

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

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

*Wood v. A.V. Materials, Inc., et al.*, Superior Court of California, County of Los Angeles, Case No. BC 509546

*Wood v. County of Los Angeles*, Superior Court of California, County of Los Angeles, Case No. BS 143790

Little Rock Sand and Gravel, Inc., Superior Court of California, County of Los Angeles, Case No. MC026932  
[Add-On Petition Pending]

Judicial Council Coordination  
Proceeding No. 4408

For Court's Use Only:  
Santa Clara County Case No.  
2005-1-CV-049053  
(for E-Posting/E-Service Purposes  
Only)

Date/Time: Thursday, March 16, 2023 (Day 2 of 2)

Location: Department 3

Superior Court of California  
County of Santa Clara

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*Antelope Valley Groundwater Cases (JCCP 4408)*  
*Los Angeles County Superior Court, Case No. BC 325 201*  
*March 16, 2023 / Hon. Jack Komar, Ret.*

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MINUTE ORDER:

**EVIDENTIARY HEARING.** (1) C/F 12-13-22

- (1) Watermaster's Motion for Monetary, Declaratory and Injunctive Relief Against Zamrzlas;
- (2) Motion by Johnny and Pamela Zamrzla to Set Aside or Modify Judgment; and
- (3) Motion by Johnny Lee and Jeannette Zamrzla to Set Aside or Modify Judgment.

Motion #1 (Watermaster's Motion for Monetary, Declaratory and Injunctive Relief Against Zamrzlas) will be further set for a later date, depending on the outcome of the Zamrzlas' motions (Motion #2 and Motion #3).

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9:03 AM: Matter goes on the record in Department 3 of the Santa Clara County Superior Court, Hon. Jack Komar (Ret.) presiding. Matter is being Real-Time reported.

**The following parties are present in court:**

***Nicholas Shepard***, for Defendants Johnny Zamrzla, Pamela Zamrzla, Johnny Lee Zamrzla and Jeanette Zamrzla

**Sheri Zamrzla-Greco**, who identifies herself as a party in interest

***Jenifer Ryan***, for Defendant City of Los Angeles and Los Angeles World Airports

***Robert Kuhs***, for Grimmway Enterprises

***Craig Parton***, for Antelope Valley Watermaster

**The following parties are present via Microsoft Teams:**

***Thomas S. Bunn***, for Palmdale Water District

***Christopher M. Sanders***, for County Sanitation Districts of Los Angeles County Nos. 14 and 20

**Cameron Goodman**, for Antelope Valley Watermaster

**William Sloan**, for U.S. Borax

9:04 am: Mr. Shepard moves to admit certain exhibits.

**Exhibit(s) marked and identified on behalf of the ZAMRZLAS**

Exhibit #	Description	ID	Admit
21	Judgment and Physical Solution	3-16-23	3-16-23
22	Judgment Approving Small Pumper Class Settlement	3-16-23	3-16-23
23	June 26, 2009 Notice of Class Action	3-15-23	3-16-23
37	Zamrzla RFA to Grimmway/Grimmway Response and Amended Response	3-16-23	3-16-23
38	Zamrzla SROG to Grimmway/Grimmway Response and Amended Response	3-16-23	3-16-23
39	Zamrzla FROG to Grimmway/Grimmway Response and Amended Response	3-16-23	3-16-23
40	Zamrzla RPD to Grimmway/Grimmway Response	3-16-23	3-16-23

9:11 am: Mr. Shepard calls his witness, **PAMELLA ZAMRZLA**, who is sworn by the clerk. She gives her home address at the court's request. Mr. Shepard conducts **direct examination**.

