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6 Attorneys for Cross-Complainants/Cross-Defendants, Bolthouse  
7 Properties, LLC and Wm. Bolthouse Farms, Inc.

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF LOS ANGELES - CENTRAL DISTRICT

10 \* \* \*

11 COORDINATION PROCEEDING ) Judicial Council Coordination  
12 SPECIAL TITLE (Rule 1550(b)) ) Proceeding No. 4408

13 ANTELOPE VALLEY GROUNDWATER ) Santa Clara Case No. 01-05-CV-049053  
14 CASES ) Assigned to the Honorable Jack Komar

14 INCLUDED ACTIONS:

15 LOS ANGELES COUNTY WATERWORKS ) BOLTHOUSE PROPERTIES, LLC'S  
16 DISTRICT NO. 40 v. DIAMOND ) RESPONSE TO SPECIAL  
17 FARMING COMPANY, et al., ) INTERROGATORIES PROPOUNDED BY  
Los Angeles Superior Court ) PHELAN PINON HILLS COMMUNITY  
Case No. BC325201 ) SERVICES DISTRICT

18 LOS ANGELES COUNTY WATERWORKS )  
19 DISTRICT NO. 40 v. DIAMOND ) [SET ONE]  
20 FARMING COMPANY, et al., )  
Kern County Superior Court )  
Case No. S-1500-CV-25438 )

21 DIAMOND FARMING COMPANY, and )  
22 W.M. BOLTHOUSE FARMS, INC., v. )  
CITY OF LANCASTER, et al., )  
23 Riverside Superior Court )  
Case No. RIC 344436 [c/w case )  
no. RIC 344668 and 353840] )

24 )  
25 )  
26 )

1 PROPOUNDING PARTY: PHELAN PINON HILLS COMMUNITY SERVICES  
2 DISTRICT

3 RESPONDING PARTY: BOLTHOUSE PROPERTIES, LLC

4 SET NUMBER: ONE

5 COMES NOW cross-complainant/cross-defendant Bolthouse  
6 Properties, LLC, and responds to cross-defendant/cross-  
7 complainant Phelan Pinon Hills Community Services District's  
8 Special Interrogatories, Set One as follows:

9 PRELIMINARY STATEMENT

10 1. Cross-Complainant/Cross-Defendant has not yet fully  
11 completed investigation of the circumstances and facts relating  
12 to, has not yet completed discovery in, and has not completed  
13 preparation for trial of this action. It is anticipated that  
14 further discovery, independent investigation and analysis shall  
15 supply additional documents, evidence, and information. Cross-  
16 Complainant's/Cross-Defendant's responses to cross-  
17 defendant's/cross-complainant's Special Interrogatories, Set One  
18 are based only on such documents, evidence, and information which  
19 are presently available, and are given without prejudice to  
20 cross-complainant's/cross-defendant's right to produce  
21 subsequently discovered documents, evidence, or information at  
22 the time of trial or at the hearing of a Motion. Furthermore,  
23 cross-complainant/cross-defendant reserves the right to produce  
24 documents, evidence, and information of any subsequently  
25 discovered facts, which it may later recall or discover.

26 2. Nothing set forth herein by cross-complainant/cross-

1 defendant is intended, or shall be construed, as a waiver of any  
2 objection it may assert under the Code of Civil Procedure, which  
3 would require the exclusion of any answer at the time of trial or  
4 at the hearing of a Motion. Also, such objections are expressly  
5 reserved and may be made at such later time.

6 3. Subject to the claims of attorney/client privilege, the  
7 attorney work-product doctrine, or other privileges and the  
8 objections set forth herein, cross-defendant responds to cross-  
9 defendant's/cross-complainant's Special Interrogatories, Set One.

10 4. This "Preliminary Statement" is incorporated into each  
11 of the following specific responses of cross-complainant/cross-  
12 defendant to cross-defendant's/cross-complainant's Special  
13 Interrogatories, Set One.

