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10 Attorneys for Bolthouse Properties, LLC and Wm. Bolthouse Farms

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA

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COORDINATION PROCEEDING)	Judicial Council Coordination
SPECIAL TITLE (Rule 1550(b)))	Proceeding No. 4408
)	
ANTELOPE VALLEY GROUNDWATER)	CASE NO. 1-05-CV-049053
CASES)	
)	
INCLUDED ACTIONS:)	
)	REPLY TO LOS ANGELES COUNTY'S
LOS ANGELES COUNTY WATERWORKS)	OBJECTION TO NOTICE OF TAKING
DISTRICT NO. 40 v. DIAMOND)	DEPOSITION OF JOSEPH C.
FARMING COMPANY, et al.,)	SCALMANINI SCHEDULED FOR
Los Angeles Superior Court)	SEPTEMBER 4, 2007
Case No. BC325201)	
)	
LOS ANGELES COUNTY WATERWORKS)	
DISTRICT NO. 40 v. DIAMOND)	
FARMING COMPANY, et al.,)	
Kern County Superior Court)	
Case No. S-1500-CV-254348)	
)	DATE: September 4, 2007
DIAMOND FARMING COMPANY, and)	TIME: 10:00 a.m.
W.M. BOLTHOUSE FARMS, INC., v.)	
CITY OF LANCASTER, et al.,)	
Riverside Superior Court)	
Case No. RIC 344436 [c/w case no.)	
RIC 344668 and 353840])	
)	
ROSAMOND COMMUNITY SERVICES)	
DISTRICT,)	
)	
CROSS-COMPLAINANT,)	

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that based upon the Public Water
3 Suppliers' Objection To Bolthouse Properties And Wm. Bolthouse
4 Farms Notice Of Taking Deposition Of Josesph C. Scalmanini And
5 Request For Production Of Documents At Time Of Deposition, it
6 appears that Los Angeles County will not be producing Joseph
7 Scalmanini for his deposition scheduled for Tuesday, September 4,
8 2007.

9 Accordingly, the deposition will not proceed as scheduled.
10 Given the short notice and the fact that this is holiday weekend,
11 I wanted to make sure everyone was aware of the County objection
12 and the fact that the deposition will not go forward next
13 Tuesday. We will advise if and when the deposition is re-
14 noticed.

15

16 DATED: August 31, 2007

17

CLIFFORD & BROWN

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By: 

RICHARD G. ZIMMER, ESQ.

T. MARK SMITH, ESQ.

Attorneys for
BOLTHOUSE PROPERTIES, LLC and
WM. BOLTHOUSE FARMS

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1 PROOF OF SERVICE

2 STATE OF CALIFORNIA COUNTY OF KERN:

3 I am a resident of the County aforesaid; I am over the age of
4 eighteen years and not a party to the within entitled action; my
5 business address is 1430 Truxtun Avenue, Suite 900, Bakersfield,
California, 93301.

6 On August 31, 2007, I served the **REPLY TO LOS ANGELES COUNTY'S**
7 **OBJECTION TO NOTICE OF TAKING DEPOSITION OF JOSEPH C. SCALMANINI**
8 **SCHEDULED FOR SEPTEMBER 4, 2007** on the interested parties in said
action.

9 (xx) BY SANTA CLARA SUPERIOR COURT E-FILING IN COMPLEX LITIGATION
10 PURSUANT TO CLARIFICATION ORDER DATED OCTOBER 27, 2005.

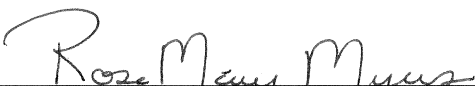
11 () VIA FACSIMILE - [C.C.P. § 1013(e)]; - The telephone number of
12 the sending facsimile machine was (661) 322-3508. The
13 telephone(s) number of the receiving facsimile machine(s) is
14 listed below. The Court, Rule 2004 and no error was reported by
the machine. Pursuant to California Rules of Court, Rule
2006(d), the machine was caused to print a transmission record
of the transmission, a copy of which is attached hereto.

15 () VIA OVERNIGHT DELIVERY on the date below stated, pursuant to CCP
16 §1013(c)(d), I deposited such envelope with delivery fees fully
prepaid with CALIFORNIA OVERNIGHT.

17 () BY MAIL I am readily familiar with the business' practice for
18 collection and processing of correspondence and documents for
19 mailing with the United States Postal Service. Under that
20 practice, the correspondence and documents would be deposited
with the United States Postal Service that same day, with
postage thereon fully prepaid, in the ordinary course of
business at Bakersfield, California.

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

23 Executed on August 31, 2007, at Bakersfield, California.

24 
25 _____
ROSEMARY MYERS