

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES**

ORIGINAL FILED

AUG 28 2009

LOS ANGELES  
SUPERIOR COURT

Coordination Proceeding  
Special Title (Rule 1550(b))

**ANTELOPE VALLEY GROUNDWATER CASES**

Included Actions:

Los Angeles County Waterworks District No. 40 v.  
Diamond Farming Co.  
Superior Court of California  
County of Los Angeles, Case No. BC 325 201

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

Wm. Bolthouse Farms, Inc. v. City of Lancaster  
Diamond Farming Co. v. City of Lancaster  
Diamond Farming Co. v. Palmdale Water Dist.  
Superior Court of California, County of Riverside,  
consolidated actions, Case Nos.  
RIC 353 840, RIC 344 436, RIC 344 668

Willis v. Los Angeles County Waterworks District  
No. 40  
Superior Court of California, County of Los  
Angeles, Case No. BC 364 553

Wood v. Los Angeles County Waterworks District  
No. 40  
Superior Court of California, County of Los  
Angeles, Case No. BC 391869

Judicial Council Coordination  
Proceeding No. 4408

For Court's Use Only:  
Santa Clara County Case No.  
1-05-CV-049053  
(for E-Posting/E-Service  
Purposes Only)

Date/Time: Monday, August 17, 2009 (10:00 a.m.)

Location: Santa Clara County Superior Court 191 N. 1<sup>st</sup> Street, Department 17C  
San Jose, CA 95113

Present: Hon. Jack Komar, Judge R. Gutierrez, Clerk

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*Antelope Valley Groundwater Cases (JCCP 4408)  
Los Angeles County Superior Court, Case No. BC 325 201  
Monday, August 17, 2009 (10:00 am) / Hon. Jack Komar*

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MINUTE ORDER RE:

**(1) MOTION BY THE PUBLIC WATER SUPPLIERS TO TRANSFER AND TO CONSOLIDATE CASES FOR ALL PURPOSES ALL MATTERS PRESENTLY PENDING UNDER JUDICIAL COUNCIL PROCEEDING NO. 4408 FROM THE SUPERIOR COURTS OF RIVERSIDE COUNTY, LOS ANGELES COUNTY AND KERN COUNTY, SPECIALLY ASSIGNED TO THE HONORABLE JACK KOMAR (ATTY WHITNEY G. MCDONALD)**

**OPERATIVE COMPLAINTS:**

Case Name	Filed in (County)	Case Number
<i>Wm. Bolthouse Farms v. City of Lancaster</i>	Riverside	RIC 353840
<i>Diamond Farming Co. v. City of Lancaster</i>	Riverside	RIC 344436
<i>Diamond Farming Co. v. Palmdale Water District</i>	Riverside	RIC 344668
<i>Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.</i>	Kern	S-1500-CV 254-348
<i>Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.</i>	Los Angeles	BC 325 201
<i>Willis v. Los Angeles County Waterworks District No. 40</i>	Los Angeles	BC 364 553
<i>Wood v. Los Angeles County Waterworks District No. 40</i>	Los Angeles	BC 391 869

Motion is continued to October 13, 2009 at 10:00 a.m. in Department 17, Santa Clara County Meet and confer letter is to be posted by August 25, 2008.

Supplemental materials to the motion are to be filed by September 8, 2009.

Supplemental oppositions are to be filed by September 18, 2009.

Responses to oppositions are to be filed by September 23, 2009.

**(2) CONTINUED HEARING ON MOTION BY PLAINTIFF RICHARD WOOD FOR ORDER ALLOCATING COSTS OF COURT-APPOINTED EXPERT WITNESS (ATTY MICHAEL MCLACHLAN)**

This matter was taken off calendar and continued to September 14, 2009 at 10:00 a.m. in Department 17C, at the moving party's request. Notice to all parties was posted on August 14, 2009.