14 **RESPONSES**

15 **SPECIAL INTERROGATORY NO. 1:**

16 Objection. Attorney-client privilege, attorney-expert  
17 privilege, burdensome and oppressive since the Interrogatories  
18 are directed to Bolthouse Properties, LLC given the fact that  
19 Bolthouse Properties, LLC and Wm. Bolthouse Farms, Inc. are  
20 separate entities and Bolthouse Properties, LLC does not itself  
21 farm on the properties. Without waiving the objections,  
22 Bolthouse Properties, LLC responds as follows:

23 As to APN 2032-004-014, APN 3032-004-011 and APN 3022-004-  
24 019, Bolthouse Properties LLC does not now, nor has it ever,  
25 owned these parcels.

26 As to APN 3032-004-019 and APN 3091-024-005, Bolthouse

1 Properties, LLC believes these properties were farmed by  
2 Bolthouse when Wm. Bolthouse Farms, Inc. starting on or about  
3 February 2000.

4 **SPECIAL INTERROGATORY NO. 2:**

5 Objection. Attorney-client privilege, attorney-expert  
6 privilege, burdensome and oppressive since the Interrogatories  
7 are directed to Bolthouse Properties, LLC given the fact that  
8 Bolthouse Properties, LLC and Wm. Bolthouse Farms, Inc. are  
9 separate entities and Bolthouse Properties, LLC does not itself  
10 farm on the properties. Without waiving the objections,  
11 Bolthouse Properties, LLC responds as follows:

12 None.

13 **SPECIAL INTERROGATORY NO. 3:**

14 Objection. Attorney-client privilege, attorney-expert  
15 privilege, burdensome and oppressive since the Interrogatories  
16 are directed to Bolthouse Properties, LLC given the fact that  
17 Bolthouse Properties, LLC and Wm. Bolthouse Farms, Inc. are  
18 separate entities and Bolthouse Properties, LLC does not itself  
19 farm on the properties. Without waiving the objections,  
20 Bolthouse Properties, LLC responds as follows:

21 No.

22 **SPECIAL INTERROGATORY NO. 4:**

23 Objection. Attorney-client privilege, attorney-expert  
24 privilege, burdensome and oppressive since the Interrogatories  
25 are directed to Bolthouse Properties, LLC given the fact that  
26 Bolthouse Properties, LLC and Wm. Bolthouse Farms, Inc. are

1 separate entities and Bolthouse Properties, LLC does not itself  
2 farm on the properties. Without waiving the objections,  
3 Bolthouse Properties, LLC responds as follows:

4 Yes - APN 3075-015-004.

5 **SPECIAL INTERROGATORY NO. 5:**

6 1,309.

7 **SPECIAL INTERROGATORY NO. 6:**

8 Own.

9 **SPECIAL INTERROGATORY NO. 7:**

10 Objection. Vague, attorney-client privilege, attorney-  
11 expert privilege, burdensome and oppressive since the  
12 Interrogatories are directed to Bolthouse Properties, LLC given  
13 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
14 Inc. are separate entities and Bolthouse Properties, LLC does not  
15 itself farm on the properties. Without waiving the objections,  
16 Bolthouse Properties, LLC responds as follows:

17 Not applicable since Bolthouse Properties, LLC owns the  
18 land.

19 **SPECIAL INTERROGATORY NO. 8:**

20 Objection. Vague, attorney-client privilege, attorney-  
21 expert privilege, burdensome and oppressive since the  
22 Interrogatories are directed to Bolthouse Properties, LLC given  
23 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
24 Inc. are separate entities and Bolthouse Properties, LLC does not  
25 itself farm on the properties. Bolthouse Properties, LLC does  
26 not own the component parts of the wells. Without waiving the

1 objections, Bolthouse Properties, LLC responds as follows:

2 Unknown.

3 **SPECIAL INTERROGATORY NO. 9:**

4 Objection. Vague, attorney-client privilege, attorney-  
5 expert privilege, burdensome and oppressive since the  
6 Interrogatories are directed to Bolthouse Properties, LLC given  
7 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
8 Inc. are separate entities and Bolthouse Properties, LLC does not  
9 itself farm on the properties. Bolthouse Properties, LLC does  
10 not own the component parts of the wells. Without waiving the  
11 objections, Bolthouse Properties, LLC responds as follows:

12 Unknown.

13 **SPECIAL INTERROGATORY NO. 10:**

14 Objection. Vague, attorney-client privilege, attorney-  
15 expert privilege, burdensome and oppressive since the  
16 Interrogatories are directed to Bolthouse Properties, LLC given  
17 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
18 Inc. are separate entities and Bolthouse Properties, LLC does not  
19 itself farm on the properties. Bolthouse Properties, LLC does  
20 not own the component parts of the wells. Without waiving the  
21 objections, Bolthouse Properties, LLC responds as follows:

22 Unknown.

23 **SPECIAL INTERROGATORY NO. 11:**

24 Objection. Vague, attorney-client privilege, attorney-  
25 expert privilege, burdensome and oppressive since the  
26 Interrogatories are directed to Bolthouse Properties, LLC given

1 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
2 Inc. are separate entities and Bolthouse Properties, LLC does not  
3 itself farm on the properties. Bolthouse Properties, LLC does  
4 not own the component parts of the wells. Without waiving the  
5 objections, Bolthouse Properties, LLC responds as follows:

6 Unknown.

7 **SPECIAL INTERROGATORY NO. 12:**

8 Objection. Vague, attorney-client privilege, attorney-  
9 expert privilege, burdensome and oppressive since the  
10 Interrogatories are directed to Bolthouse Properties, LLC given  
11 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
12 Inc. are separate entities and Bolthouse Properties, LLC does not  
13 itself farm on the properties. Bolthouse Properties, LLC does  
14 not own the component parts of the wells. Without waiving the  
15 objections, Bolthouse Properties, LLC responds as follows:

16 Unknown.

17 **SPECIAL INTERROGATORY NO. 13:**

18 Objection. Vague, attorney-client privilege, attorney-  
19 expert privilege, burdensome and oppressive since the  
20 Interrogatories are directed to Bolthouse Properties, LLC given  
21 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
22 Inc. are separate entities and Bolthouse Properties, LLC does not  
23 itself farm on the properties. Bolthouse Properties, LLC does  
24 not own the component parts of the wells. Without waiving the  
25 objections, Bolthouse Properties, LLC responds as follows:

26 Unknown.

1       **SPECIAL INTERROGATORY NO. 14:**

2           Objection.     Vague, attorney-client privilege, attorney-  
3 expert privilege, burdensome and oppressive since the  
4 Interrogatories are directed to Bolthouse Properties, LLC given  
5 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
6 Inc. are separate entities and Bolthouse Properties, LLC does not  
7 itself farm on the properties. Bolthouse Properties, LLC does  
8 not own the component parts of the wells. Without waiving the  
9 objections, Bolthouse Properties, LLC responds as follows:

10           Unknown.

11       **SPECIAL INTERROGATORY NO. 15:**

12           Objection.     Vague, attorney-client privilege, attorney-  
13 expert privilege, burdensome and oppressive since the  
14 Interrogatories are directed to Bolthouse Properties, LLC given  
15 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
16 Inc. are separate entities and Bolthouse Properties, LLC does not  
17 itself farm on the properties. Bolthouse Properties, LLC does  
18 not own the component parts of the wells. Without waiving the  
19 objections, Bolthouse Properties, LLC responds as follows:

20           Unknown.

21       **SPECIAL INTERROGATORY NO. 16:**

22           Objection.     Vague, attorney-client privilege, attorney-  
23 expert privilege, burdensome and oppressive since the  
24 Interrogatories are directed to Bolthouse Properties, LLC given  
25 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
26 Inc. are separate entities and Bolthouse Properties, LLC does not