**Exhibit(s) marked and identified on behalf of the ZAMRZLAS**

Exhibit #	Description	ID	Admit
9	SCE Billing Records 2009-2022 - 75th Street	3-16-23	3-16-23
10	SCE Billing Records 2008-2021 - 80th Street	3-16-23	3-16-23
24	Aerial Photo 1/14/2002	3-16-23	3-16-23 (Admitted subject to cross)
25	Aerial Photo 12/16/2010	3-16-23	3-16-23 (Admitted subject to cross)
26	Aerial Photo 48910 80th St W - 7/15/2011	3-16-23	3-16-23
27	Aerial Photo 48910 80th St W - 12/3/2011	3-16-23	3-16-23
28	Aerial Photo 48910 80th St W - 8/25/2012	3-16-23	3-16-23
29	Aerial Photo 48910 80th St W - 5/24/2013	3-16-23	3-16-23
30	Aerial Photo 48910 80th St W - 4/11/2015	3-16-23	3-16-23
31	Aerial Photo 48910 80th St W - 4/29/17	3-16-23	3-16-23
46	Photos - Onions circa 2003	3-16-23	3-16-23
47	Photos - circa 2011-2013	3-16-23	3-16-23

48	Ranch Grant Deed 1970	3-16-23	3-16-23
49	75th St Farm Grant Deed 1986	3-16-23	3-16-23
50	75th St Farm Grant Deed 1999	3-16-23	3-16-23
51	80th D8 Grant Deed 199	3-16-23	--
52	Ranch Grant Deed 1999	3-16-23	3-16-23

The court periodically questions the witness during the direct examination.

- 9:59 am: Mr. Shepard refers the witness to previously-admitted exhibit, Zamrzla's Exhibit 23. Direct examination resumes.
- 10:13 am: Ms. Ryan **cross-examines** the witness.
- 10:19 am: Ms. Ryan has lodged with the court a sealed deposition transcript: Pamella Zamrzla's 8/17/2022 deposition. The court unseals the copy at this time.
- 10:20 am: *Ms. Ryan reads from Pamella Zamrzla's 8/17/22 deposition transcript, page 16, line 14 onward.*
- 10:22 am: Ms. Ryan refers the witness to previously-admitted exhibit, Settling Parties & Watermaster's joint exhibit, SPW 16: Declaration of Kevin Berg.
- 10:27 am: Ms. Ryan refers the witness to previously-admitted exhibit, Zamrzla's Exhibit 23.
- 10:32 am: The court breaks for the midmorning. Off the record.
- 10:47 am: Matter reconvenes on the record with all parties present as before. The witness retakes the stand. Mr. Parton **cross-examines** the witness on behalf of the Watermaster.
- 11:11 am: No questions for this witness from any counsel appearing remotely.
- Mr. Kuhs **cross-examines** the witness. He directs the witness to a number of different previously-admitted exhibits.
- 11:46 am: Mr. Shepard conducts **re-direct examination**.
- 11:52 am: Mr. Shepard refers the witness to previously-admitted exhibit, Settling Parties & Watermaster's joint exhibit, SPW 62: June 9, 2018 letter from Watermaster. Re-direct continues.
- 12:00 pm: Matter is in recess for the lunch break and will reconvene at 1:30pm.
- 1:31 pm: Matter reconvenes on the record with all parties present as before (with the exception of William Sloan, who joins the session at 1:37pm, and Thomas Bunn, who joins at 1:39pm.)

The witness retakes the stand and the court reminds her that she remains

under oath. Mr. Kuhs conducts **re-cross examination** of the witness, Pamela Zamrzla.

1:32 pm: *Mr. Kuhs reads from Johnny Zamrzla's 6/03/22 deposition transcript, page 237, line 18 onward.*

1:40 pm: No further questions from counsel. The court questions the witness.

1:44 pm: No further questions for this witness. The witness is excused.

1:45 pm: Mr. Shepard calls his next witness, **JOHNNY LEE ZAMRZLA**, who is sworn by the clerk. He provides his home address at the court's request. Mr. Shepard conducts **direct examination**.

