

# EXHIBIT A

**Kimberly Huangfu - Re: Shewbridge**

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**From:** <MKrueger@caed.uscourts.gov>  
**To:** "Joseph Salazar" <jsalazar@lbbslaw.com>  
**Date:** 10/15/2008 1:58 PM  
**Subject:** Re: Shewbridge

---

Hi Mr. Salazar -

Yes, the trial is confirmed set to go on Tuesday, October 28, 2008.

Sincerely,  
Michele Krueger,  
Courtroom Deputy to the  
Honorable Frank C. Damrell, Jr.  
(916) 930-4163  
mkrueger@caed.uscourts.gov

"Joseph Salazar" <jsalazar@lbbslaw.com>

10/15/2008 11:39 AM

To <MKrueger@caed.uscourts.gov>  
cc "Heidi Coad-Hermelin" <hch@hermelinlaw.com>, "Jennifer Bartalone"  
<Bartalone@lbbslaw.com>, <stephen@shenrylaw.com>  
Subject Shewbridge

Dear Ms. Krueger,

I am writing to determine the probability of starting this trial on October 28th. I am lead trial counsel on a phased groundwater case in Los Angeles Superior Court that began on October 6 and ran until October 10. Judge Komar (siting by assignment from Santa Clara County) has set the return date for November 3, 2008 which will run into this case. So that I can submit a declaration in pursuit of a continuance in Los Angeles, can you please confirm that we will begin on the 28th as planned? Sorry for the bother.

Best Regards,

Joe Salazar Jr.  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
2850 Gateway Oaks, Suite 450  
Sacramento, CA 95833  
916.564.5400 main line  
916.564.5444 fax  
916.646.8201 direct dial

# EXHIBIT B

**Kimberly Huangfu - October 6, 2008 Trial**

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**From:** <RWalker@scscourt.org>  
**To:** <tammy.jones@alston.com>, <yolie.amos@alston.com>, <albers9601@aol.com>, <vputnam@avilaputnam.com>, <jeffrey.dunn@bbklaw.com>, <rsb@bkslawfirm.com>, <sms@bkslawfirm.com>, <bbrunick@bmblawoffice.com>, <aaron@califco.com>, <jtootle@calwater.com>, <agraf@carlsmith.com>, <brad@charltonweeks.com>, <nmaxey@clifford-brownlaw.com>, <fssalaman9171@comcast.net>, <rdougherty@covcrowe.com>, <djestrada@cs.com>, <jeanbrail@cs.com>, <dan@danolearylaw.com>, <michael.crow@doj.ca.gov>, <roncfry@earthlink.net>, <cms@eslawfirm.com>, <ps@eslawfirm.com>, <fredkia@gmail.com>, <michaelsoffice@gmail.com>, <rl@go2fairway.com>, <michael.davis@greshamsavage.com>, <erenwick@hanmor.com>, <bherrema@hatchparent.com>, <rrobledo@hatchparent.com>, <david@herrmannfinancial.com>, <ralwoody@hotmail.com>, <dzlotnick@kkbs-law.com>, <rkalfayan@kkbs-law.com>, <jgoldsmith@kmtg.com>, <spowell@kmtg.com>, <tombunn@lagerlof.com>, <linda@lawofficesoflynnchao.com>, "DANIEL HYDE" <HYDE@lbbslaw.com>, <bjoyce@lebeauthelen.com>, <kathi@lemieux-oneill.com>, <linda@lemieux-oneill.com>, <wckuhs@lightspeed.net>, <devertz@luce.com>, <daniel.brunton@lw.com>, <mike@mclachlanlaw.com>, <rebecca@mcmurtreyhartsock.com>, <bleckie@mmhllp.com>, <wsloan@mofo.com>, <brian.martin@pillsburylaw.com>, <mprewoznik@roadrunner.com>, <sorr@rwglaw.com>, <wmcdonald@rwglaw.com>, <ajhofs7719@sbcglobal.net>, <blumlaw@sbcglobal.net>, <charlescraill@sbcglobal.net>, <edstonelawoffice@sbcglobal.net>, <lawyerbill@sbcglobal.net>, <RWalker@scscourt.org>, <allenby@shlaw.com>, <eastley@sopris.net>, <ads@steinlawcorp.com>, <devertz@sycr.com>, <lee.leininger@usdoj.gov>, <bocabaugh@verizon.net>, <bloommelody@yahoo.com>, <jungphn@yahoo.com>, <rfkawar@yahoo.com>, <lbanducci@youngwooldridge.com>, <mkaia@youngwooldridge.com>, "Kimberly Huangfu" <huangfu@lbbslaw.com>, "Joseph Salazar" <jsalazar@lbbslaw.com>, "Malissa McKeith" <MCKEITH@lbbslaw.com>, "Jacqueline Mittelstadt" <mittelstadt@lbbslaw.com>  
**Date:** 9/30/2008 2:38 PM  
**Subject:** October 6, 2008 Trial

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Counsel:

The Court has received many inquiries about the time estimate for the October 6, 2008 Trial. Please be advised that the Court expects to proceed with the trial, day to day from Monday, October 6, 2008 through Friday, October 10, 2008. If the trial needs to proceed beyond October 10, 2008, the Court will issue the return dates at that time. It is not likely that the Court will hold session the following week, due to other obligations in Santa Clara County.

