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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

10 * * *

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) Trial Date: 02/11/13
)
15 INCLUDED ACTIONS:)
)
16 LOS ANGELES COUNTY)
WATERWORKS DISTRICT NO. 40 v.)
17 DIAMOND FARMING COMPANY, et al.,) **STIPULATION TO DISMISS WM.**
Los Angeles Superior Court Case No.) **BOLTHOUSE FARMS, INC. FROM**
18 BC325201) **LITIGATION WITH NO PREJUDICE**
) **TO BOLTHOUSE PROPERTIES, LLC**
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])
26)
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1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**


2 **PLEASE TAKE NOTICE** that Wm. Bolthouse Farms, Inc. and Bolthouse Properties,
3 LLC ("Bolthouse") hereby request stipulation from all parties based upon Order of the Court
4 and time for objection, that Wm. Bolthouse Farms, Inc. may be dismissed from the current
5 litigation with no prejudice to the rights of Bolthouse Properties, LLC in the litigation. This
6 Stipulation is based upon the fact that Wm. Bolthouse Farms, Inc. has filed a Declaration with
7 the Court pursuant to this Court's Order to all parties to either assert or deny claims in the
8 litigation, confirming that Wm. Bolthouse Farms, Inc. is not making any claim to groundwater
9 in the subject litigation. The Stipulation is further based upon the verified fact that Wm.
10 Bolthouse Farms, Inc. has been the lessee of Bolthouse Properties, LLC since April 1, 2005 and
11 that Wm. Bolthouse Farms, Inc. has remained in the litigation solely to protect the rights of
12 Bolthouse Properties, LLC as lessee and as the predecessor owner of the property.

13 Request is hereby made that if no parties timely dispute the dismissal of Wm. Bolthouse
14 Farms, Inc. from the lawsuit without prejudice to Bolthouse Properties, LLC, that the Court
15 order Wm. Bolthouse Farms, Inc. dismissed, without any resulting prejudice to Bolthouse
16 Properties, LLC claiming the rights resulting from the prior ownership by Bolthouse Farms,
17 Inc.

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19 DATED: January 31, 2013

20
21 CLIFFORD & BROWN

22 By:


23 RICHARD G. ZIMMER, ESQ.
24 Attorneys for BOLTHOUSE PROPERTES,
25 LLC and WM. BOLTHOUSE FARMS, INC.
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