**Exhibit(s) marked and identified on behalf of the ZAMRZLAS**

Exhibit #	Description	ID	Admit
11	SCE Billing Records 2008-2018 - 8163 Avenue D8	3-16-23	3-16-23

2:07 pm: Ms. Ryan **cross-examines** the witness.

**Exhibit(s) marked and identified on behalf of the SETTLING PARTIES & WATERMASTER (JOINT EXHIBIT)**

Exhibit #	Description	ID	Admit
SPW 51	2014 Grant Deed, Parcel 027 (JLZ000001-4)	3-16-23	3-16-23

2:25 pm: The court's Microsoft Teams session times out and ends. The clerk restarts it and parties slowly reconnect.

2:26 pm: Mr. Parton **cross-examines** the witness.

2:35 pm: Mr. Kuhs **cross-examines** the witness.

2:44 pm: *Mr. Kuhs reads from Johnny Zamrzla's 6/03/22 deposition transcript, page 36, line 7 onward.*

2:49 pm: No further questions from counsel for this witness. The court questions the witness.

2:52 pm: No further questions for this witness. The witness is excused.

- 2:53 pm: Remaining witnesses and time estimates are discussed, as well as a path forward after this hearing is over.
- 2:58 pm: Matter breaks for the midafternoon recess.
- 3:12 pm: Mr. Shepard calls his next witness, **JEANETTE ZAMRZLA**, who is sworn by the clerk. She states her home address at the court's request. Mr. Shepard conducts **direct examination**.
- 3:16 pm: Ms. Ryan **cross-examines** the witness.

**Exhibit(s) marked and identified on behalf of the ZAMRZLAS**

Exhibit #	Description	ID	Admit
20	Declaration of Johnny Lee Zamrzla and Jeanette Zamrzla	3-16-23	

- 3:18 pm: Mr. Kuhs **cross-examines** the witness.
- 3:19 pm: The court questions the witness.
- 3:20 pm: No further questions for this witness. The witness is excused.
- Mr. Shepard asks to move certain exhibits into evidence.

**Exhibit(s) marked and identified on behalf of the ZAMRZLAS**

Exhibit #	Description	ID	Admit
16	Declaration of Michael McLachlan	3-16-23	3-16-23 (as stated)
17	Declaration of William V. Leever, Jr.	3-16-23	3-16-23
53	Stipulation and Order RE: Small Pumper Class Notice Issues 5/6/09	3-16-23	3-16-23
54	Groundwater Usage Analysis of Antelope Valley Groundwater Basin Small Pumper Class. 07/09/15	3-16-23	3-16-23
55	Los Angeles County Waterworks District No. 40's Notice of Motion and Motion for Legal Findings on Water Code Requirements to Report Extractions of Groundwater in Los Angeles	3-16-23	Not admitted
56	Oppositions and Joinders to Los Angeles County Waterworks District No. 40's Motion for Legal Findings on Water Code Requirements	3-16-23	Not admitted
58	Minute Order 2/14/12	3-16-23	Not admitted

The court admits Zamrzlas Exhibit 16 over counsel's objections, but will disregard the legal conclusions stated in the declaration.

3:37 pm: Mr. Shepard RESTS.

The court will take notice of all the records in this proceeding going back to 2005.

3:38 pm: Mr. Parton RESTS on behalf of the Watermaster.

The court directs questions to counsel.

3:44 pm: Mr. Parton reads aloud the definition of "small pumper class member."

3:48 pm: The court asks for closing briefs.

The court sets a briefing schedule:

--Mr. Shepard's brief due 4/14/23 by noon

--Opposition briefs are due 5/12/23 by noon. There will be separate oppositions from Settling Parties and the Watermaster.

--Reply briefs due 5/26/23 by noon. **Matter will then be deemed submitted.**

Counsels to keep each brief, including each reply at 20 pages or less.

If parties run into problems with timing or page limits, the parties are to meet and confer.

3:56 pm: Matter adjourns.