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Rowena Walker  
 Superior Court of California, County of Santa Clara  
 Complex Civil Litigation  
 191 North First Street  
 San Jose, CA 95113  
 408-882-2286 (Phone)  
 408-882-2293 (Fax)

Email: [rwalker@scscourt.org](mailto:rwalker@scscourt.org)

# EXHIBIT C

1 RICHARD G. ZIMMER - SBN 107263  
2 T. MARK SMITH - SBN 162370  
3 CLIFFORD & BROWN  
4 A Professional Corporation  
5 Attorneys at Law  
6 Bank of America Building  
7 1430 Truxtun Avenue, Suite 900  
8 Bakersfield, CA 93301-5230  
9 (661) 322-6023

6 Attorneys for Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
7 Inc.

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF SANTA CLARA

10 \* \* \*

11 COORDINATION PROCEEDING )  
12 SPECIAL TITLE (Rule 1550(b)) ) Judicial Council Coordination  
13 ANTELOPE VALLEY GROUNDWATER ) Proceeding No. 4408  
14 CASES ) CASE NO. 1-05-CV-049053  
15 INCLUDED ACTIONS: )  
16 LOS ANGELES COUNTY WATERWORKS ) NOTICE OF TAKING AND  
17 DISTRICT NO. 40 v. DIAMOND ) VIDEOTAPING DEPOSITION OF  
18 FARMING COMPANY, et al., ) DEFENDANTS BOLTHOSUE  
19 Los Angeles Superior Court ) PROPERTIES, LLC'S AND WM.  
20 Case No. BC325201 ) BOLTHOUSE FARMS, INC.'S EXPERT,  
21 ) TOM SHEAHAN  
22 )  
23 ) Phase 2 Trial Date: November 3,  
24 ) 2008  
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1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on **OCTOBER 27, 2008 at 9:00 a.m.**,  
3 Defendants, **BOLTHOUSE PROPERTIES, LLC** and **WM. BOLTHOUSE FARMS,**  
4 **INC.**, by and through his attorneys of record, **Clifford & Brown,**  
5 and **Richard G. Zimmer,** will take the deposition of Defendants'  
6 expert, **THOMAS SHEAHAN,** whose address is known to defendants'  
7 counsel.

8 The above-described deposition will take place at the law  
9 offices of **Langerlof, Senecal, et al., LLP,** located at **301 North**  
10 **Lake Avenue, 10<sup>th</sup> Floor, Pasadena, California 91101-4108, (626)**  
11 **793-9400,** upon oral examination, before a certified shorthand  
12 reporter.

13 **PLEASE TAKE NOTICE** that this deposition can be attended via  
14 teleconference call. **The Teleconference Caller Paid telephone**  
15 **number is 1-712-580-8020, Participate Access Code 867720.** The  
16 cost of the teleconference, as well as the cost of the Court  
17 Reporter, will be divided amongst those attending by phone and  
18 those in person.

19 **NOTICE IS HEREBYGIVEN** that defendants, **Bolthouse Proeprties,**  
20 **LLC** and **Wm. Bolthouse Farms, Inc.,** intend to record Mr. Sheahan's  
21 deposition testimony by videotape, in addition to recording the  
22 deposition testimony by the stenographic method. Any charges  
23 incurred in connection with said videotaping will be borne by the  
24 party making the changes herein. Defendants, **Bolthouse**  
25 **Properties, LLC** and **Wm. Bolthouse Farms, Inc.,** intend to use at  
26 trial the videotaped deposition, under Code of Civil Procedure,

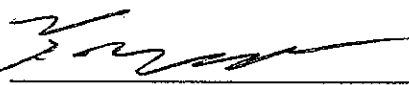
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Sections 2025.330 and 2025.340, et seq.

If, for any reason, the taking of said deposition is not completed on said date, the taking of said deposition will be continued from day to day, excepting Sundays and holidays until completed.

DATED: October 13, 2008

CLIFFORD & BROWN

By:   
RICHARD G. ZIMMER, ESQ.  
T. MARK SMITH, ESQ.  
Attorneys for  
BOLTHOSUE PROPERTIES, LLC and  
WM. BOLTHOUSE FARMS, INC.



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**PROOF OF SERVICE (C.C.P. §1013a, 2015.5)**

*Antelope Valley Groundwater Cases  
Judicial Counsel Coordination Proceeding No. 4408  
Santa Clara County Superior Court Case No. I-05-CV-049053*

I am employed in the County of Kern, State of California. I am over the age of 18 and not a party to the within action; my business address is 1430 Truxtun Avenue, Bakersfield, CA 93301.

On October 13, 2008, I served the foregoing document(s) entitled:

**NOTICE OF TAKING AND VIDEOTAPING DEPOSITION OF DEFENDANTS  
BOLTHOUSE PROPERTIES, LLC'S AND WM. BOLTHOUSE FARMS, INC.'S  
EXPERT, TOM SHEAHAN**

— by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list.

