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6 DISTRICT NO. 40

**EXEMPT FROM FILING FEES
UNDER GOVERNMENT CODE
SECTION 6103**

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COUNTY WATERWORKS DISTRICT NO. 40

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

17 **ANTELOPE VALLEY**
GROUNDWATER CASES
18 Included Actions:
19 Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co., Superior
20 Court of California, County of Los
Angeles, Case No. BC 325201;
21 Los Angeles County Waterworks District
22 No. 40 v. Diamond Farming Co., Superior
Court of California, County of Kern, Case
23 No. S-1500-CV-254-348;
24 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v. City of
25 Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
26 California, County of Riverside, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668
27

Judicial Council Coordination No. 4408

CLASS ACTION

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

**STIPULATION IN LIEU OF DEPOSITION
TESTIMONY FOR PHASE 4 TRIAL**

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STIPULATION

Los Angeles Waterworks District No. 40, City of Palmdale, City of Lancaster, Littlerock Creek Irrigation District, Palm Ranch Irrigation District, Palmdale Water District, Quartz Hill Water District, Rosamond Community Services District, and California Water Service Company (collectively, the “Public Water Suppliers”), and _____ hereby enter into the following stipulation with Healy Enterprises, Inc.

Whereas, for purposes of the Phase 4 trial the above parties wish to enter into the following stipulation in lieu of taking depositions;

Whereas, Jane Healy has signed the attached Declaration of Healy Enterprises, Inc. under penalty of perjury;

NOW, THEREFORE, in consideration and on the basis of the foregoing recitals, the Public Water Suppliers and Healy Enterprises, Inc., enter into the following stipulation:

1. Based on the attached Declaration of Jane Healy, the Public Water Suppliers will forego taking the deposition of Jane Healy during discovery for the Phase 4 trial set for February 11, 2013;
2. The attached Declaration may be used in the same manner at trial as a deposition transcript executed under penalty of perjury by Jane Healy.
3. The Public Water Suppliers reserve the right to depose Jane Healy during discovery for subsequent trial phases or in the event the Court continues the Phase 4 trial to a date other than February 11, 2013; and
4. The Public Water Suppliers reserve their right to challenge the testimony of Jane Healy at trial.

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Dated: January __, 2013

BEST BEST & KRIEGER LLP

By _____
ERIC L. GARNER
JEFFREY V. DUNN
STEFANIE D. HEDLUND
Attorneys for Cross-Complainant
LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 40

Dated: January __, 2013

By _____
JAMES L. MARKMAN
STEVEN ORR
Attorneys for Cross-Defendant
CITY OF PALMDALE

Dated: January __, 2013

By _____
DOUGLAS J. EVERTZ
Attorneys for Cross-Defendant
CITY OF LANCASTER AND
ROSAMOND COMMUNITY SERVICES
DISTRICT

Dated: January __, 2013

By _____
WAYNE LEMIEUX
Attorneys for Cross-Defendant
LITTLE ROCK CREEK IRRIGATION
DISTRICT AND PALM RANCH
IRRIGATION DISTRICT

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Dated: January __, 2013

By _____
THOMAS BUNN III
Attorneys for Cross-Defendant
PALMDALE WATER DISTRICT

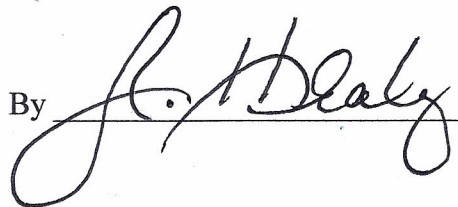
Dated: January __, 2013

By _____
BRADLEY T. WEEKS
Attorneys for Cross-Defendant
QUARTZ HILL WATER DISTRICT

Dated: January __, 2013

By _____
JOHN TOOTLE
Attorneys for Cross-Defendant
CALIFORNIA WATER SERVICE
COMPANY

Dated: January 24, 2013

By  _____