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9 **(661) 322-6023**

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

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF SANTA CLARA

10 COORDINATION PROCEEDING  
11 SPECIAL TITLE (Rule 1550(b))

) Judicial Council Coordination Proceeding No.  
4408

12 ANTELOPE VALLEY GROUNDWATER  
13 CASES

) CASE NO. 1-05-CV-049053

13 INCLUDED ACTIONS:

14 LOS ANGELES COUNTY  
15 WATERWORKS DISTRICT NO. 40 v.  
16 DIAMOND FARMING COMPANY, et al.,  
Los Angeles Superior Court Case No.  
BC325201

) **JOINDER IN AGWA'S OBJECTION TO  
SECOND AMENDED (PROPOSED)  
STATEMENT OF PARTIAL DECISION  
FOR PHASE IV TRIAL  
AND OBJECTION TO PHELAN PIÑON  
HILLS COMMUNITY SERVICES**

17 LOS ANGELES COUNTY  
18 WATERWORKS DISTRICT NO. 40 v.  
19 DIAMOND FARMING COMPANY, et al.,  
Kern County Superior Court Case No. S-  
1500-CV-254348

) **DISTRICT'S OBJECTION TO SECOND  
AMENDED [PROPOSED] STATEMENT  
OF PARTIAL DECISION FOR  
PHASE IV TRIAL**

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

23  
24 AND RELATED ACTIONS

) Trial Date: May 28, 2013  
Action Filed: October 26, 2005

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that BOLTHOUSE PROPERTIES, LLC and  
3 WM. BOLTHOUSE FARMS, INC., (hereinafter Bolthouse), hereby join AGWA'S Objection  
4 to Second Amended (Proposed) District 40 Proposed Statement of Partial Decision for Phase  
5 IV Trial and hereby object to Phelan Piñon Hills Community Services District's Objection to  
6 Second Amended [Proposed] Statement of Partial Decision for Phase IV Trial. These  
7 objections are based on the following grounds.

8 Bolthouse agrees with AGWA that the provisions regarding the scope of trial set forth  
9 in the Fifth Amended Case Management Conference Statement, should be incorporated into  
10 the Statement of Decision to clarify the scope of the Phase IV Trial.. Bolthouse further objects  
11 to Phelan Piñon Hills Community Services District's Objection to Second Amended  
12 [Proposed] Statement of Partial Decision for Phase IV Trial. Including the Fifth Amended  
13 Case Management Conference Statement language clarifying the scope of the Phase IV Trial  
14 will allow Phelan to make appropriate arguments in subsequent phases of trial based upon the  
15 scope of subsequent trial phases in the same way that other parties may make appropriate  
16 arguments at a later phase of trial.

17 Adding after trial stipulations and/or understandings as to the scope of the Phase IV  
18 Trial may change the intended scope of the Phase IV Trial. Numerous other parties may then  
19 request clarifications regarding the scope of the trial in the same way that Phelan Piñon Hills  
20 Community Services District is doing.

21 Based upon the foregoing, and based upon any further arguments which may be made  
22 at the next hearing in this matter, Bolthouse hereby joins in the AGWA objection and request  
23 to include in the Statement of Decision language from the Fifth Amended Case Management  
24 Conference Statement to clarify the scope of the Phase IV Trial and objects to the Phelan  
25 request to modify the Phase IV Statement of Decision.

26 ///

27 ///


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1 DATED: June 26, 2013

Respectfully submitted.

2 CLIFFORD & BROWN

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4  
5 By:

  
RICHARD G. ZIMMER, ESQ.  
Attorneys for  
BOLTHOUSE PROPERTIES, LLC and  
WM. BOLTHOUSE FARMS, INC.

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

5 I am employed in the County of Kern, State of California. I am over the age of 18 and  
6 not a party to the within action; my business address is 1430 Truxtun Avenue, Suite 900,  
7 Bakersfield, CA 93301.

8 On June 26, 2013, I served the foregoing document(s) entitled:

9 **OBJECTION TO PHELAN PIÑON HILLS COMMUNITY SERVICES**  
10 **DISTRICT'S OBJECTION TO SECOND AMENDED [PROPOSED]**  
11 **STATEMENT OF PARTIAL DECISION FOR PHASE IV TRIAL**

12 by uploading the document listed above to the Santa Clara Superior Court website in regard to  
13 the Antelope Valley Groundwater Matter. All parties listed on the Santa Clara Superior Court  
14 in regard to the Antelope Valley Groundwater Matter are hereby incorporated within by this  
15 reference.

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

18 Executed on June 26, 2013, at Bakersfield, California.

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

21 

22 ROSEMARY MYERS  
23 2455-2