The September 14, 2009 date is taken off calendar and continued to October 13, 2009 at 10:00 a.m. in Department 17, Santa Clara County

**(3) MOTION BY PLAINTIFF REBECCA WILLIS FOR APPOINTMENT OF EXPERT WITNESS (ATTY RALPH B. KALFAYAN)**

The motion is DENIED without prejudice.

**(4A) CONTINUED HEARING ON THE MOTION BY DEFENDANTS TO DISMISS THE PUBLIC WATER SUPPLIERS' FIRST AMENDED CROSS-COMPLAINT FILED ON JANUARY 10, 2007; and (4B) JOINDER BY CROSS-DEFENDANT ANTELOPE VALLEY JOINT UNION HIGH SCHOOL DISTRICT (ATTY WILLIAM M. SLOAN)**

The motion is continued to October 13, 2009 at 10:00 a.m. in Department 17, Santa Clara County.

**(5) MOTION BY CITY OF LANCASTER, ET AL. TO STAY PROCEEDINGS FOR SIX MONTHS, OR ALTERNATIVELY, CONTINUE TRIAL SETTING CONFERENCE (ATTY DOUGLAS J. EVERTZ)**

The motion is continued to October 13, 2009 at 10:00 a.m. in Department 17, Santa Clara County.

**(6) CONTINUED HEARING (FROM JULY 10, 2009) ON REQUEST BY BOLTHOUSE TO AMEND THE EXHIBITS TO ITS AMENDED CROSS-COMPLAINT (ATTY RICH ZIMMER)**

At the hearing on June 19, 2009, the Court set forth a briefing schedule for the above motion. The Court notes that formal moving papers have not yet been filed by Bolthouse.

The motion is continued to October 13, 2009 at 10:00 a.m. in Department 17, Santa Clara County.

**(7) CONTINUED HEARING (FROM JULY 10, 2009) ON MOTION BY CALIFORNIA WATER SERVICE COMPANY FOR LIMITED RELIEF FROM NOTICE REQUIREMENTS (ATTY JOHN TOOTLE)**

This matter was taken off calendar by the moving party on August 10, 2009.

**(8) CONTINUED HEARING (FROM JULY 24, 2009) ON THE MOTION BY PLAINTIFF WOOD FOR AN ORDER DISQUALIFYING THE LAW FIRM OF LEMIEUX & O'NEIL (ATTY MICHAL MCLACHLAN)**

This matter was previously heard on July 24, 2009 and taken under submission by the Court until August 17, 2009 to allow opposing party to file documents under seal as per the Court's comments on the record.

Motion is continued to October 13, 2009 at 10:00 a.m. in Department 17, Santa Clara County.

**(9) TRIAL SETTING CONFERENCE/FURTHER CASE MANAGEMENT CONFERENCE**

At the last hearing held on July 24, 2009, the Court referred counsel to Justice Robie, through his secretary, Linda Moore, at 916-651-7254, for interested parties to participate in a settlement conference with Justice Robie.

The Trial Setting Conference/Further Case Management Conference is continued to October 13, 2009 at 10:00 a.m. in Department 17, Santa Clara County.

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**PARTIES/ATTORNEYS OF RECORD: SEE COURTCALL ROLL CALL LIST ATTACHED**

City of Lancaster	Douglas Evertz	
County of Los Angeles Waterworks District #40	Jeffrey Dunn	
Richard Wood	Daniel O'Leary Michael McLachlan	
Quartil Water District	Bradley Weeks	
City of Palmdale	Whitney McDonald	
Phelon Pinon Hills CSD	Francis Logan	
U.S. Borax	William Sloan	
Tejon Ranch Corp.	Robert Kuhs	
Antelope Valley Groundwater Agreement Association	Michael Fife	
Los Angeles Waterworks 40	Michael Moore	
Van Dam Antelope Valley Water Storage	Scott Kuney	
Rebecca Willis	Ralph Kalfayan	
Blum Trust	Sheldon Blum	
Palmdale Water District	Thomas Bunn	
United States	James Dubois R. Lee Leininger	
Diamond Farming, et al	Bob Joyce	
Bolthouse Farms	Richard Zimmer	