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Exempt from filing fee
Government Code § 6103

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES
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11 ANTELOPE VALLEY GROUNDWATER
12 CASES

13 Included Actions:

14 Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
Superior Court of California, County of
15 Los Angeles, Case No. BC325201;

16 Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
17 Superior Court of California, County of Kern,
Case No. S-1500-CV-254-348

18 Wm. Bolthouse Farms, Inc. v. City of
19 Lancaster, Diamond Farming Co. v. City of
Lancaster, Diamond Farming Co. v. Palmdale
20 Water Dist., Superior Court of California
County of Riverside, consolidated actions; Case
21 Nos. RIC 353 840, RIC 344 436, RIC 344 668.

LASC, Case No. BC 325201

Judicial Council Coordination
Proceeding No. 4408

CLASS ACTION

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

**OBJECTION OF CITY OF LANCASTER
TO PROPOSED WOOD CLASS ORDER
RE MOTION FOR ALLOCATION OF
EXPERT WITNESS FEES**

1 On March 25, 2005, the Wood Class filed a "Proposed Order Re Motion for Allocation of
2 Expert Witness Fees." The Proposed Order provides that the twelve (12) named "Public Water
3 Suppliers" equally share in the costs of Entrix in the amount of \$4,784.68. The City of
4 Lancaster ("Lancaster") objects to the Proposed Order for the following reasons:

5 1. The Wood Class filed its First Amended Class Action Complaint on June 20, 2008.
6 The First Amended Class Action Complaint alleges that: "This action is necessary in that
7 Defendants assert a common law prescriptive right to the ground water in the Basin, which they
8 claim is superior to that of Plaintiff and the Class." (First Amended Class Action Complaint, p. 2,
9 Ins. 9-10.)


10 2. On September 18, 2008, Lancaster, as to itself only, filed a Dismissal as to the
11 First Cause of Action for prescription of the First Amended Cross-Complaint of the Public Water
12 Suppliers. Lancaster claims no water rights through prescription, but as only as an overlyer and
13 pursuant to its recycled water program. There are no pending claims of prescription being alleged
14 or asserted by Lancaster against any party in this proceeding.

15 3. In Richard Wood's most recent "Corrected Case Management Statement," filed
16 March 19, 2010, counsel for the Wood Class reiterated: "it is perfectly clear that the Small
17 Pumper Class lawsuit is targeted at defeating the claims of prescription asserted by [sic] small group
18 of Water Suppliers." (Richard Wood Corrected Case Management Statement, p. 4, Ins. 20-21.)
19 The City of Lancaster is not one of the "small group of Water Suppliers."

20 The stated purpose of the Wood Class First Amended Class Action Complaint is to
21 protect the water rights of the class members against claims of prescription. Lancaster claims
22 no prescriptive rights, and has expressly dismissed all claims for prescription. Lancaster
23 therefore objects to any Order providing that Lancaster must contribute to costs incurred by the Wood
24 Class.

25 DATED: March 26, 2010

LUCE, FORWARD, HAMILTON & SCRIPPS LLP

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27 By: 
28 Douglas J. Evertz, Attorneys for
CITY OF LANCASTER

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PROOF OF SERVICE

ANTELOPE VALLEY GROUNDWATER CASES
Judicial Council Coordination, Proceeding No. 4408

Santa Clara Case No. 1-05-CV 049053
Assigned to the Honorable Jack Komar
Los Angeles County Superior Court, Central, Dept. 1

I am a resident of the State of California, over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 2050 Main Street, Suite 600, Irvine, California 92614. On March 26, 2010, I served the within document(s):

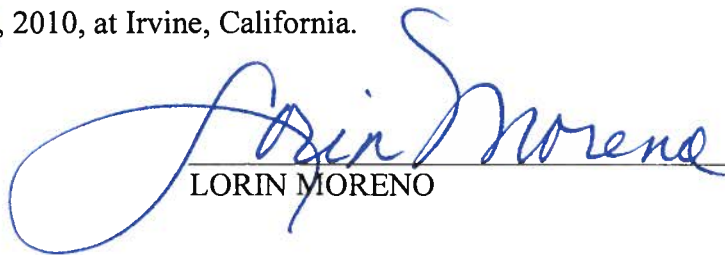
**OBJECTION OF CITY OF LANCASTER TO PROPOSED ORDER RE
MOTION FOR ALLOCATION OF EXPERT WITNESS FEES**

- by posting the document(s) listed above to the website <http://www.scefiling.org>, a dedicated link to the Antelope Valley Groundwater Cases; Santa Clara Case No. 1-05-CV 049053, Assigned to the Honorable Jack Komar, said document(s) is electronically served/distributed therewith.
- By transmitting via e-mail the document(s) listed above to the e-mail address(es) and/or fax number(s) set forth below on this date.
- by placing the document(s) listed above in a sealed Overnight Express envelope/package for overnight delivery at Irvine, California addressed as set forth below.
- by causing personal delivery by Nationwide Legal of the document(s) listed above, to the person(s) at the address(es) set forth below.

I am readily familiar with Luce, Forward, Hamilton & Scripps LLP's practice for collecting and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

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

Executed on March 26, 2010, at Irvine, California.



LORIN MORENO