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2 **BRADLEY J. HERREMA (State Bar No. 228976)**  
3 **BROWNSTEIN HYATT FARBER SCHRECK, LLP**  
4 **21 East Carrillo Street**  
5 **Santa Barbara, California 93101**  
6 **Telephone No: (805) 963-7000**  
7 **Facsimile No: (805) 965-4333**

8 **Attorneys for:** Gene T. Bahlman, William R. Barnes & Eldora M. Barnes Family Trust of 1989,  
9 Thomas M. and Julie Bookman, B.J. Calandri, John Calandri, John Calandri as Trustee of the John  
10 and B.J. Calandri 2001 Trust, Calmat Land Company, Sal and Connie L. Cardile, Consolidated Rock  
11 Products, Del Sur Ranch LLC, Forrest G. Godde, Forrest G. Godde as Trustee of the Forrest G.  
12 Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, Dennis L. & Marjorie E.  
13 Groven Trust, Healy Enterprises, Inc., Hines Family Trust, Habod Javadi, Juniper Hills Water  
14 Group, Eugene V., Beverly A., & Paul S. Kindig, Paul S. & Sharon R. Kindig, Kootenai Properties,  
15 Inc., Gailen Kyle, Gailen Kyle as Trustee of the Kyle Trust, James W. Kyle, James W. Kyle as  
16 Trustee of the Kyle Family Trust, Julia Kyle, Wanda E. Kyle, Malloy Family Partners, Maritorea  
17 Living Trust, Jose Richard H. Miner, Barry S. Munz, Terry A. Munz and Kathleen M. Munz,  
18 Eugene B. Nebeker, R and M Ranch, Inc., John and Adrienne Reca, Edgar C. Ritter, Paula E. Ritter,  
19 Paula E. Ritter as Trustee of the Ritter Family Trust, Sahara Nursery, Marygrace H. Santoro as  
20 Trustee for the Marygrace H. Santoro Rev Trust, Marygrace H. Santoro, Mabel Selak, Jeffrey L. &  
21 Nancee J. Siebert, Leo L. Simi, Helen Stathatos, Savas Stathatos, Savas Stathatos as Trustee for the  
22 Stathatos Family Trust, Tierra Bonita Ranch Company, Beverly Tobias, White Fence Farms Mutual  
23 Water Co. No. 3, **collectively known as the Antelope Valley Ground Water Agreement**  
24 **Association (“AGWA”)**

15  
16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
17 **FOR THE COUNTY OF LOS ANGELES**

18 **ANTELOPE VALLEY**  
19 **GROUNDWATER CASES**

20 Included Actions:

21 Los Angeles County Waterworks District No. )  
22 40 v. Diamond Farming Co. Superior Court of )  
23 California County of Los Angeles, Case No. BC )  
24 325 201 Los Angeles County Waterworks )  
25 District No. 40 v. Diamond Farming Co. )  
26 Superior Court of California, County of Kern, )  
27 Case No. S-1500-CV-254-348Wm. Bolthouse )  
28 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 No. RIC 353 840, )  
RIC 344 436, RIC 344 668 )

) Judicial Council Coordination Proceeding  
) No. 4408  
)

) **Santa Clara Case No. 1-05-CV-049053**  
) Assigned to The Honorable Jack Komar

) **AMENDED NOTICE OF DEPOSITION OF**  
) **EXPERT WITNESS MARK**  
) **WILDERMUTH AND REQUEST FOR**  
) **PRODUCTION OF DOCUMENTS**

) **Date: October 19-20, 2010**  
) **Time: 10:00 am**  
) **Location: 301 North Lake Avenue,**  
) **10th Floor Pasadena,**  
) **California 91101-4108**

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**TO ALL PARTIES AND ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that on October 19 and 20, beginning each day at 10:00 am, at the offices of Lagerlof, Senecal, Gosney & Kruse, LLP, 301 North Lake Avenue, 10th Floor, Pasadena, California 91101-4108, the Antelope Valley Groundwater Agreement Association (“AGWA”) will take the deposition of Mark Wildermuth.

The deponent must bring to the deposition the expert’s entire file, including time and billing records, and the documents described in the attached Request for Production, which is incorporated herein by reference.

The deposition will be recorded by stenographic method before a certified reporter. The deposition will continue day to day until completed, excluding weekends and holidays.

**PLEASE TAKE FURTHER NOTICE** that the deponent is required to produce at the deposition the documents described in the attached Request.

**REQUEST FOR PRODUCTION OF DOCUMENTS**

**PLEASE TAKE FURTHER NOTICE** that the deponents set forth herein are requested to produce at the time of the deposition the following:

1. Deponent’s entire file concerning the above-captioned lawsuit.
2. Any and all writings prepared by or on behalf of deponent or anyone working at the direction of said deponent which in any way pertains to the review, analysis, opinions, conclusions, or beliefs of said deponent with regard to the subject matter of this litigation.
3. Any and all writings received and/or reviewed by said deponent pertaining to the subject matter of this litigation.
4. Any and all handwritten notes, field notes, calculations or other writings prepared by or on behalf of said deponent or by someone at the direction of said deponent pertaining to the subject matter of this litigation.

1           5.       Any and all photographs, videotapes, micrographs, or other such recording received,  
2 analyzed, prepared by, considered, relied upon by said deponent which pertains to the subject matter  
3 of this litigation.

4           6.       Any and all books, articles, treatises, reports, or other writings which in any way form  
5 the basis for any opinion, conclusion or analysis of said deponent relating to the subject matter of  
6 this litigation.

7           7.       Any and all writings pertaining to the billing and amount of time spent by said  
8 deponent or others under the direction of said deponent in working on any matter pertaining to the  
9 subject of this litigation. This includes but is not limited to any and all timesheets or billing  
10 statements.