— by placing \_ the original, \_ a true copy thereof, enclosed in a sealed enveloped addressed as follows:

**X BY SANTA CLARA SUPERIOR COURT E-FILING IN COMPLEX LITIGATION PURSUANT TO CLARIFICATION ORDER DATED OCTOBER 27, 2005.**

Executed on October 13, 2008, at Bakersfield, California.

X (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

— (Federal) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

  
NANETTE MAXEY  
2455-2



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— **BY OVERNIGHT DELIVERY** (other than Express Mail)

I deposited such envelopes in an envelope or package designated by the express service carrier with delivery fees paid or provided;

— and deposited such envelope or package in a facility regularly maintained by the express service carrier.

— delivered such envelope or package to an authorized courier or driver authorized by the express service carrier to receive documents.

— **BY PERSONAL SERVICE**

I caused such envelope to be hand delivered to the offices of the addressee(s).


— **BY FACSIMILE**

I transmitted the above-referenced documents by facsimile to the interested parties as listed below.

Executed on October 13, 2008, at Bakersfield, California.

X (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

— (Federal) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

  
NANETTE MAXEY  
2455-2

# EXHIBIT D

CIVIL

U.S. District Court  
Eastern District of California - Live System (Sacramento)  
CIVIL DOCKET FOR CASE #: 2:05-cv-00740-FCD-EFB

Shewbridge v. El Dorado Irrigation  
District, et al.  
Assigned to: Judge Frank C. Damrell, Jr  
Referred to: Magistrate Judge Edmund F.  
Brennan  
Demand: \$985,000,000  
Cause: 28:1331 Federal Question: Other  
Civil Rights

Date Filed: 04/15/2005  
Jury Demand: Both  
Nature of Suit: 442 Civil  
Rights: Jobs  
Jurisdiction: Federal  
Question

Plaintiff

Dr. Scott Shewbridge  
*an individual*

represented by Stephen Fredrick Henry  
Mosley & Gearinger LLP  
825 Van Ness Avenue  
Fourth Floor  
San Francisco, CA 94109-  
7837  
(510) 898-1883  
Fax: (510) 295-2516  
Email:  
shenry@shenrylaw.com  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

Laurence Oliver Masson  
Law Office of Laurence O.  
Masson  
2625 Alcatraz Avenue  
Suite 206  
Berkeley, CA 94705-2702  
415-951-1942  
Fax: 415-951-1943  
Email: lomlex@gmail.com  
ATTORNEY TO BE NOTICED

V.

Defendant

Thomas Cumpston

represented by Bruce Leroy Shaffer  
Lewis Brisbois Bisgaard  
and Smith  
2500 Venture Oaks Way  
Suite 200  
Sacramento, CA 95833-3500  
916-564-5400

Fax: 916-564-5444  
Email: shaffer@lbbslaw.com

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

Joseph A. Salazar, Jr.  
Lewis Brisbois Bisgaard  
and Smith LLP  
2500 Venture Oaks Way  
Suite 2000  
Sacramento, CA 95833-3500  
(916) 564-5400  
Fax: (916) 564-5444  
Email:  
jsalazar@lbbslaw.com  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

Defendant

Ane Deister

represented by Bruce Leroy Shaffer  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

Joseph A. Salazar, Jr.  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

Defendant

El Dorado Irrigation  
District  
*a municipal corporation*

represented by Joseph A. Salazar, Jr.  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

Bruce Leroy Shaffer  
(See above for address)  
*ATTORNEY TO BE NOTICED*

Defendant

George Osborne

represented by Bruce Leroy Shaffer  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

Joseph A. Salazar, Jr.  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

Defendant

David Powell

represented by Bruce Leroy Shaffer  
(See above for address)  
*LEAD ATTORNEY*

ATTORNEY TO BE NOTICED

Joseph A. Salazar, Jr.  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

Defendant

George Wheeldon

represented by Bruce Leroy Shaffer  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

Joseph A. Salazar, Jr.  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/15/2005	<u>1</u>	COMPLAINT against all defendants, filed by Scott Shewbridge. (Attachments: # <u>1</u> Civil Cover Sheet) (Henry, Stephen) (Entered: 04/15/2005)
04/18/2005		RECEIPT number 13420 for \$250.00 for Civil Filing Fee from Stephen Henry. (Dotson, B) (Entered: 04/18/2005)
04/18/2005	<u>3</u>	SUMMONS ISSUED as to *David Powell, George Wheeldon, Scott Shewbridge, Thomas Cumpston, Ane Deister, El Dorado Irrigation District, George Osborne* with answer to complaint due within *20* days. Attorney *Stephen F. Henry* *2625 Alcatraz Avenue* *#615* *Berkeley, CA 94705*. (Dotson, B) (Entered: 04/18/2005)
04/18/2005	<u>4</u>	CIVIL NEW CASE DOCUMENTS ISSUED; (Attachments: # <u>1</u> Consent Forms # <u>2</u> VDRP Forms) (Dotson, B) (Entered: 04/18/2005)
06/14/2005	<u>5</u>	STIPULATION and PROPOSED ORDER stipulation and Order for Extension of Time to Respond to Complaint by David Powell, George Wheeldon, Thomas Cumpston, Ane Deister, El Dorado Irrigation District, George Osborne. (Salazar, Joseph) (Entered: 06/14/2005)
06/16/2005	<u>6</u>	STIPULATION and ORDER Based on the stipulation, and good cause existing Defendants shall file their responsive pleading to the complaint on or before July 5, 2005. signed by Judge Frank C. Damrell Jr. on 6/16/05. (Price, M) (Entered: 06/16/2005)
06/16/2005	<u>7</u>	RESERVICE OF DOCUMENTS: re <u>6</u> Stipulation and Order addressed to all parties (Price, M) (Entered: 06/16/2005)

