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6 Attorneys for Cross-Defendants/Cross-Complainants,
 A.V. UNITED MUTUALS GROUP; and Cross-
 7 Defendants, ADAMS BENNETT INVESTMENTS,
 LLC; MIRACLE IMPROVEMENT CORPORATION
 dba GOLDEN SANDS MOBILE HOME PARK, aka
 8 GOLDEN SANDS TRAILER PARK, named as ROE
 1121; ST. ANDREW'S ABBEY, INC., named as ROE
 9 623; SERVICE ROCK PRODUCTS, L.P.; and
 SHEEP CREEK WATER COMPANY, INC.
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11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 12 **IN AND FOR THE COUNTY OF LOS ANGELES**

13	Coordination Proceeding	)	Judicial Council Coordination
	Special Title (Rule 1550(b))	)	Proceeding No. 4408
14	ANTELOPE VALLEY	)	Santa Clara Case No. 1-05-CV-049053
15	GROUNDWATER CASES	)	Assigned to the Honorable Jack Komar
		)	Department 17C
16	Including Consolidated Actions:)	
17	Los Angeles County Waterworks District	)	CROSS-DEFENDANTS/CROSS-
	No. 40 v. Diamond Farming Co.	)	COMPLAINANTS, ANTELOPE VALLEY
18	Superior Court of California, County of Los	)	UNITED MUTUALS GROUP'S JOINDER
	Angeles, Case No. BC 325 201	)	IN PUBLIC WATER SUPPLIERS'
19	Los Angeles County Waterworks District	)	OPPOSITION TO ANTELOPE VALLEY –
	No. 40 v. Diamond Farming Co.	)	EAST KERN WATER AGENCY'S MOTION
20	Superior Court of California, County of	)	FOR SUMMARY ADJUDICATION
	Kern, Case No. S-1500-CV-254-348)	
21	Wm. Bolthouse Farms, Inc. v. City of	)	Date: January 27, 2014
	Lancaster	)	Time: 9:00 a.m.
22	Diamond Farming Co. v. City of	)	Dept: To be determined
	Lancaster	)	Judge: Hon. Jack Komar, Judge
23	Diamond Farming Co. v. Palmdale	)	Trial Date: February 10, 2014 (Phase 5)
	Water Dist.)	
24	Superior Court of California, County of	)	For Court's Use Only:
	Riverside, consolidated actions, Case Nos.	)	Santa Clara County
25	RIC 353 840, RIC 344 436, RIC 344 668	)	Case No. 1-05-CV-049053
26		)	(For E-Posting/E-Service Purposes Only)

27 AND RELATED ACTIONS.

1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 Cross-Defendants / Cross-Complainants, EL DORADO MUTUAL WATER CO., INC.,
3 LANDALE MUTUAL WATER CO., INC., SHADOW ACRES MUTUAL WATER CO., INC.,
4 SUNNYSIDE FARMS MUTUAL WATER CO., INC., WESTSIDE PARK MUTUAL WATER
5 CO., INC., and WHITE FENCE FARMS MUTUAL WATER CO., INC., which constitute six of
6 the sixteen members of the **ANTELOPE VALLEY UNITED MUTUALS GROUP**¹ (the “A.V.
7 UNITED MUTUALS GROUP”), by and through their attorneys of record, Gresham Savage
8 Nolan & Tilden, PC, by Michael Duane Davis, Marlene L. Allen-Hammarlund and Derek R.
9 Hoffman, hereby join in the PUBLIC WATER SUPPLIERS’ *OPPOSITION TO ANTELOPE*
10 *VALLEY-EAST KERN WATER AGENCY’S MOTION FOR SUMMARY ADJUDICATION*
11 [including the concurrently filed *Separate Statement of Disputed Material Facts, Request for*
12 *Judicial Notice, Declarations of Jeffrey V. Dunn and Steven A. Perez, Evidentiary Objections to*
13 *the Declarations of Kathleen Kunzysz, Dan Flory and Dwayne Chisam, and Request for Judicial*
14 *Notice in Support of Antelope Valley – East Kern Water Agency’s Motion for Summary*
15 *Adjudication*], that was filed by the Public Water Suppliers for hearing on January 27, 2014 at
16 the hour of 9:00 a.m., in a Department to be determined.

17 Additionally, the A. V. UNITED MUTUALS GROUP submits that the *Motion for*
18 *Summary Adjudication* that was filed by the ANTELOPE VALLEY – EAST KERN WATER
19 AGENCY (“AVEK”), including the Statement of Undisputed Material Facts and the “supporting
20 evidence” are directed solely to the dispute between AVEK and the PUBLIC WATER
21 SUPPLIERS regarding the right, as between those parties, to recapture return flows from
22 imported State Water Project water sold by AVEK to the PUBLIC WATER SUPPLIERS.
23 AVEK’s *Motion for Summary Adjudication* ignored the May 3, 2007 Cross-Complaint of the
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25 ¹ The ANTELOPE VALLEY UNITED MUTUAL GROUP is fully comprised of Antelope Park
26 Mutual Water Co., Aqua-J Mutual Water Co., Averydale Mutual Water Co., Baxter Mutual
27 Water Co., Bleich Flat Mutual Water Co., Colorado Mutual Water Co., Eldorado Mutual
28 Water Co., Evergreen Mutual Water Co., Land Projects Mutual Water Co., Landale Mutual
Water Co., Shadow Acres Mutual Water Co., Sundale Mutual Water Co., Sunnyside Farms
Mutual Water Co., Tierra Bonita Mutual Water Co., Westside Park Mutual Water Co., and
White Fence Farms Mutual Water Co., Inc..


1 A. V. UNITED MUTUALS GROUP, specifically including the Third Cause of Action for
2 “*Declaratory Relief, Return Flows.*” In so fashioning the *Motion for Summary Adjudication*,
3 AVEK ignored the A. V. UNITED MUTUALS GROUP’s claims to return flows from imported
4 State Water Project water, and put into evidence no evidence regarding the terms, conditions or
5 circumstances by which any Member of the A. V. UNITED MUTUALS GROUP acquired said
6 State Water Project water from AVEK.

7 Consequently, A. V. UNITED MUTUALS GROUP’s claims to return flows from the
8 imported State Water Project water that its Members have purchased have not been challenged
9 with sufficiency to allow this Court to grant Summary Adjudication in favor of AVEK.

10 DATED: December 27, 2013.

Respectfully submitted,

GRESHAM SAVAGE NOLAN & TILDEN, PC

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14 By: 
15 MICHAEL DUANE DAVIS, ESQ.
16 MARLENE L. ALLEN-HAMMARLUND, ESQ.
17 DEREK R. HOFFMAN, ESQ.
18 Attorneys for CROSS-DEFENDANTS / CROSS-
19 COMPLAINANTS, A. V. UNITED MUTUALS GROUP
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PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

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 San Bernardino, State of California. I am over the age of 18 years and not a party to the within action; my business address is: 550 East Hospitality Lane, Suite 300, San Bernardino, CA 92408-4205.

On December 30, 2013, I served the foregoing document(s) described **CROSS-DEFENDANTS/CROSS-COMPLAINANTS, ANTELOPE VALLEY UNITED MUTUALS GROUP'S JOINDER IN PUBLIC WATER SUPPLIERS' OPPOSITION TO ANTELOPE VALLEY – EAST KERN WATER AGENCY'S MOTION FOR SUMMARY ADJUDICATION** 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.scefilng.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 December 30, 2013 at San Bernardino, California.



DINA M. SNIDER