

1 NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP
2 FRED A. FUDACZ (SBN 050546)
3 HENRY S. WEINSTOCK (SBN 089765)
4 445 S. Figueroa Street, 31st Floor
5 Los Angeles, California 90071-1602
6 Telephone: (213) 612-7800
7 Facsimile: (213) 612-7801

8 Attorneys for Defendant and Cross-Complainant Tejon Ranchcorp

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF LOS ANGELES

11 **ANTELOPE VALLEY**) Judicial Council Coordination Proceeding No.
12 **GROUNDWATER CASES:**) 4408
13 Los Angeles County Waterworks District No. 40)
14 v. Diamond Farming Co.) Santa Clara Case No. 1-05-CV-049053
15 Superior Court of California) Assigned to The Honorable Jack Komar
16 County of Los Angeles, Case No. BC 325 201)
17) **TEJON RANCHCORP'S EXPERT WITNESS**
18) **DISCLOSURE FOR PHASE 1 TRIAL**
19 Los Angeles County Waterworks District No. 40)
20 v. Diamond Farming Co.)
21 Superior Court of California, County of Kern,) Date: October 10, 2006
22 Case No. S-1500-CV-254-348) Time: 10:00 a.m.
23) Department: 1
24 Wm. Bolthouse Farms, Inc. v. City of Lancaster)
25 Diamond Farming Co. v. City of Lancaster)
26 Diamond Farming Co. v. Palmdale Water Dist.)
27 Superior Court of California, County of Riverside,)
28 consolidated actions, Case Nos.)
RIC 353 840, RIC 344 436, RIC 344 668)

29 The Court's Order Re the United States' Motion for Judgment on the Pleadings dated
30 September 22, 2006 states, *inter alia*, that the Court requires evidence regarding:

31 "(1) The hydrology of the basin, including regarding surface water and
32 groundwater, (2) the hydrology of the area outside the basin but within the
33 watershed, and (3) the extent of the interrelationship between the two."
34 (Order, page 12.)

35 In compliance with this Order, defendant and cross-complainant Tejon Ranchcorp hereby
36 designates Dr. John List as an expert witness who may testify at the trial commencing October 1, 2006.

37 Dr. List is a Professor Emeritus of Environmental Engineering Science at the California Institute of
38 Technology, the President of Flow Science Incorporated, and Principal Consultant of Environmental

1 Defense Sciences. Dr. List's resume is filed herewith as Exhibit A.

2 In accordance with the Court's September 22, 2006 Order, Dr. List will be prepared to
3 testify regarding the hydrology and geology of the Antelope Valley Groundwater Basin, the hydrology
4 and geology of the watershed area surrounding the Antelope Valley Groundwater Basin, and the
5 relationships between the surface water in the watershed and groundwater in the groundwater basin. In
6 particular, Dr. List will be prepared to testify regarding the western sub-basins of the Antelope Valley
7 Groundwater Basin as well as the western part of the watershed of the Antelope Valley Groundwater
8 Basin including the Tehachapi Mountains. In addition, Dr. List may be called upon to testify in rebuttal
9 to the expert testimony of other witnesses. If Dr. List testifies, Tejon Ranchcorp estimates that his direct
10 testimony would last approximately 1-3 hours.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: September 29, 2006

NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP
FREDRIC A. FUDACZ
HENRY S. WEINSTOCK

By: _____
HENRY S. WEINSTOCK
Attorneys for Tejon Ranchcorp

1
2 **PROOF OF SERVICE**
3

4 The undersigned declares:

5 I am employed in the County of , State of California. I am over the age of 18 and am not a party
6 to the within action; my business address is c/o Nossaman, Guthner, Knox & Elliott, LLP, 445 S.
7 Figueroa Street, 31st Floor Los Angeles, California 90071-1602.

8 **On September 29, 2006, I served the foregoing TEJON RANCHCORP'S EXPERT
9 WITNESS DISCLOSURE FOR PHASE 1 TRIAL on all interested parties:**

10 (X) (By U.S. Mail) On the same date, at my said place of business, said correspondence was sealed
11 and placed for collection and mailing following the usual business practice of my said employer.
12 I am readily familiar with my said employer's business practice for collection and processing of
13 correspondence for mailing with the United States Postal Service, and, pursuant to that practice,
14 the correspondence would be deposited with the United States Postal Service, with postage
15 thereon fully prepaid, on the same date at Los Angeles, California, addressed to:

16
17 Honorable Jack Komar
18 Judge of the Superior Court of California
19 County of Santa Clara
20 191 North First Street, Department 17C
21 San Jose, CA 95113

22 (X) (By E-Filing) I posted the document(s) listed above to the Santa Clara County Superior Court
23 website in regard to the Antelope Valley Groundwater matter in compliance with the Court's
24 electronic posting instructions and the Court's Clarification Order dated October 27, 2005.

25 () (By Federal Express) I served a true and correct copy by Federal Express or other overnight
26 delivery service, for delivery on the next business day. Each copy was enclosed in an envelope
27 or package designated by the express service carrier; deposited in a facility regularly maintained
28 by the express service carrier or delivered to a courier or driver authorized to receive documents
on its behalf; with delivery fees paid or provided for; addressed as shown on the accompanying
service list.

Executed on **September 29, 2006** at Los Angeles, California.

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

() (FEDERAL) I declare under penalty of perjury under the laws of the United States of America
that the foregoing is true and correct.

Mitchi Shibata