07/05/2005	<u>8</u>	MOTION to DISMISS by El Dorado Irrigation District. Motion Hearing set for 9/23/2005 at 10:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr.. (Salazar, Joseph) (Entered: 07/05/2005)
07/05/2005	<u>9</u>	ANSWER to COMPLAINT with Jury Demand by Ane Deister. (Salazar, Joseph) (Entered: 07/05/2005)
07/05/2005	<u>10</u>	ANSWER to COMPLAINT with Jury Demand by Thomas Cumpston. (Salazar, Joseph) (Entered: 07/05/2005)
07/05/2005	<u>11</u>	ANSWER to COMPLAINT with Jury Demand by David Powell. (Salazar, Joseph) (Entered: 07/05/2005)
07/05/2005	<u>12</u>	ANSWER to COMPLAINT with Jury Demand by George Osborne. (Salazar, Joseph) (Entered: 07/05/2005)
07/05/2005	<u>13</u>	ANSWER to COMPLAINT with Jury Demand by George Wheeldon. (Salazar, Joseph) (Entered: 07/05/2005)
07/13/2005	<u>14</u>	CERTIFICATE of SERVICE by Scott Shewbridge re <u>3</u> Summons, on El Dorado Irrigation District, Ane Deister, David Powell, Thomas Cumpston, George Wheeldon and George Osborne (Attachments: # <u>1</u> Summons# 2 Notice of Acknowledgment of Receipt of Summons and Complaint by Mail)(Henry, Stephen) (Entered: 07/13/2005)
08/05/2005	<u>15</u>	STATUS REPORT - <i>Jointly Filed By Plaintiff and Defendants</i> by Scott Shewbridge. (Henry, Stephen) (Entered: 08/05/2005)
08/18/2005	<u>16</u>	SCHEDULING ORDER signed by Judge Frank C. Damrell Jr. on 8/18/05: Designation of Expert Witnesses due by 6/7/2006. Discovery due by 8/7/2006. Dispositive Motion due by 10/6/2006. Final Pretrial Conference set for 12/1/2006 at 02:30 PM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr. Jury Trial set for 2/6/2007 at 09:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr. (Price, M) (Entered: 08/18/2005)
08/19/2005	<u>17</u>	STATEMENT of Rule 26 Initial Disclosures by Defendants David Powell, George Wheeldon, Thomas Cumpston, Ane Deister, El Dorado Irrigation District, George Osborne. (Salazar, Joseph) (Entered: 08/19/2005)
09/09/2005	<u>18</u>	MEMORANDUM/RESPONSE in OPPOSITION <i>To Motion To Dismiss</i> . (Henry, Stephen) (Entered: 09/09/2005)
09/16/2005	<u>19</u>	REPLY to RESPONSE to MOTION <i>to Dismiss</i> . (Salazar, Joseph) (Entered: 09/16/2005)
09/16/2005	<u>20</u>	MINUTE ORDER: from CRD M. Price for Judge Frank C. Damrell Jr. on 9/16/05 re <u>8</u> Motion to Dismiss - ***MOTION SUBMITTED: hearing set for 9/23/05 is VACATED. The court shall issue a written order. (TEXT ONLY)(Price, M) Modified on 9/16/2005 (Price,



