

1 ALESHIRE & WYNDER, LLP  
DAVID J. ALESHIRE, Bar No. 65022  
2 WILLIAM W. WYNDER, Bar No. 84753  
WESLEY A. MILIBAND, Bar No. 241283  
3 18881 Von Karman Avenue, Suite 1700  
Irvine, CA 92612  
4 Telephone: (949) 223-1170  
Facsimile: (949) 223-1180  
5 daleshire@awattorneys.com  
wwynder@awattorneys.com  
6 wmliband@awattorneys.com

7 Attorneys for Defendant and Cross-Complainant,  
Phelan Piñon Hills Community Services District  
8

9 **SUPERIOR COURT OF CALIFORNIA**  
10 **COUNTY OF LOS ANGELES - CENTRAL DISTRICT**  
11

12	Coordination Proceeding	)	Judicial Council Coordination Proceeding
	Special Title (Rule 1550(b))	)	No. 4408
13		)	
14	<b>ANTELOPE VALLEY</b>	)	(For Filing Purposes Only: Santa Clara
	<b>GROUNDWATER CASES</b>	)	County Case No.: 1-05-CV-049053)
15	Included Actions:	)	Assigned for All Purposes To:
		)	Judge: Hon. Jack Komar
16	<i>Los Angeles County Waterworks District</i>	)	
	<i>No. 40 v.</i>	)	(Filing Fees Exempt, Per Gov't Code § 6103)
17	<i>Diamond Farming Co., et al.</i>	)	
	Los Angeles County Superior Court, Case	)	<b>PHELAN PIÑON HILLS COMMUNITY</b>
18	No. BC 325 201	)	<b>SERVICES DISTRICT'S OBJECTIONS</b>
		)	<b>TO BOLTHOUSE PROPERTIES, LLC'S</b>
19	<i>Los Angeles County Waterworks District</i>	)	<b>AND WM. BOLTHOUSE FARMS,</b>
	<i>No. 40 v.</i>	)	<b>INC.'S NOTICE TO APPEAR AND</b>
20	<i>Diamond Farming Co., et al.</i>	)	<b>PRODUCE DOCUMENTS AT TRIAL</b>
	Kern County Superior Court, Case No.	)	
21	S-1500-CV-254-348	)	
22		)	
		)	Phase Four Trial Date: May 28, 2013
23	<i>Wm. Bolthouse Farms, Inc. v. City of</i>	)	Time: 10:00 a.m.
	<i>Lancaster</i>	)	Location: Central Civil West
24	<i>Diamond Farming Co. v. City of Lancaster</i>	)	600 S. Commonwealth Avenue,
	<i>Diamond Farming Co. v. Palmdale Water</i>	)	17th Floor, Dept. 322
25	<i>Dist.</i>	)	Los Angeles, California
	Riverside County Superior Court,	)	
26	Consolidated Action, Case Nos. RIC 353	)	
	840, RIC 344 436, RIC 344 668	)	
27		)	
28	<b>AND RELATED CROSS-ACTIONS</b>	)	

1 TO THE HONORABLE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF  
2 RECORD HEREIN:

3 Cross-Defendant and Cross-Complainant, Phelan Piñon Hills Community Services District  
4 (“PPHCSD”), objects to Bolthouse Properties, LLC’s and Wm. Bolthouse Farms, Inc.’s Notice to  
5 Appear and Produce Documents at Trial, on the grounds as stated below:


6 (1) The request for documents to be produced is overbroad, oppressive, burdensome,  
7 vague, and ambiguous, and also seeks information irrelevant to and/or beyond the scope of this trial  
8 phase particularly given the Fifth Amendment to the Case Management Order.

9 (2) PPHCSD has already produced all such responsive, non-privileged documents  
10 through the course of the Court-mandated discovery procedures for this trial phase.

11 (3) PPHCSD’s witness(es) do not need to appear given the scope of this trial phase  
12 involves groundwater production during 2011 and 2012 for which no party has disputed  
13 PPHCSD’s quantities of production, thus making these quantities deemed accepted by the Court  
14 without further presentation of evidence or witnesses pursuant to the Fourth Amendment to the  
15 Case Management Order.

16  
17 Dated: May 23, 2013

ALESHIRE & WYNDER, LLP

18  
19 By:   
20 Wesley A. Miliband  
21 Attorneys for Cross-Defendant and  
22 Cross-Complainant,  
23 Phelan Piñon Hills Community  
24 Services District  
25  
26  
27  
28

3 **PROOF OF SERVICE**

4 I, Linda Yarvis,

5 I am employed in the County of Orange, State of California. I am over the age of 18 and  
6 not a party to the within action. My business address is 18881 Von Karman Avenue, Suite 1700,  
Irvine, CA 92612.

7 On May 24, 2013, I served the within document(s) described as **PHELAN PIÑON HILLS**  
8 **COMMUNITY SERVICES DISTRICT'S OBJECTIONS TO BOLTHOUSE PROPERTIES,**  
9 **LLC'S AND WM. BOLTHOUSE FARMS, INC.'S NOTICE TO APPEAR AND PRODUCE**  
10 **DOCUMENTS AT TRIAL** as follows:

11  (ELECTRONIC SERVICE) By posting the document(s) listed above to the Santa Clara  
12 County Superior Court website in regard to Antelope Valley Groundwater matter pursuant to the  
13 Court's Clarification Order. Electronic service and electronic posting completed through  
14 www.scefiling.org.

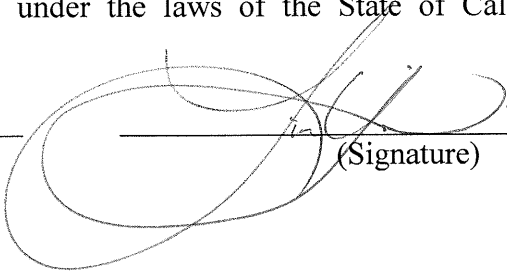
15  (BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope  
16 addressed as set forth above. I placed each such envelope for collection and mailing following  
17 ordinary business practices. I am readily familiar with this Firm's practice for collection and  
18 processing of correspondence for mailing. Under that practice, the correspondence would be  
19 deposited with the United States Postal Service on that same day, with postage thereon fully  
20 prepaid at Irvine, California, in the ordinary course of business. I am aware that on motion of the  
21 party served, service is presumed invalid if postal cancellation date or postage meter date is more  
22 than one day after date of deposit for mailing in affidavit.

23  (BY OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained  
24 by Overnight Express, an express service carrier, or delivered to a courier or driver authorized by  
25 said express service carrier to receive documents, a true copy of the foregoing document(s) in a  
26 sealed envelope or package designated by the express service carrier, addressed as set forth above,  
27 with fees for overnight delivery paid or provided for.

28 Executed on May 24, 2013, at Irvine, California.

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

Linda Yarvis  
(Type or print name)

  
(Signature)