

# **“EXHIBIT P”**

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

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COUNTY OF LOS ANGELES

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5 COORDINATION PROCEEDING  
SPECIAL TITLE (RULE 1550(B))

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7 ANTELOPE GROUNDWATER CASES

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INCLUDED ACTIONS:

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10 LOS ANGELES COUNTY WATERWORKS  
DISTRICT NO. 40 V.  
11 DIAMOND FARMING CO.  
SUPERIOR COURT OF CALIFORNIA  
12 COUNTY OF LOS ANGELES  
CASE NO. BC 325 201

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14 LOS ANGELES COUNTY WATERWORKS  
DISTRICT NO. 40 V. DIAMOND  
FARMING CO.  
15 SUPERIOR COURT OF CALIFORNIA  
COUNTY OF KERN,  
16 CASE NO. S-1500-CV-254-348

17 WM. BOLTHOUSE FARMS, INC. V.  
CITY OF LANCASTER DIAMOND  
18 FARMING CO.

19

V. PALMDALE WATER DISTRICT  
SUPERIOR COURT OF CALIFORNIA,  
20 COUNTY OF RIVERSIDE,  
CONSOLIDATED ACTIONS, CASE NOS.  
RIC 353 840, RIC 344 436,  
21 RIC 344 668

22

23 REPORTER'S TRANSCRIPT OF PROCEEDINGS

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BEFORE THE HONORABLE JACK KOMAR

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JUDGE OF THE SUPERIOR COURT

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MARCH 28, 2008

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CASE MANAGEMENT CONFERENCE

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APPEARANCES:

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JUDICIAL COUNCIL  
COORDINATION  
PROCEEDING NO.  
4408

FOR COURT'S USE  
ONLY:  
SANTA CLARA  
COUNTY CASE NO.,  
1-05CV049053

15 DIRECTION THE COURT GAVE AT OUR LAST HEARING.

16 AND I'M CONCERNED ABOUT IT BECAUSE WE CONTINUE TO  
17 DEAL WITH THIS SAME ISSUE AND THE EXTENT TO WHICH THE  
18 COURT CAN CERTIFY A CLASS HERE.

19 IT WAS THE COURT'S INTENT TO CERTIFY A CLASS OF  
20 PROPERTY OWNERS WHO WERE NON-PUMPERS. THAT'S THE  
21 PARAMETERS OF THE ZLOTNICK-WILLIS, THE COMPLAINT FILED  
22 BY MR. ZLOTNICK ON BEHALF OF PLAINTIFF WILLIS.

23 THE COURT INDICATED THAT IT WAS ATTEMPTING TO  
24 BRING IN A CLASS ABOUT WHICH THERE REALLY WAS NO  
25 CONTROVERSY AND THAT IS THE PARTIES WHO ARE NOT  
26 PUMPING, WHO HAVE DORMANT LAND, AND WHO ARE NOT  
27 OTHERWISE PARTIES TO THIS LITIGATION.

28 I WAS WILLING TO EXCLUDE PEOPLE WITHIN THE

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1 RESIDENTIAL DISTRICT ON RESIDENTIAL LOTS WHO ARE  
2 CONNECTED TO A WATER SERVICE COMPANY, WHETHER IT BE  
3 PUBLIC OR PRIVATE BECAUSE IT SEEMED TO ME THAT THAT  
4 DOES NOT PRECLUDE OUR HAVING A COMPREHENSIVE  
5 ADJUDICATION OF THE DISTRICT AND THE VALLEY.

6 I AM CONCERNED ABOUT THOSE PARTIES WHO ARE  
7 PUMPING WITH INDIVIDUAL WELLS BECAUSE I DON'T REALLY  
8 HAVE ANY EVIDENCE AS TO THE NUMBERS OF THEM, THE EXTENT  
9 OF THEIR PUMPING AND WHAT THE EFFECT OF AN EXCLUSION OR  
10 INCLUSION WOULD BE OF THOSE INDIVIDUALS.

11 SO TO ONE EXTENT I AGREE WITH MR. DOUGHERTY AND  
12 OTHERS WHO BELIEVE YOU SHOULD HAVE SOME EVIDENTIARY  
13 HEARING DEALING WITH THAT ISSUE IN ORDER TO PROCEED  
14 WITH A COMPREHENSIVE ADJUDICATION.

15 BUT THAT SHOULD NOT PRECLUDE US FROM ATTEMPTING  
16 TO CERTIFY A CLASS OF NON-PUMPERS AND I'VE REALLY NOT  
17 HEARD ANYBODY DESCRIBE WHY THAT COULD NOT BE A