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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF SANTA CLARA**

11 **ANTELOPE VALLEY GROUNDWATER**
12 **CASES:**

13 Included Actions:

14 Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
Superior Court of California
15 County of Los Angeles, Case No. BC325201

16 Los Angeles County Waterworks District No.
40 v. Diamond Farming Co.
17 Superior Court of California
County of Kern, Case No. S-1500-CV-254-
18 348

19 Wm. Bolthouse Farms, Inc. v. City of
Lancaster
20 Diamond Farming Co. v. City of Lancaster
Diamond Farming Co. v. Palmdale Water Dist.
21 Superior Court of California
County of Riverside, consolidated actions
22 Case Nos. RIC 353840, RIC 344436,
RIC 344668
23

Judicial Council Coordination
Proceeding No. 4408

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

**ANAVERDE LLC'S NOTICE OF
EXPERT WITNESS DEPOSITION OF N.
THOMAS SHEAHAN AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

Date: September 27, 2008

Time: 9:00 a.m.

Location: Langerlof, Senecal, Gosney &
Kruse, LLP.
301 North Lake Avenue, 10th Floor
Pasadena, California 91101-4108

Phase 2 Trial Date: November 3, 2008

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4830-4941-4915.1

1 NOTICE IS HEREBY GIVEN as follows:

2 **I. NOTICE OF DEPOSITION**

3 Anaverde LLC ("Anaverde") (the "NOTICING PARTY") will take the deposition of the
4 following expert witness (the "DEPONENT"), Mr. N. Thomas Sheahan, expert witness for
5 Bolthouse Properties LLC and Wm. Bolthouse Farms, Inc., at the office of Langerlof, Senecal,
6 Gosney & Kruse, LLP, at 301 North Lake Avenue, 10th Floor, Pasadena, California 91101-4108,
7 on October 27, 2008 at 9 a.m. Said deposition will continue from day-to-day thereafter, weekends
8 and holidays.

9 **II. REQUEST FOR PRODUCTION**

10 **A. DEFINITIONS**

11 The following words and phrases shall govern the construction of this document unless the
12 context otherwise requires:

- 13 1. "NOTICING PARTY" or "Anaverde" means Anaverde LLC.
14 2. "DEPONENT" or "YOU" or "YOUR" means the deponent as set forth in the
15 notice.
16 3. "DOCUMENT" means "writing" as defined by Evidence Code section 250 and
17 includes drafts, originals and duplicates of written, graphic, computer or otherwise recorded
18 matters, whether stored in written, electronic, magnetic or photographic format or by any other
19 means.

20 **B. DOCUMENTS AND THINGS TO BE PRODUCED**

21 The DEPONENT is required to produce, at the date, time and location so noticed, all
22 DOCUMENTS described below. This demand relates not only to all DOCUMENTS under the
23 DEPONENT's possession, custody or control, but also those DOCUMENTS reasonably available
24 to the DEPONENT.

- 25 1. All DOCUMENTS received, reviewed or relied upon by the DEPONENT in
26 preparing to provide rebuttal expert testimony in this Phase 2 proceeding.
27 2. All preliminary, draft and final DOCUMENTS prepared by or on behalf of the
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1 DEPONENT which in any way pertain to the DEPONENT's review, analysis, opinions,
2 conclusions, or beliefs regarding the subject matter of the Phase 2 trial.

3 3. All DOCUMENTS that summarize the DEPONENT's education, training, and
4 experience, including all versions of DEPONENT's resume or curriculum vitae.

5 4. All DOCUMENTS that the DEPONENT intends to use at the time of trial as
6 illustrative or demonstrative evidence.

7 5. All photographs, video tapes, or other recordings which pertain to the
8 DEPONENT's rebuttal opinion in the Phase 2 trial.

9 6. All books, articles, treatises, reports, journals or other DOCUMENTS, which the
10 DEPONENT reviewed, considered or relied upon as the basis for any opinion, conclusion, or
11 analysis of the DEPONENT.

12 7. All DOCUMENTS that set forth the terms and conditions of the DEPONENT's
13 employment in this matter.

14 8. All of the DEPONENT's time records and billing statements for work performed
15 relating to the subject matter of this litigation.

16 9. All documents regarding the subject matter in this litigation that the DEPONENT
17 previously authored, issued and/or collaborated with prior to DEPONENT's employment in this
18 matter.

19 10. The DEPONENT's entire file concerning this proceeding.

20 11. All electronic files and software reviewed, considered or relied upon by the
21 DEPONENT in reaching any opinion.

22 DATED: October 17, 2008

Respectfully submitted,

23 MALISSA HATHAWAY McKEITH
24 JOSEPH SALAZAR, JR.
25 JACQUELINE MITTELSTADT
26 KIMBERLY A. HUANGFU
LEWIS BRISBOIS BISGAARD & SMITH LLP

27 By: /s/
KIMBERLY A. HUANGFU
Attorneys for ANAVERDE, LLC.

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PROOF OF SERVICE

I declare that:

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action. My business address is 221 North Figueroa Street, Suite 1200, Los Angeles, California 90012.

On October 17, 2008, 2008, I served **NOTICE OF EXPERT WITNESS DEPOSITIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS** posting the document(s) to the Santa Clara Superior Court website in regard to the Antelope Valley Groundwater matter.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct, executed on October 17, 2008, 2008.

Maritza Estrada