

# **EXHIBIT A**

**EXHIBIT A**

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 56 HON. JACK KOMAR, JUDGE

COORDINATION PROCEEDING SPECIAL TITLE (RULE 1550(B))	)	
ANTELOPE VALLEY GROUNDWATER CASES	)	JUDICIAL
INCLUDED ACTIONS:	)	COUNCIL
	)	COORDINATION
LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 V. DIAMOND FARMING CO., ET AL, LOS ANGELES COUNTY SUPERIOR COURT, CASE NO. BC325 201	)	PROCEEDING NO. 4408
LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 V. DIAMOND FARMING CO., ET AL, KERN COUNTY SUPERIOR COURT, CASE NO. S-1550-CV-254-348	)	CASE NO. 1-05-C-049053
WM. BOLTHOUSE FARMS, INC. V. CITY OF LANCASTER	)	
DIAMOND FARMING CO. V. CITY OF LANCASTER	)	
DIAMOND FARMING CO. V. PALMDALE WATER DIST	)	
RIVERSIDE COUNTY SUPERIOR COURT, CONSOLIDATED ACTION, CASE NOS. RIC 353 840, RIC 344 436, RIC 344 668	)	
<u>AND RELATED CROSS-ACTIONS</u>	)	

REPORTER'S TRANSCRIPT OF PROCEEDINGS

NOVEMBER 4 AND 5, 2014

APPEARANCES:

FOR CROSS-COMPLAINANT/  
CROSS-DEFENDANT: ALESHIRE & WYNDER LLP  
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(APPEARANCES CONTINUE ON NEXT PAGE.)

JEANETTE COYLE, CSR #12665  
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M A S T E R I N D E X

NOVEMBER 4, 2014; NOVEMBER 5, 2014

LEGEND:

MS. GOLDSMITH = G  
MR. GOLDEN-KRASNER = GK  
MR. DUNN = D  
MR. KUHS = K

CHRONOLOGICAL/ALPHABETICAL INDEX OF WITNESSES

<u>PLAINTIFF'S</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
DONALD BARTZ	74	95-G 96-GK		
THOMAS HARDER	102	193-D 208-K	211	

EXHIBITS

<u>EXHIBITS</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
1 THROUGH 24		74
25 THROUGH 52 (EXCLUDING 36, 41, 42, 50, 51)		214

1 THE ENTIRE REPORT COMING INTO EVIDENCE. I HAVE NOT  
2 OBJECTED HERE TODAY TO THE DEMONSTRATIVE EVIDENCE THAT  
3 CAME IN, FOR EXAMPLE, HYDROGRAPHS. BUT WE OBJECTED TO  
4 THE TEXT OF THE REPORT COMING INTO EVIDENCE.

5 MR. MILIBAND: AND MY RESPONSE TO THAT, YOUR  
6 HONOR, WOULD BE, AS THE COURT IS WELL AWARE, THERE IS  
7 WELL SETTLED LAW THAT AN EXPERT CAN RELY UPON HEARSAY  
8 EVIDENCE. THIS IS CLEARLY RELIABLE ON THAT EVIDENCE.

9 THE COURT: HE CAN RELY ON IT BUT ONLY THE  
10 OPPOSITE PARTY CAN OFFER IT INTO EVIDENCE, AND THEY ARE  
11 OBJECTING.

12 MR. MILIBAND: WELL, IN THIS TRIAL PHASE ONE OF  
13 THE OPPOSITE PARTIES TO ME NOW WAS ATTEMPTING --

14 THE COURT: NO. YOU ARE THE PROPONENT,  
15 MR. MILIBAND IN EVERY RESPECT WITH REGARD TO YOUR  
16 COMPLAINT. SO THE OBJECTION IS SUSTAINED. THEY WON'T  
17 BE ADMITTED. BUT THE PARAGRAPHS HAVE BEEN READ INTO  
18 EVIDENCE, AND SO THEY ARE IN THAT SENSE IN EVIDENCE.

19 ALL RIGHT. ANYTHING ELSE?

20 NOW, THE DEFENDANTS HAVE AN OPPORTUNITY TO  
21 PRESENT EVIDENCE.

22 MR. MILIBAND: YOUR HONOR, DOES THAT MEAN ALL OF  
23 25 THROUGH 52 ARE IN --

24 THE COURT: EVERYTHING EXCEPT 36, 41, AND 42 AND  
25 50 AND 51.

26 MR. MILIBAND: THANK YOU, YOUR HONOR.

27 (EXHIBITS 25 THROUGH 52 ARE ADMITTED INTO  
28 EVIDENCE, EXCLUDING EXHIBITS 36, 41, 42, 50, 51.)