11          8.       Any and all reports, conclusions, opinions, and drafts of the same prepared by  
12 deponent in connection with the above-captioned lawsuit.

13          9.       Any “engagement letter” or similar instructions received by deponent in connection  
14 with the above-captioned matter.

15          10.      Your current Curricula Vitae.

16          11.      All documents, depositions, scientific, technical or professional texts, journals, or any  
17 other “writings” (as defined by California Evidence Code, section 250) including any documents  
18 prepared by any present or former party to this action which the deponent read, referred to,  
19 considered or relied upon in preparing to testify in deposition or at trial, of this action.

20          12.      All documents, depositions, scientific, technical or professional texts, journals, or any  
21 other action in which you provided testimony, either by deposition or in trial, as a percipient and/or  
22 expert witness, which you have read, referred to, considered or relied upon in preparing to testify or  
23 in testifying, in deposition or at trial, in this action.

24          13.      All documents, correspondence, depositions, deposition summaries, memoranda, or  
25 any other “writing” (as defined by California Evidence Code, section 250), prepared by you or sent  
26 and/or received from counsel who retained you concerning the subject matter of the issues in this  
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1 case, or concerning any of the matters referred to in any of the aforementioned categories of this list  
2 of documents to be produced at deposition.

3 14. A list of all cases by name, venue, and date in which you have testified at deposition  
4 and at trial.

5 15. All deposition, trial, arbitration and/or hearing transcripts in YOUR possession,  
6 custody or control, wherein, YOU have previously testified as an expert witness in any legal  
7 proceeding or deposition.

8 16. All expert witness reports generated by the deponents pursuant to Federal Rule of  
9 Civil Procedure 26(2)(2)(B) over the last 10 years.

10 17. An electronic copy, in the format used in the calculations performed for the July 2010  
11 Summary Expert Report, Phase 3 – Basin Yield and Overdraft, for which deponent is listed as a  
12 preparer (“SUMMARY EXPERT REPORT”), of the model code script, in Visual Basic.Net, that  
13 automates the calculation of thickness-weighted average specific yield over the water level change  
14 interval.

15 18. Any instructions relating to the operation of the model used in the calculation of  
16 changes in storage, referenced in the SUMMARY EXPERT REPORT.

17 19. A list of the specific input files used in the calculation of changes in storage  
18 referenced in the SUMMARY EXPERT REPORT.

19 20. Any well completion reports YOU reviewed in the calculation of changes in storage  
20 referenced in the SUMMARY EXPERT REPORT.

21 21. Any Microsoft Access Database files containing input data for the model used in the  
22 calculation of changes in storage, referenced in the SUMMARY EXPERT REPORT.

23 22. Any ArcGIS shapefiles and grids used in the modeling of changes in storage,  
24 referenced in the SUMMARY EXPERT REPORT.

25 23. All other files, documentation, computer-based applications, programming,  
26 descriptions, instructions, and related documents pertaining in any manner to the calculation of  
27 changes in storage referenced in the SUMMARY EXPERT REPORT, including any input and  
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1 output files, whether in electronic, written, printed, or any other form.

2 24. All model code, prepared as functions in a spreadsheet, instructions, in a database,  
3 written in Visual Basic.Net, or a similar format, including the application of all appropriate  
4 equations relating to the input data used in the modeling of aquitard drainage referenced in the  
5 SUMMARY EXPERT REPORT.

6 25. All programmed applications, such as spreadsheets, databases, etc., that were used in  
7 performing the calculations, either as input to the written code(s) or as manipulations of the output  
8 from the code(s), of aquitard drainage referenced in the SUMMARY EXPERT REPORT, so as to  
9 allow complete duplication of the of the analysis as presented in the SUMMARY EXPERT  
10 REPORT.

11 26. Any instructions relating to the operation of the model used in the calculation of  
12 aquitard drainage, referenced in the SUMMARY EXPERT REPORT.


13 27. Any Microsoft Access Database files containing input data for the model used in the  
14 calculation of aquitard drainage, referenced in the SUMMARY EXPERT REPORT

15 28. All files, documentation, computer-based applications, programming, descriptions,  
16 instructions, and related documents pertaining in any manner to the calculation of aquitard drainage  
17 referenced in the SUMMARY EXPERT REPORT, including any input and output files, whether in  
18 electronic, written, printed, or any other form.

19 29. All files, documentation, computer-based applications, programming, descriptions,  
20 instructions, and related documents pertaining in any manner to the HYDRUS2 model referenced in  
21 the SUMMARY EXPERT REPORT, including any input and output files, whether in electronic,  
22 written, printed, or any other form.

23 Dated: September 29, 2010

BROWNSTEIN HYATT FARBER SCHRECK, LLP

24  
25 By:   
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26 MICHAEL T. FIFE  
27 BRADLEY J. HERREMA  
28 ATTORNEYS FOR AGWA

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**PROOF OF SERVICE**

**STATE OF CALIFORNIA,  
COUNTY OF SANTA BARBARA**

I am employed in the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action; my business address is: 21 E. Carrillo Street, Santa Barbara, California 93101.

On September 29, 2010, I served the foregoing document described as:

**AMENDED NOTICE OF DEPOSITION OF EXPERT WITNESS MARK WILDERMUTH  
AND REQUEST FOR PRODUCTION OF DOCUMENTS**

on the interested parties in this action.

By posting it on the website at 4:30 p.m. on September 29, 2010.  
This posting was reported as complete and without error.

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

Executed in Santa Barbara, California, on September 29, 2010.



MARIA KLACHKO-BLAIR  
**TYPE OR PRINT NAME**

SIGNATURE