1 itself farm on the properties. Bolthouse Properties, LLC does  
2 not own the component parts of the wells. Without waiving the  
3 objections, Bolthouse Properties, LLC responds as follows:

4 Unknown.

5 **SPECIAL INTERROGATORY NO. 17:**

6 Objection. Vague, attorney-client privilege, attorney-  
7 expert privilege, burdensome and oppressive since the  
8 Interrogatories are directed to Bolthouse Properties, LLC given  
9 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
10 Inc. are separate entities and Bolthouse Properties, LLC does not  
11 itself farm on the properties. Bolthouse Properties, LLC does  
12 not own the component parts of the wells. Without waiving the  
13 objections, Bolthouse Properties, LLC responds as follows:

14 Unknown.

15 **SPECIAL INTERROGATORY NO. 18:**

16 Objection. Vague, attorney-client privilege, attorney-  
17 expert privilege, burdensome and oppressive since the  
18 Interrogatories are directed to Bolthouse Properties, LLC given  
19 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
20 Inc. are separate entities and Bolthouse Properties, LLC does not  
21 itself farm on the properties. Bolthouse Properties, LLC does  
22 not own the component parts of the wells. Without waiving the  
23 objections, Bolthouse Properties, LLC responds as follows:

24 Unknown.

25 **SPECIAL INTERROGATORY NO. 19:**

26 Objection. Vague, attorney-client privilege, attorney-

1 expert privilege, burdensome and oppressive since the  
2 Interrogatories are directed to Bolthouse Properties, LLC given  
3 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
4 Inc. are separate entities and Bolthouse Properties, LLC does not  
5 itself farm on the properties. Bolthouse Properties, LLC does  
6 not own the component parts of the wells. Without waiving the  
7 objections, Bolthouse Properties, LLC responds as follows:

8 Unknown.

9 **SPECIAL INTERROGATORY NO. 20:**

10 Objection. Vague, attorney-client privilege, attorney-  
11 expert privilege, burdensome and oppressive since the  
12 Interrogatories are directed to Bolthouse Properties, LLC given  
13 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
14 Inc. are separate entities and Bolthouse Properties, LLC does not  
15 itself farm on the properties. Bolthouse Properties, LLC does  
16 not own the component parts of the wells. Without waiving the  
17 objections, Bolthouse Properties, LLC responds as follows:

18 Unknown.

19 **SPECIAL INTERROGATORY NO. 21:**

20 Objection. Vague, attorney-client privilege, attorney-  
21 expert privilege, burdensome and oppressive since the  
22 Interrogatories are directed to Bolthouse Properties, LLC given  
23 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
24 Inc. are separate entities and Bolthouse Properties, LLC does not  
25 itself farm on the properties. Bolthouse Properties, LLC does  
26 not own the component parts of the wells. Without waiving the

1 objections, Bolthouse Properties, LLC responds as follows:

2 Unknown.

3 **SPECIAL INTERROGATORY NO. 22:**

4 Objection. Vague, attorney-client privilege, attorney-  
5 expert privilege, burdensome and oppressive since the  
6 Interrogatories are directed to Bolthouse Properties, LLC given  
7 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
8 Inc. are separate entities and Bolthouse Properties, LLC does not  
9 itself farm on the properties. Bolthouse Properties, LLC does  
10 not own the component parts of the wells. Without waiving the  
11 objections, Bolthouse Properties, LLC responds as follows:

12 Unknown.

13 **SPECIAL INTERROGATORY NO. 23:**

14 Objection. Vague, attorney-client privilege, attorney-  
15 expert privilege, burdensome and oppressive since the  
16 Interrogatories are directed to Bolthouse Properties, LLC given  
17 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
18 Inc. are separate entities and Bolthouse Properties, LLC does not  
19 itself farm on the properties. Bolthouse Properties, LLC does  
20 not own the component parts of the wells. Without waiving the  
21 objections, Bolthouse Properties, LLC responds as follows:

22 Unknown.

23 **SPECIAL INTERROGATORY NO. 24:**

24 Objection. Vague, attorney-client privilege, attorney-  
25 expert privilege, burdensome and oppressive since the  
26 Interrogatories are directed to Bolthouse Properties, LLC given

1 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
2 Inc. are separate entities and Bolthouse Properties, LLC does not  
3 itself farm on the properties. Bolthouse Properties, LLC does  
4 not own the component parts of the wells. Without waiving the  
5 objections, Bolthouse Properties, LLC responds as follows:

6 Unknown.

7 **SPECIAL INTERROGATORY NO. 25:**

8 Objection. Vague, attorney-client privilege, attorney-  
9 expert privilege, burdensome and oppressive since the  
10 Interrogatories are directed to Bolthouse Properties, LLC given  
11 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
12 Inc. are separate entities and Bolthouse Properties, LLC does not  
13 itself farm on the properties. Bolthouse Properties, LLC does  
14 not own the component parts of the wells. Without waiving the  
15 objections, Bolthouse Properties, LLC responds as follows:

16 Unknown.

17 **SPECIAL INTERROGATORY NO. 26:**

18 Objection. Vague, attorney-client privilege, attorney-  
19 expert privilege, burdensome and oppressive since the  
20 Interrogatories are directed to Bolthouse Properties, LLC given  
21 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
22 Inc. are separate entities and Bolthouse Properties, LLC does not  
23 itself farm on the properties. Bolthouse Properties, LLC does  
24 not own the component parts of the wells. Without waiving the  
25 objections, Bolthouse Properties, LLC responds as follows:

26 Unknown.

1       **SPECIAL INTERROGATORY NO. 27:**

2           Objection.     Vague, attorney-client privilege, attorney-  
3 expert privilege, burdensome and oppressive since the  
4 Interrogatories are directed to Bolthouse Properties, LLC given  
5 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
6 Inc. are separate entities and Bolthouse Properties, LLC does not  
7 itself farm on the properties. Bolthouse Properties, LLC does  
8 not own the component parts of the wells. Without waiving the  
9 objections, Bolthouse Properties, LLC responds as follows:

10           Unknown.

11       **SPECIAL INTERROGATORY NO. 28:**

12           Objection.     Vague, attorney-client privilege, attorney-  
13 expert privilege, burdensome and oppressive since the  
14 Interrogatories are directed to Bolthouse Properties, LLC given  
15 the fact that Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
16 Inc. are separate entities and Bolthouse Properties, LLC does not  
17 itself farm on the properties. Bolthouse Properties, LLC does  
18 not own the component parts of the wells. Without waiving the  
19 objections, Bolthouse Properties, LLC responds as follows:

20           Unknown.

21       **SPECIAL INTERROGATORY NO. 29:**

22           Objection.     Vague, calls for a legal opinion, attorney-  
23 client privilege, attorney-expert privilege, burdensome and  
24 oppressive since the Interrogatories are directed to Bolthouse  
25 Properties, LLC given the fact that Bolthouse Properties, LLC and  
26 Wm. Bolthouse Farms, Inc. are separate entities and Bolthouse

1 Properties, LLC does not itself farm on the properties.  
2 Bolthouse Properties, LLC does not own the component parts of the  
3 wells. Without waiving the objections, Bolthouse Properties, LLC  
4 responds as follows:

5 Unknown.

6 **SPECIAL INTERROGATORY NO. 30:**

7 Objection. Vague, calls for a legal opinion, attorney-  
8 client privilege, attorney-expert privilege, burdensome and  
9 oppressive since the Interrogatories are directed to Bolthouse  
10 Properties, LLC given the fact that Bolthouse Properties, LLC and  
11 Wm. Bolthouse Farms, Inc. are separate entities and Bolthouse  
12 Properties, LLC does not itself farm on the properties.  
13 Bolthouse Properties, LLC does not own the component parts of the  
14 wells. Without waiving the objections, Bolthouse Properties, LLC  
15 responds as follows:

16 Unknown.

17 **SPECIAL INTERROGATORY NO. 31:**

18 Objection. Vague, calls for a legal opinion, attorney-  
19 client privilege, attorney-expert privilege, burdensome and  
20 oppressive since the Interrogatories are directed to Bolthouse  
21 Properties, LLC given the fact that Bolthouse Properties, LLC and  
22 Wm. Bolthouse Farms, Inc. are separate entities and Bolthouse  
23 Properties, LLC does not itself farm on the properties.  
24 Bolthouse Properties, LLC does not own the component parts of the  
25 wells. Without waiving the objections, Bolthouse Properties, LLC  
26 responds as follows:

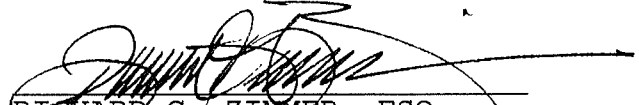
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Unknown.

DATED: December 7, 2010

CLIFFORD & BROWN

By:



RICHARD G. ZIMMER, ESQ.

T. MARK SMITH, ESQ.

Attorneys for cross-  
complainants/cross-defendants,  
BOLTHOUSE PROPERTIES, LLC and  
WM. BOLTHOUSE FARMS, INC.

**VERIFICATION  
TO FOLLOW**





**PROOF OF SERVICE (C.C.P. §1013a, 2015.5)**  
*Antelope Valley Groundwater Cases*  
*Judicial Counsel Coordination Proceeding No. 4408*  
*Santa Clara County Superior Court Case No. 1-05-CV-049053*

I am employed in the County of Kern, State of California. I am over the age of 18 and not a party to the within action; my business address is 1430 Truxtun Avenue, Bakersfield, CA 93301.

On December 7, 2010, I served the foregoing document(s) entitled:

**BOLTHOUSE PROPERTIES, LLC'S RESPONSE TO SPECIAL INTERROGATORIES  
PROPOUNDED BY PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT**

XX by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list.

— by placing \_ the original, \_ a true copy thereof, enclosed in a sealed enveloped addressed as follows:

SUSAN M. TRAGER, ESQ.  
Smith Trager, LLP  
19712 MacArthur Boulevard, Suite 120  
Irvine, CA 92612  
(949) 752-8971  
(949) 863-9804 (fax)

WESLEY A. MILIBAND, ESQ.  
Aleshire & Wynder, LLP  
18881 Von Karman Avenue, Suite 400  
Irvine, CA 92612  
(949) 223-1170  
(949) 223-1180 (fax)

X **BY MAIL**

— I deposited such envelope in the mail at Bakersfield, California, with postage thereon fully prepaid.

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X

I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Bakersfield, California in the ordinary course of business. The above sealed envelopes were placed for collection and mailing on the above date following ordinary business practice.

— **BY EXPRESS MAIL**

I deposited such envelopes in a facility regularly maintained by the U.S. Postal Service for receipt of Express Mail, as specified in C.C.P. §1013(c), with Express Mail postage prepaid.

— **BY OVERNIGHT DELIVERY (other than Express Mail)**

I deposited such envelopes in an envelope or package designated by the express service carrier with delivery fees paid or provided;

— and deposited such envelope or package in a facility regularly maintained by the express service carrier.

— delivered such envelope or package to an authorized courier or driver authorized by the express service carrier to receive documents.

— **BY PERSONAL SERVICE**

I caused such envelope to be hand delivered to the offices of the addressee(s).

— **BY FACSIMILE**

I transmitted the above-referenced documents by facsimile to the interested parties as listed below.

Executed on December 7, 2010, at Bakersfield, California.

X

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

—

(Federal) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.



NANETTE MAXEY

2455-2