		M). (Entered: 09/16/2005)
09/22/2005	<u>21</u>	MEMORANDUM AND ORDER signed by Judge Frank C. Damrell Jr. on 9/22/05 granting 8 Defendant's Motion to Dismiss as to plaintiff's claim for wrongful termination in violation of public policy is GRANTED with prejudice. (Price, M) (Entered: 09/22/2005)
09/29/2005	<u>22</u>	ANSWER to COMPLAINT by El Dorado Irrigation District.(Salazar, Joseph) (Entered: 09/29/2005)
03/08/2006	<u>23</u>	NOTICE OF TEMPORARY ASSIGNMENT notifying parties that due to the retirement of Magistrate Judge Peter A. Nowinski, this action is temporarily reassigned to Magistrate Judge John F. Moulds. (Carlos, K) (Entered: 03/08/2006)
06/07/2006	<u>24</u>	DESIGNATION/DISCLOSURE of EXPERT WITNESS by Scott Shewbridge. (Henry, Stephen) (Entered: 06/07/2006)
06/07/2006	<u>25</u>	DESIGNATION/DISCLOSURE of EXPERT WITNESS by David Powell, George wheeldon, Thomas Cumpston, Ane Deister, El Dorado Irrigation District, George Osborne. (Salazar, Joseph) (Entered: 06/07/2006)
08/04/2006	<u>26</u>	MOTION for DISCOVERY <i>Reopening For Limited Purpose</i> by Scott Shewbridge. Motion Hearing set for 9/15/2006 at 10:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr.. (Attachments: # <u>1</u> Declaration In Support of Motion To Reopen Discovery# <u>2</u> Exhibit A Notice of Nonservice of Michelle Ludwig# <u>3</u> Exhibit Nonservice Report of Dee Brookshire)(Henry, Stephen) (Entered: 08/04/2006)
08/28/2006	<u>27</u>	MEMORANDUM of Points and Authorities in support of defendants' OPPOSITION to <i>Motion to Reopen Discovery for Limited Purposes</i> (Attachments: # <u>1</u> Declaration) (Salazar, Joseph) Modified on 8/29/2006 (Marciel, M). (Entered: 08/28/2006)
08/28/2006	<u>28</u>	ORDER by Chief Judge David F. Levi ORDERING due to the recent appointment of Magistrate Judge Edmund F. Brennan to the bench of the Eastern District, this action is REASSIGNED from Magistrate Judge Peter A. Nowinski for all further proceedings. (Holland, K) (Entered: 08/28/2006)
08/29/2006	<u>29</u>	MOTION for SUMMARY JUDGMENT by David Powell, George wheeldon, Thomas Cumpston, Ane Deister, El Dorado Irrigation District, George Osborne. Motion Hearing set for 9/29/2006 at 10:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell, Jr. (Attachments: # <u>1</u> Points and Authorities # <u>2</u> Table of Contents and Authorities# <u>3</u> Statement of Undisputed Facts# <u>4</u> Declaration of Thomas Cumpston# <u>5</u> Declaration of David Powell# <u>6</u> Declaration of Joseph A. Salazar Jr.)(Salazar, Joseph) Modified on 8/30/2006 (Cannarozzi, N). (Entered: 08/29/2006)

08/30/2006	<u>30</u>	DECLARATION of David Powell in support of <u>29</u> MOTION for SUMMARY JUDGMENT. (Salazar, Joseph) Modified by M. Marciel on 8/31/06. (Entered: 08/30/2006)
08/31/2006	<u>31</u>	CLERK'S NOTICE of DOCKET CORRECTION: attachment # 5 on <u>29</u> MOTION for SUMMARY JUDGMENT is sideways; refer to corrected <u>30</u> DECLARATION of David Powell submitted 8/30/06. (Marciel, M) (Entered: 08/31/2006)
09/07/2006	<u>32</u>	MINUTE ORDER: from CRD M. Price for Judge Frank C. Damrell Jr. on 9/7/06. Pltf <u>26</u> Motion for Discovery -MOTION SUBMITTED: without oral argument. The hearing set for 9/15/06 is VACATED. If appropriate a reply may be filed no later than 9/8/06. The court shall issue a written order. (TEXT ONLY) (Price, M) (Entered: 09/07/2006)
09/07/2006	<u>33</u>	REPLY to OPPOSITION to MOTION <i>to Reopen Discovery</i> (Henry, Stephen) Modified on 9/8/2006 (Marciel, M). (Entered: 09/07/2006)
09/12/2006	<u>34</u>	MEMORANDUM and ORDER signed by Judge Frank C. Damrell Jr. on 9/12/06. <u>26</u> MOTION for DISCOVERY Reopening For Limited Purpose - GRANTED. The 8/18/05 PSC order deadlines reset at follows: Discovery due by 10/27/2006. Dispositive Motion due by 12/1/2006. Joint Pretrial statement due by 2/23/2007. Final Pretrial Conference set for 3/9/2007 at 02:30 PM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr.. <sup>2</sup> Jury Trial set for 5/22/2007 at 09:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr.. <u>29</u> MOTION for SUMMARY JUDGMENT filed by David Powell, El Dorado Irrigation District, Ane Deister, Thomas Cumpston, George Wheelton, George Osborne RESET for hearing for 12/1/06 at 10:00 a.m. Dft may file supplemental P&A by 11/3/06. Pltf's opposition due by 11/17/06 and a reply by 11/27/05.(Price, M) (Entered: 09/12/2006)
09/22/2006	<u>35</u>	ASSOCIATION of ATTORNEY: Added attorney Laurence O Masson and Stephen Fredrick Henry for Scott Shewbridge. (Henry, Stephen) (Entered: 09/22/2006)
11/17/2006	<u>36</u>	OPPOSITION <i>to defendants' Motion for Summary Judgment</i> (Attachments: # <u>1</u> Table of Contents and Authorities# <u>2</u> Response to Statement of Undisputed Facts# <u>3</u> Appendix Additional Cases# <u>4</u> Appendix Additional Cases No. 2# <u>5</u> Declaration of Stephen Henry plus Exhibit A# <u>6</u> Additional Exhibits to Declaration of Stephen Henry# <u>7</u> Supplemental Declaration of Stephen F. Henry)(Henry, Stephen) Modified on 11/20/2006 (Marciel, M). (Entered: 11/17/2006)
11/22/2006	<u>37</u>	APPENDIX by Scott Shewbridge for <u>36</u> OPPOSITION to defendant's Motion for Summary Judgment filed by

