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8 Attorneys for Defendants/Cross-Complainants

9 LITTLE ROCK CREEK IRRIGATION DISTRICT, PALM RANCH IRRIGATION DISTRICT
10 And Cross-Defendants, NORTH EDWARDS WATER DISTRICT and DESERT LAKES COMMUNITY
11 SERVICES DISTRICT

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

13 **IN AND FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

14 Coordinated Proceeding
15 Special Title (Rule 1550(b))

) **Judicial Council Coordination No. 4408**

16 ANTELOPE VALLEY GROUNDWATER
17 CASES

) Santa Clara Case No. 1-05-CV-049053
) Assigned to the Honorable Jack Komar – Dept. 17

18 Included Actions:

) **DECLARATION OF W. KEITH LEMIEUX IN**
) **SUPPORT OF MOTION FOR A**
) **PROTECTIVE ORDER OR, IN THE**
) **ALTERNATIVE, MODIFICATION OF THE**
) **EXISTING CASE MANAGEMENT ORDER**

19 Los Angeles County Waterworks District No. 40
20 v. Diamond Farming Co. Los Angeles County
21 Superior Court Case No. BC 325201;

22 Los Angeles County Waterworks District No. 40
23 v. Diamond Farming Co., Kern County Superior
24 Court, Case No. S-1500-CV-234348;

) **DATE: October 12, 2007**

25 Wm. Bolthouse Farms, Inc. v. City of Lancaster
26 Diamond Farming Co. v. City of Lancaster v.
27 Palmdale Water District, Riverside County
28 Superior Court, Consolidated Actions, Case Nos.
RIC 353840, RIC 344436, RIC 344668

) **TIME: 9:00 a.m.**

) **DEPT: 1**

AND RELATED CROSS-ACTIONS

1 I, W. Keith Lemieux, Declare As Follows:

2 1. I am an attorney licensed to practice before the courts of the State of California and a
3 partner in the firm of Lemieux & O'Neill, attorneys of record for Defendants LITTLE ROCK CREEK
4 IRRIGATION DISTRICT, PALM RANCH IRRIGATION DISTRICT and Cross-Defendants, NORTH
5 EDWARDS WATER DISTRICT and DESERT LAKES COMMUNITY SERVICES DISTRICT in the
6 above-entitled action. I have personal knowledge of the following facts, and if called as a witness, I could
7 and would competently testify to the following.

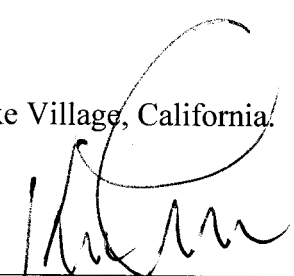
8 2. On May 25, 2007, Defendant Diamond Farming served discovery identified as (1)
9 Diamond Farming's First Set of Form Interrogatories; (2) Diamond Farming's First Set of Special
10 Interrogatories; (3) Diamond Farming's First Set of Requests for Admissions; and (4) Diamond Farming's
11 First Set of Request for Production of Documents. This discovery asked the Water Purveyors to produce
12 all evidence they had to support any constructive notice claim they might make against any party in the
13 Antelope Valley. Considering the number of potential parties in this case, and the fact that these requests
14 involved more than 40 years of history, these requests contemplated the identification of production of
15 potentially thousands of pages of documents.

16 3. In August, 2007, and again in September, 2007, counsel for Diamond Farming met and
17 conferred with counsel for Water Purveyors.

18 4. On August 13, 2007, Plaintiff Bolthouse Farms propounded substantially identical
19 discovery requests on the Districts. It now appears likely that other parties may be seeking to propound
20 substantially similar discovery even if an agreement is reached with the current parties.

21 I declare under penalty of perjury under the laws of the State of California that the foregoing is
22 true and correct.

23 Executed this 13th day of September, 2007, in Westlake Village, California.

24
25
26 
27 W. Keith Lemieux, Declarant

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA,)
3) ss.
4 COUNTY OF VENTURA)

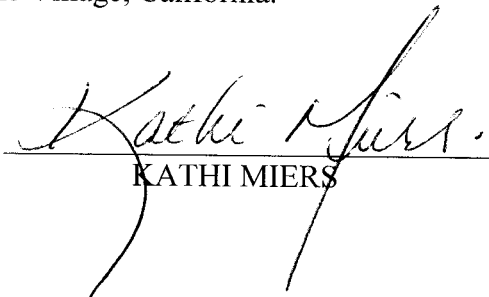
5 I am employed in the County of Ventura, State of California. I am over the age of 18 and not a
6 party to the within action. My business address is 2393 Townsgate Road, Suite 201, Westlake Village,
7 California 91361.

8 On **September 13, 2007**, I posted the following document(s) to the website
9 <http://www.scefiling.org>, a dedicated link to the Antelope Valley Groundwater Cases:

10 **NOTICE OF MOTION AND MOTION FOR PROTECTIVE ORDER AND**
11 **MODIFICATION OF THE EXISTING CASE MANAGEMENT ORDER**

12 I declare under penalty of perjury under the laws of the United State of America that the above is
13 true and correct.

14 Executed on September 13, 2007, in Westlake Village, California.

15 
16 KATHI MIERS

SERVICE LIST

Antelope Valley Groundwater Cases: Case No. 1: 05-CV-049053

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11		Ranch, Inc., and John Calandri on behalf of
12		Calandri/ Sonrise Farms, collectively known as
13		the Antelope Valley Groundwater Association
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28	LC-PR\Pldg\POS.Website.doc	

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7	Robert S. McDonnell, Esq.	
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11	111 N. Hill Street	Coordination Trial Judge
12	Los Angeles, CA 90012-3014	
13	Honorable Jack Komar	By Mail
14	Santa Clara County Superior Court	Tel: 508/882-2286
	191 North First Street, Dept. 17C	Fax: 408/882-2293
	San Jose, CA 95113	rwalker@scscourt.org
15	Superior Court of California	Original Document(s) to be filed at this location.
16	County of Los Angeles	
17	Stanley Mosk Courthouse—Dept. 1, Rm 534	
18	111 North Hill Street	
	Los Angeles, CA 90012	
19	*Chair, Judicial Council of California	CRC Rule 1511: *Serve only when required to be
20	Administrative Office of the Courts	transmitted to Judicial Council.
21	Attn: Appellate & Trial Court Judicial Services (Civil Case Coordination)	
	455 Golden Gate Avenue	
	San Francisco, CA 94102-3688	

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