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7 Attorneys for Bolthouse Properties, LLC and Wm. Bolthouse Farms, Inc.,

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF SANTA CLARA

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11 COORDINATION PROCEEDING ) Judicial Council Coordination Proceeding  
12 SPECIAL TITLE (Rule 1550(b)) ) No. 4408  
)  
13 ANTELOPE VALLEY GROUNDWATER ) CASE NO. 1-05-CV-409053  
14 CASES )  
)  
15 INCLUDED ACTIONS: ) **JOINT PROPOSED ORDER**  
)  
16 LOS ANGELES COUNTY )  
WATERWORKS DISTRICT NO. 40 v. )  
17 DIAMOND FARMING COMPANY, et al., )  
Los Angeles Superior Court Case No. )  
18 BC325201 )  
)  
19 LOS ANGELES COUNTY )  
20 WATERWORKS DISTRICT NO. 40 v. )  
DIAMOND FARMING COMPANY, et al., )  
21 Kern County Superior Court Case No. S- )  
1500-CV-254348 )  
22 )  
23 DIAMOND FARMING COMPANY, and )  
W.M. BOLTHOUSE FARMS, INC., v. )  
24 CITY OF LANCASTER, et al., )  
Riverside Superior Court )  
25 Case No. RIC 344436 [c/w case no. RIC )  
344668 and 353840 ] )  
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1 Following discussion with some Purveyor attorneys and some Landowner attorneys,  
2 and after discussion with the Honorable Justice Robie, a Joint Proposed Order to require all  
3 water rights claims to be properly asserted or forfeited and waived, is set forth below.

4 **PROPOSED ORDER**

5 The Court will soon be setting this matter for trial. All parties which have not  
6 participated in the Mediation sessions with Justice Robie, and/or who have not submitted  
7 pumping information to Justice Robie, are ordered to provide the following information to this  
8 Court:

- 9 1. The amount of pumping, if any, you are claiming in this lawsuit;
- 10 2. The location and source of such pumping;
- 11 3. The basis for the computation of claimed pumping; and
- 12 4. The time frame for the pumping from which the calculations were made.

13 This information must be provided to this Court and posted electronically to the case  
14 website no later than \_\_\_\_\_. Failure to provide this information to the  
15 Court and to post the information on the Court's website, will result in a forfeiture and waiver  
16 of your right to claim any water rights in this matter and will bar any claimed water right in the  
17 future. Failure to provide this information also will forfeit and waive your right to participate  
18 in any subsequent phases of trial and will prevent you from joining in any potential settlement  
19 of water right claims in the Antelope Valley Area of Adjudication.

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22 DATED: \_\_\_\_\_

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26 HONORABLE JACK KOMAR  
27 JUDGE OF THE SUPERIOR COURT  
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**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 November 14, 2011, I served the foregoing document(s) entitled:

**JOINT PROPOSED ORDER**

— 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:

**X BY SANTA CLARA SUPERIOR COURT E-FILING IN COMPLEX LITIGATION PURSUANT TO CLARIFICATION ORDER DATED OCTOBER 27, 2005.**

Executed on November 14, 2011, 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