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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 **ANTELOPE VALLEY**) (For Filing Purposes Only: Santa Clara
GROUNDWATER CASES) County Case No.: 1-05-CV-049053)
15 Included Actions:) Assigned for All Purposes To:
Judge: Hon. Jack Komar
16 *Los Angeles County Waterworks District*)
No. 40 v.) (Filing Fees Exempt, Per Gov't Code § 6103)
17 *Diamond Farming Co., et al.*)
Los Angeles County Superior Court, Case)
18 No. BC 325 201) **PHELAN PIÑON HILLS COMMUNITY**
) **SERVICES DISTRICT'S NON-**
) **CALIFORNIA AUTHORITY IN**
19 *Los Angeles County Waterworks District*) **SUPPORT OF OPPOSITION TO**
No. 40 v.) **BOLTHOUSE PROPERTIES, LLC'S**
20 *Diamond Farming Co., et al.*) **AND WM. BOLTHOUSE FARMS,**
Kern County Superior Court, Case No.) **INC.'S MOTION IN LIMINE NO. 2**
21 S-1500-CV-254-348) **OBJECTING TO INTRODUCTION OF**
) **EVIDENCE ON UNSUPPORTED**
22) **LEGAL THEORY**
)
23 *Wm. Bolthouse Farms, Inc. v. City of*)
Lancaster)
24 *Diamond Farming Co. v. City of Lancaster*) **Phase Five Trial:**
Diamond Farming Co. v. Palmdale Water)
25 *Dist.*) Date: February 10, 2014
Riverside County Superior Court,) Time: 9:00 a.m.
26 Consolidated Action, Case Nos. RIC 353) Dept.: Room 222 (Old Dept. 1)
840, RIC 344 436, RIC 344 668)
27) (Phase Six Trial Date: August 4, 2014)
28 **AND RELATED CROSS-ACTIONS**)

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

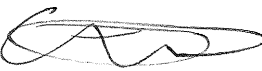
3 Phelan Piñon Hills Community Services District (“Phelan Piñon Hills”), hereby provides
4 copies of non-California authorities in support of its opposition to Defendants’ Bolthouse
5 Properties, LLC and Wm. Bolthouse Farms, Inc.’s (“Bolthouse”) Motion in Limine No. 2
6 Objecting to Introduction of Evidence on Unsupported Legal Theory.

7 **NON-CALIFORNIA AUTHORITY**

- 8 1. *State of Montana v. State of Wyoming, et al.* (2011) 131 S. Ct. 1765
9 (“Attachment 1”);
10 2. *Strawberry Water Users Association v. United States of America, et al.*, 2006 U.S.
11 Dist. LEXIS 19767 (“Attachment 2”);
12 3. *The Department of Ecology v. The United States Bureau of Reclamation, et al.*
13 (1992) 118 Wn.2d 761 (“Attachment 3”).
14

15 Dated: January 31, 2014

ALESHIRE & WYNDER, LLP

16
17
18 By: 
19 Wesley A. Miliband
20 Attorneys for Cross-Defendant and
21 Cross-Complainant,
22 Phelan Piñon Hills Community
23 Services District
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2
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 January 31, 2014, I served the within document(s) described as **PHELAN PIÑON
8 HILLS COMMUNITY SERVICES DISTRICT'S NON-CALIFORNIA AUTHORITY IN
9 SUPPORT OF OPPOSITION TO BOLTHOUSE PROPERTIES, LLC'S AND WM.
BOLTHOUSE FARMS, INC.'S MOTION IN LIMINE NO. 2 OBJECTING TO
INTRODUCTION OF EVIDENCE ON UNSUPPORTED LEGAL THEORY** as follows:

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

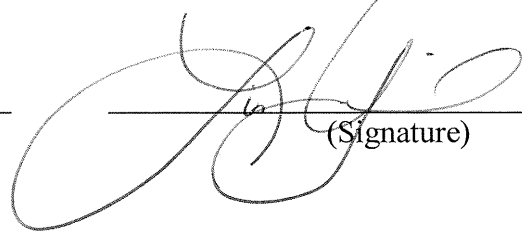
12 (BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope
13 addressed as set forth above. I placed each such envelope for collection and mailing following
ordinary business practices. I am readily familiar with this Firm's practice for collection and
14 processing of correspondence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

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

20 Executed on January 31, 2014, at Irvine, California.

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

22
23 _____
Linda Yarvis
(Type or print name)


(Signature)