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SUNPOWER CORPORATION

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**
10

11 ANTELOPE VALLEY
12 GROUNDWATER CASES

13 INCLUDED ACTIONS:

14 LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 40 v.
DIAMOND FARMING COMPANY, et
15 al., Los Angeles Superior Court Case No.
BC325201;

16 LOS ANGELES COUNTY
17 WATERWORKS DISTRICT NO. 40 v.
DIAMOND FARMING COMPANY, et
18 al., Kern County Superior Court Case
No. S-1500-CV-254-348;

19 DIAMOND FARMING COMPANY,
20 and W.M. BOLTHOUSE FARMS, INC.,
v. CITY OF LANCASTER, et al.,
21 Riverside Superior Court Case No. RIC
22 344436 [c/w case no. RIC 344668 and
355840]

Judicial Council Coordination No. 4408
Case No. 1-05-CV-049053
Assigned to The Honorable Jack Komar

**SUNPOWER CORPORATION'S CASE
MANAGEMENT CONFERENCE
STATEMENT; DECLARATION OF REBECCA
J. DUNAWAY**


DATE: May 15, 2015
TIME: 1:30 p.m.

1 Sunpower Corporation (Sunpower) and Cross-Defendant SGS Antelope Valley
2 Development, LLC (SGS Antelope) closed the sale and purchase of the property and any water
3 rights belonging to SGS Antelope at issue in this litigation on March 30, 2015. (See attached
4 Declaration of Rebecca J. Dunaway (Dunaway Decl.), ¶ 2.) The sale and purchase included all
5 the land and water rights that form the basis of SGS Antelope's water rights claim, as identified
6 in SGS Antelope's *Response to December 12, 2012 Discovery Order for Phase 4 Trial*, served
7 on all parties December 21, 2012, and *SGS Antelope Valley Development LLC's Application for*
8 *Approval of Stipulation Concerning Land Ownership and Prior Groundwater Production*, served
9 on all parties on May 1, 2013. (Dunaway Decl., ¶ 3.)

10 Sunpower joins with and does not object to the Proposed Stipulated Judgment and
11 Physical Solution currently pending before the Court. Sunpower will request an order from the
12 Court at the May 15, 2015 case management conference substituting Sunpower in for SGS
13 Antelope as a party to this action.

14
15 DATED: May 12, 2015

EDWARD J. CASEY
ANDREW BRADY
ALSTON & BIRD LLP

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18 
19 _____
Andrew Brady
Attorneys for Cross-Defendant
SUNPOWER CORPORATION

DECLARATION OF REBECCA J. DUNAWAY

I, REBECCA J. DUNAWAY, declare and state as follows:

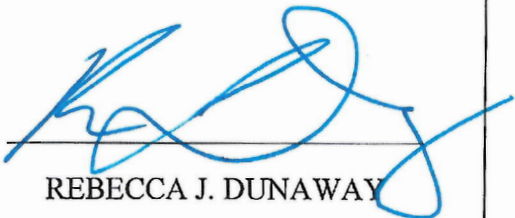
1. I am an attorney duly licensed to practice law before all courts of the State of California and am in-house counsel for SGS Antelope Valley Development, LLC (“SGS Antelope”). I have personal knowledge of the facts stated herein and could testify competently thereto.

2. Sunpower Corporation (Sunpower) and Cross-Defendant SGS Antelope closed the sale and purchase of the property and any water rights belonging to SGS Antelope at issue in this litigation on March 30, 2015.

3. The sale and purchase included all the land and water rights that form the basis of SGS Antelope’s water rights claim, as identified in SGS Antelope’s *Response to December 12, 2012 Discovery Order for Phase 4 Trial*, served on all parties December 21, 2012, and *SGS Antelope Valley Development LLC’s Application for Approval of Stipulation Concerning Land Ownership and Prior Groundwater Production*, served on all parties on May 1, 2013.

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

Executed on May 11, 2015, at San Diego, California.


REBECCA J. DUNAWAY

1 **PROOF OF SERVICE**

2 I, Yolanda S. Ramos, declare:

3 I am employed in the County of Los Angeles, State of California. I am over the age of 18
4 and not a party to the within action. My business address is Alston & Bird LLP, 333 South Hope
Street, Sixteenth Floor, Los Angeles, CA 90071.

5 On May 12, 2015, I served the document(s) described as **SUNPOWER CORPORATION'S**
6 **CASE MANAGEMENT CONFERENCE STATEMENT; DECLARATION OF REBECCA J.**
7 **DUNAWAY** on the interested parties in this action by enclosing the document(s) in a sealed
envelope addressed as follows:

8 BY MAIL: I am "readily familiar" with this firm's practice for the collection and the
9 processing of correspondence for mailing with the United States Postal Service. In the
10 ordinary course of business, the correspondence would be deposited with the United States
11 Postal Service at 333 South Hope Street, Los Angeles, California 90071 with postage thereon
fully prepaid the same day on which the correspondence was placed for collection and
mailing at the firm. Following ordinary business practices, I placed for collection and mailing
with the United States Postal Service such envelope at Alston & Bird LLP, 333 South Hope
Street, Los Angeles, California 90071.

12 BY ELECTRONIC MAIL: By posting the document listed above to the Santa Clara Superior
13 Court website: www.scefilings.org regarding the ANTELOPE VALLEY GROUNDWATER
matter.

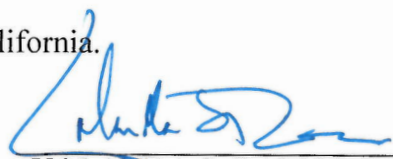
14 BY FEDERAL EXPRESS UPS NEXT DAY AIR OVERNIGHT DELIVERY: I
15 deposited such envelope in a facility regularly maintained by FEDERAL EXPRESS
16 UPS Overnight Delivery [specify name of service:] with delivery fees fully provided for
17 or delivered the envelope to a courier or driver of FEDERAL EXPRESS UPS
OVERNIGHT DELIVERY [specify name of service:] authorized to receive documents at
Alston & Bird LLP, 333 South Hope Street, Los Angeles, California 90071 with delivery fees
fully provided for.

18 BY FACSIMILE: I telecopied a copy of said document(s) to the following addressee(s) at
19 the following number(s) in accordance with the written confirmation of counsel in this action.

20 [State] I declare under penalty of perjury under the laws of the State of California that the
above is true and correct.

21 [Federal] I declare under penalty of perjury that the foregoing is true and correct.

22
23 Executed on May 12, 2015, at Los Angeles, California.

24 
25 YOLANDA S. RAMOS
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