		Scott Shewbridge. <i>Correct Table of Contents and Authorities</i> (Henry, Stephen) Modified on 11/27/2006 (Marciel, M). (Entered: 11/22/2006)
11/27/2006	<u>38</u>	SUPPLEMENTAL DECLARATION of Joseph A. Salazar in SUPPORT of <i>defendant's Motion for Summary Judgment</i> (Attachments: # <u>1</u> Exhibit Deposition Transcript# <u>2</u> Supplemental Declaration ISO MSJ)(Salazar, Joseph) Modified on 11/28/2006 (Marciel, M). (Entered: 11/27/2006)
11/28/2006	39	CLERK'S NOTICE of DOCKET CORRECTION by CRD M. Price on 11/28/06. The <u>38</u> Reply to Response to Motion filed on 11/27/06 by defendants' appears to be incomplete. The main document, of docket entry #38, is a duplicate of part 3 (supplemental declaration) of the brief. Accordingly, the main document (designated as the reply brief) as filed will be DISREGARDED. Defendants are instructed to file the appropriate reply no later than 12:00 noon today, 11/28/06. (TEXT ONLY) (Price, M) (Entered: 11/28/2006)
11/28/2006	<u>40</u>	REPLY to RESPONSE to MOTION. <i>for Summary Judgment</i> (Attachments: # <u>1</u> Declaration of Joseph A. Salazar Jr.# <u>2</u> Exhibit to the Declaration of Joseph A. Salazar Jr.)(Salazar, Joseph) (Entered: 11/28/2006)
11/28/2006	41	MINUTE ORDER: from CRD M. Price for Judge Frank C. Damrell Jr. on 11/28/06. Dfts <u>29</u> Motion for Summary Judgment -MOTION SUBMITTED: without oral argument. The hearing set for 12/1/06 is VACATED. The court shall issue a written order. (TEXT ONLY) (Price, M) (Entered: 11/28/2006)
12/19/2006	<u>42</u>	MEMORANDUM AND ORDER signed by Judge Frank C. Damrell Jr. on 12/19/06. <u>29</u> Dft's Motion for Summary Judgment is GRANTED in part and DENIED in part. The motion is GRANTED with respect to pltf's claim for punitive damages against dft EID, GRANTED with respect to pltf's 1983 claim against all dfts for violation of pltf's due process rights, and DENIED with respect to pltf's 1983 claim against all dfts for violation of pltf's First Amendment rights and conspiracy to violate said rights.(Price, M) (Entered: 12/19/2006)
02/05/2007	43	NOTICE of HEARING: from CRD M. Price on 2/5/07. The start time for the Final Pretrial Conference set for 3/9/2007 is RESET for 01:30 PM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr.. (TEXT ONLY) (Price, M) (Entered: 02/05/2007)
02/23/2007	<u>44</u>	JOINT PRETRIAL STATEMENT by Plaintiff Scott Shewbridge.(Henry, Stephen) (Entered: 02/23/2007)
03/02/2007	<u>45</u>	NOTICE of CHANGE of ADDRESS by Stephen Fredrick Henry. (Henry, Stephen) (Entered: 03/02/2007)

03/07/2007	<u>46</u>	REQUEST for <i>Judicial Notice</i> by El Dorado Irrigation District. (Attachments: # <u>1</u> Supporting Document # <u>2</u> Letter)(Salazar, Joseph) Modified on 3/8/2007 (Manzer, C). (Entered: 03/07/2007)
03/09/2007	<u>47</u> 2	MINUTES for proceedings held before Judge Frank C. Damrell Jr.: PRETRIAL CONFERENCE held on 3/9/2007. Court confirms 5/22/07 trial date. Dft to file Rule 16 motion by 3/14/2007 Opposition due by 4/13/2007 and reply due 4/20/07. Motion Hearing set for 4/27/2007 at 10:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr.. Court sets pre-trial briefing schedules. Plaintiffs Counsel Laurence O Masson, Stephen Henry present. Defendants Counsel Joseph A Salazar, Jesse D. Phillips present. Court Reporter/CD Number: Michelle Babbitt. (Price, M) (Entered: 03/09/2007)
03/14/2007	<u>48</u>	MOTION Amend Scheduling Order Pursuant to FRCP 16 by David Powell, George Wheeldon, Thomas Cumpston, Ane Deister, El Dorado Irrigation District, George Osborne. Motion Hearing set for 4/27/2007 at 10:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr.. (Attachments: # <u>1</u> Declaration of Joseph A. Salazar Jr.# <u>2</u> Exhibit to Declaration of Joseph A. Salazar Jr.)(Salazar, Joseph) (Entered: 03/14/2007)
04/13/2007	<u>49</u>	RESPONSE in OPPOSITION to <u>48</u> Motion to Amend Scheduling Order. (Henry, Stephen) Modified on 4/16/2007 (Yin, K). (Entered: 04/13/2007)
04/20/2007	<u>50</u>	REPLY to plaintiff's Opposition to Amend the Court's Pretrial Scheduling Order by El Dorado Irrigation District. (Salazar, Joseph) Modified on 4/23/2007 (Marciel, M). (Entered: 04/20/2007)
04/23/2007	<u>51</u>	MINUTE ORDER: from CRD M. Price for Judge Frank C. Damrell Jr. on 4/23/07. <u>48</u> Dft Motion to Amend PSC Order- MOTION SUBMITTED: without oral argument. The hearing set for 4/27/07 is VACATED. The court shall issue a written order. (TEXT ONLY)(Price, M) (Entered: 04/23/2007)
04/23/2007	<u>52</u>	APPENDIX by El Dorado Irrigation District. <i>Case Law</i> (Attachments: # <u>1</u> Appendix case law# <u>2</u> Appendix case law# <u>3</u> Appendix case law# <u>4</u> Appendix case law# <u>5</u> Appendix case law)(Salazar, Joseph) (Entered: 04/23/2007)
04/30/2007	<u>53</u>	MEMORANDUM AND ORDER signed by Judge Frank C. Damrell Jr. on 4/30/07. <u>48</u> Dft's Motion to modify the PSO order -DENIED. (Price, M) (Entered: 04/30/2007)
05/01/2007	<u>54</u>	MINUTE ORDER: from CRD M. Price for Judge Frank C. Damrell Jr. on 5/1/07. The trial date of 5/22/07 is VACATED due to a conflict with a criminal trial

