICHAEL DUANE DAVIS, ESQ.  
MARLENE L. ALLEN-HAMMARLUND, ESQ.  
DEREK R. HOFFMAN, ESQ.  
Attorneys for CROSS-DEFENDANT / CROSS-  
COMPLAINANT, A. V. UNITED MUTUAL GROUP;  
and CROSS-DEFENDANTS, ADAMS BENNETT  
INVESTMENTS, LLC, MIRACLE IMPROVEMENT  
CORPORATION dba GOLDEN SANDS MOBILE  
HOME PARK, aka GOLDEN SANDS TRAILER PARK  
[ROE 1121], ST. ANDREW'S ABBEY, INC. [ROE  
623], SERVICE ROCK PRODUCTS, L.P., and SHEEP  
CREEK WATER COMPANY, INC.

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**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 May 23, 2013, I served the foregoing document(s) described as **CROSS-DEFENDANT, ST. ANDREW'S ABBEY, INC.'S [ROE 623] TRIAL BRIEF FOR PHASE 4 TRIAL** 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 May 23, 2013, at Riverside, California.

  
DINA M. SNIDER