

1 RICHARD G. ZIMMER - SBN 107263  
T. MARK SMITH - SBN 162370  
2 CLIFFORD & BROWN  
A Professional Corporation  
3 Attorneys at Law  
Bank of America Building  
4 1430 Truxtun Avenue, Suite 900  
Bakersfield, CA 93301-5230  
5 (661) 322-6023

6 Attorneys for Bolthouse Properties, LLC

7  
8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF SANTA CLARA

10 \* \* \*

11 COORDINATION PROCEEDING ) Judicial Council Coordination  
SPECIAL TITLE (Rule 1550(b)) ) Proceeding No. 4408  
12 ANTELOPE VALLEY GROUNDWATER ) CASE NO. 1-05-CV-049053  
CASES )  
13 INCLUDED ACTIONS: )  
14 LOS ANGELES COUNTY WATERWORKS ) WRITTEN EXCHANGE OF REQUIRED  
DISTRICT NO. 40 v. DIAMOND ) EXPERT WITNESS INFORMATION  
15 FARMING COMPANY, et al., ) PURSUANT TO C.C.P. §2034.210  
Los Angeles Superior Court ) AND EXPERT WITNESS DECLARATION  
16 Case No. BC325201 ) PURSUANT TO C.C.P. §2034.260(c)  
17 LOS ANGELES COUNTY WATERWORKS )  
DISTRICT NO. 40 v. DIAMOND )  
18 FARMING COMPANY, et al., )  
Kern County Superior Court )  
19 Case No. S-1500-CV-254348 ) DATE: July 24, 2006  
20 DIAMOND FARMING COMPANY, and ) TIME: 10:00 a.m.  
W.M. BOLTHOUSE FARMS, INC., v. ) DEPT: D-1  
21 CITY OF LANCASTER, et al., )  
Riverside Superior Court ) Location:  
22 Case No. RIC 344436 [c/w case no. )  
RIC 344668 and 353840] ) LOS ANGELES SUPERIOR COURT  
23 ROSAMOND COMMUNITY SERVICES ) 111 North Hill Street  
DISTRICT, ) Los Angeles, CA 90012  
24 CROSS-COMPLAINANT, )  
25

26

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that BOLTHOUSE PROPERTIES, LLC,  
3 hereinafter ("BOLTHOUSE") makes the following written exchange of  
4 required expert witness information pursuant to *Code of Civil*  
5 *Procedure* § 2034.210.

6 **RETAINED**

7 1. N. Thomas Sheahan, Principal Hydrogeologist, Geomatrix  
8 Consultants, Inc., 250 E. Rincon, Suite 204, Corona, CA 92879.

9 2. That in addition to the above, BOLTHOUSE reserves the  
10 right to call as expert witnesses any or all of the experts who  
11 have been, or may subsequently be, designated by any of the  
12 parties to this case.

13 3. That in addition to the above, BOLTHOUSE reserves the  
14 right, pursuant to Section 2034.280 of the *Code of Civil*  
15 *Procedure*, as well as any other constitutional, statutory and/or  
16 common law rights he may have, to later name other experts before  
17 the trial or call to testify at trial experts not named, whose  
18 testimony may be utilized to rebut the contentions and testimony  
19 of the parties, the parties' experts or other persons or experts  
20 that may testify.

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

4. Should BOLTHOUSE ascertain the name of any additional expert witness, other than rebuttal witnesses, prior to trial, BOLTHOUSE will immediately identify said expert and make him/her available for deposition upon reasonable notice and at a time and place convenient for all parties.

DATED: June 29, 2006

CLIFFORD & BROWN

By: [original signed]  
RICHARD G. ZIMMER, ESQ.  
T. MARK SMITH, ESQ.  
Attorneys for  
BOLTHOUSE PROPERTIES, LLC



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

E. The expert identified in this declaration has agreed to testify at the trial and will be sufficiently familiar with the pending action to submit to a meaningful oral deposition concerning that expert's testimony, including any opinion and its basis that said expert is expected to give at trial.

I declare, under penalty of perjury, that the foregoing is true and correct of my own personal knowledge, except as to those matters stated to be based upon information and belief, and as to such matters, I am informed and believe that they are true and correct.

Executed this 29<sup>th</sup> day of June, 2006, at Bakersfield, California.

[ORIGINAL SIGNED]  
\_\_\_\_\_  
RICHARD G. ZIMMER