		already in progress and the pending issuance of the Pretrial Order. The parties need to meet and confer as to which of the dates in the this minute order are acceptable and are instructed to inform the court in writing, within 15 days of this minute order. (Price, M) (Entered: 05/01/2007)
05/15/2007	<u>55</u>	MOTION for RECONSIDERATION of <i>48 Motion to Amend Scheduling Order Pursuant to FRCP 16</i> by dfts. Motion Hearing set for 6/22/2007 at 10:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr.. (Attachments: # <u>1</u> Declaration of Joseph A. Salazar Jr.# <u>2</u> Exhibits A-F)(Salazar, Joseph) Modified on 5/16/2007 (Yin, K). (Entered: 05/15/2007)
05/24/2007	<u>56</u> 3	PRETRIAL ORDER signed by Judge Frank C. Damrell Jr. on 5/24/07. Jury Trial set for 9/11/2007 at 09:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr.. (Price, M) (Entered: 05/24/2007)
06/06/2007	<u>57</u>	[DISREGARD, ATTORNEY TO REFILE AS CHANGE OF ADDRESS] SUBSTITUTION OF ATTORNEYS - PROPOSED, submitted by David Powell, George Wheelton, Thomas Cumpston, Ane Deister, El Dorado Irrigation District, George Osborne. Attorney Shaffer, Bruce Leroy added. (Shaffer, Bruce) Modified on 6/7/2007 (Yin, K). (Entered: 06/06/2007)
06/07/2007	<u>58</u>	OPPOSITION to <i>Defendants' Motion for Reconsideration</i> (Henry, Stephen) Modified on 6/8/2007 (Carlos, K). (Entered: 06/07/2007)
06/14/2007	<u>59</u>	NOTICE of CHANGE of ADDRESS by Joseph A. Salazar, Jr. (Salazar, Joseph) (Entered: 06/14/2007)
06/14/2007	<u>60</u>	OBJECTIONS to <u>56</u> Pretrial Order by Defendant El Dorado Irrigation District. (Salazar, Joseph) Modified on 6/18/2007 (Engbretson, K.). (Entered: 06/14/2007)
06/15/2007	<u>61</u>	REPLY to RESPONSE to MOTION re <u>55</u> Motion for Reconsideration of <i>48 Motion to Amend Scheduling Order Pursuant to FRCP 16</i> (Salazar, Joseph) Modified on 6/18/2007 (Waggoner, D). (Entered: 06/15/2007)
06/15/2007	<u>62</u>	REQUEST for <i>Augmentation of Pre-Trial Conference Order</i> by Scott Shewbridge. (Henry, Stephen) (Entered: 06/15/2007)
06/19/2007	<u>63</u>	MINUTE ORDER: from CRD M. Price for Judge Frank C. Damrell Jr. on 6/19/07. <u>55</u> Motion for Reconsideration - MOTION SUBMITTED: without oral argument. The hearing set for 6/22/07 is VACATED. The court shall issue a written order. (TEXT ONLY) (Price, M) (Entered: 06/19/2007)
06/25/2007	<u>64</u>	MEMORANDUM AND ORDER signed by Judge Frank C. Damrell Jr. on 6/25/07. The <u>55</u> Motion for

		Reconsideration is DENIED. (Price, M) (Entered: 06/25/2007)
06/28/2007	<u>65</u>	MINUTE ORDER: from CRD M. Price for Judge Frank C. Damrell Jr. on 06/28/07. Defts' <u>60</u> Objections to the PTO are OVERRULED. (Price, M) (Entered: 06/28/2007)
08/27/2007	<u>66</u>	MINUTE ORDER: from CRD M. Price for Judge Frank C. Damrell Jr. on 08/27/07. The trial date of 9/11/07 is VACATED due to a conflict with a criminal trial. The Parties are to meet and confer and select two new dates (as noted in the minute order) and shall inform the court in writing as to which dates are acceptable within 10 days of this minute order. (Price, M) (Entered: 08/27/2007)
09/06/2007	<u>67</u>	REQUEST for <i>Trial Setting (Letter Format)</i> by El Dorado Irrigation District. (Salazar, Joseph) (Entered: 09/06/2007)
09/11/2007	<u>68</u> 4	MINUTE ORDER: from CRD M. Price for Judge Frank C. Damrell Jr. on 9/11/07. Jury Trial set for 9/11/07 is RESET for 6/3/2008 at 09:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr.. All pretrial briefing shall be filed in conjunction with the new trial date. (Price, M) (Entered: 09/11/2007)
10/31/2007	<u>69</u>	NOTICE of CHANGE of ADDRESS by Laurence O. Masson. (Masson, Laurence) (Entered: 10/31/2007)
04/29/2008	<u>70</u>	MINUTE ORDER: from CRD M. Price for Judge Frank C. Damrell, Jr on 04/29/08. The 6/3/08 JT date is VACATED due to a conflict with a criminal trial. The parties are to meet and confer and notify the court, within 10 days of this order, which date contained in the minute order is acceptable for the new trial date. (Price, M) (Entered: 04/29/2008)
05/02/2008	<u>71</u> 5	MINUTE ORDER: from CRD M. Price for Judge Frank C. Damrell, Jr on 05/02/08. The Jury Trial is RESET for 10/21/2008 at 09:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr. (Price, M) (Entered: 05/02/2008)
10/07/2008	<u>72</u>	PROPOSED JURY INSTRUCTIONS by El Dorado Irrigation District. (Attachments: # <u>1</u> Supplement Part 2 of Jury Instructions)(Salazar, Joseph) (Entered: 10/07/2008)
10/07/2008	<u>73</u>	PROPOSED VERDICT submitted by Defendants David Powell, George wheeldon, Thomas Cumpston, Ane Deister, El Dorado Irrigation District, George Osborne. (Salazar, Joseph) (Entered: 10/07/2008)
10/07/2008	<u>74</u>	TRIAL BRIEF and MIL's of DEFENDANTS by David Powell, George wheeldon, Thomas Cumpston, Ane Deister, El Dorado Irrigation District, George Osborne. (Attachments: # <u>1</u> Part 2 of Brief)(Salazar, Joseph)

		(Entered: 10/07/2008)
10/07/2008	<u>75</u>	TRIAL BRIEF <i>AND MOTIONS IN LIMINE</i> by Scott Shewbridge.(Henry, Stephen) (Entered: 10/07/2008)
10/07/2008	<u>76</u>	PROPOSED VERDICT submitted by Plaintiff Scott Shewbridge.(Henry, Stephen) (Entered: 10/07/2008)
10/09/2008	<u>77</u>	JOINT STATEMENT of the Case. (Salazar, Joseph) Modified on 10/10/2008 (Mena-Sanchez, L). (Entered: 10/09/2008)
10/09/2008	<u>78</u>	OBJECTIONS by Plaintiff Scott Shewbridge to <u>73</u> Proposed Verdict. (Henry, Stephen) Modified on 10/10/2008 (Mena-Sanchez, L). (Entered: 10/09/2008)
10/10/2008	<u>79</u>	CLERK'S NOTICE. Parties are informed that the Joint Statement <u>77</u> is missing the Attorneys' signatures and it is deemed by the Clerk's office as improperly filed. (Mena-Sanchez, L) (Entered: 10/10/2008)
10/10/2008	<u>80</u>	STATEMENT of the case (Joint Statement of the Case) by Defendants David Powell, George Wheelton, Thomas Cumpston, Ane Deister, El Dorado Irrigation District, George Osborne. (Salazar, Joseph) (Entered: 10/10/2008)
10/14/2008	<u>81</u>	STATEMENT of the Case - Corrected Joint by Plaintiff Scott Shewbridge. (Masson, Laurence) (Entered: 10/14/2008)
10/14/2008	<u>82</u>	PROPOSED VOIR DIRE by David Powell, George Wheelton, Thomas Cumpston, Ane Deister, El Dorado Irrigation District, George Osborne.(Salazar, Joseph) (Entered: 10/14/2008)
10/14/2008	<u>83</u>	PROPOSED VOIR DIRE by Scott Shewbridge.(Henry, Stephen) (Entered: 10/14/2008)
10/14/2008	<u>84</u>	OPPOSITION by Scott Shewbridge. <i>to Motions in Limine</i> (Henry, Stephen) (Entered: 10/14/2008)
10/15/2008	<u>85</u>	OPPOSITION by Defendants David Powell, George Wheelton, Thomas Cumpston, Ane Deister, El Dorado Irrigation District, George Osborne. <i>OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE</i> (Salazar, Joseph) (Entered: 10/15/2008)

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