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**EXEMPT FROM FILING FEES  
UNDER GOVERNMENT CODE  
SECTION 6103**

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11 Attorneys for Plaintiff  
12 LOS ANGELES COUNTY WATERWORKS  
DISTRICT NO. 40

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
14 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

16 **ANTELOPE VALLEY  
GROUNDWATER CASES**  
17 Included Actions:  
18 Los Angeles County Waterworks District  
No. 40 v. Diamond Farming Co., Superior  
19 Court of California, County of Los  
Angeles, Case No. BC 325201;  
20 Los Angeles County Waterworks District  
21 No. 40 v. Diamond Farming Co., Superior  
Court of California, County of Kern, Case  
22 No. S-1500-CV-254-348;  
23 Wm. Bolthouse Farms, Inc. v. City of  
Lancaster, Diamond Farming Co. v. City of  
24 Lancaster, Diamond Farming Co. v.  
Palmdale Water Dist., Superior Court of  
25 California, County of Riverside, Case Nos.  
RIC 353 840, RIC 344 436, RIC 344 668

Judicial Council Coordination No. 4408  
Santa Clara Case No. 1-05-CV-049053  
Assigned to The Honorable Jack Komar

**DECLARATION OF JEFFREY V. DUNN  
RE STATUS OF SERVICE OF CLASS  
NOTICE AND PUBLICATION OF  
SUMMARY NOTICE**

LAW OFFICES OF  
BEST, BEST & KRIEGER LLP  
5 PARK PLAZA, SUITE 1500  
IRVINE, CALIFORNIA 92614

**DECLARATION OF JEFFREY V. DUNN**

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3 I, Jeffrey V. Dunn, declare:

4 1. I have personal knowledge of the facts below, and if called upon to do so, I could  
5 testify competently thereto in a court of law. I am an attorney licensed to practice law in the State  
6 of California. I am a partner of Best, Best & Krieger LLP, attorneys of record for Rosamond  
7 Community Services District and Los Angeles County Water Works District No. 40. I make this  
8 Declaration pursuant to the Court's December 16, 2008 Order Governing Class Notice ("Order").

9 2. Pursuant to the Order, Los Angeles County Waterworks District No. 40 and  
10 Rosamond Community Services District caused the Notice (attached as Exhibit "A" to the Order)  
11 to be sent by first class mail to all persons who appear to be members of the Willis Class (i.e.,  
12 owners of unimproved properties within the Adjudication Area). All class members' address  
13 information was updated through the National Change of Address registry. A list identifying all  
14 persons to whom the notice was mailed is available by contacting my office. All notices that  
15 have been returned for incorrect or undeliverable addresses are in the process of being researched  
16 in a good faith and reasonable effort to promptly locate the class members and resend the  
17 undelivered notices. Those undelivered notices will be resent within 15 days of receipt of  
18 updated addresses, as per the Court's Order.

19 3. Further, Los Angeles County Waterworks District No. 40 and Rosamond  
20 Community Services District have caused the Summary Notice (attached as Exhibit "B" to the  
21 Order) to be published as follows:

22 a. As a 1/4-page advertisement in the Business section of the Bakersfield  
23 Californian on February 1, 4, 8, and 11;

24 b. Of a readable size in the Legal Notices section of the Los Angeles Times  
25 on February 1, 4, 8, and 11; and

26 c. As a 1/4-page advertisement in the Business section of the Antelope Valley  
27 Press on February 1, 4, and 15, and in the News section of that newspaper on February 13, 2009.  
28 The publication on February 13 in the News section (rather than the Business section), and on

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IRVINE, CALIFORNIA 92614

1 February 15 was due to a publication error by the Antelope Valley Press. Although my office  
2 ordered publication of the advertisement on February 1, 4, 8, and 11, as shown in the invoice  
3 attached hereto as Exhibit "A," the Antelope Valley Press neglected to publish the advertisement  
4 on February 8 or 11. My office did not learn of this fact until February 12, 2009. Immediately  
5 upon learning of the newspaper's error, we demanded that the advertisement be run on the next  
6 available weekday and Sunday. By then, however, the Business section for February 13 was full,  
7 but there was space available in the News section, and the next available Sunday was February  
8 15. Accordingly, we instructed the Antelope Valley Press to run the notice in the News section  
9 on February 13, and in the Business section on February 15. The notice was then published on  
10 those dates.

11 I declare under penalty of perjury under the laws of the State of California that the  
12 foregoing is true and correct. Executed this 20<sup>th</sup> day of February, 2009 at Irvine, California.

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JEFFREY V. DUNN

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# **EXHIBIT “A”**

# Antelope Valley Press

**Advertising Plan**



**Date:** 2/19/2009

**For:** Best Best & Kreger

**Contact:** Dan Roberts

**Account #:** New

**From:** Angela Edwards

**Phone:** (661) 940-5368

**Fax:** (661) 949-3593

**2009 Dollar Volume Contract Proposal**

**E-Mail:** aedwards@avpress.com

**Contract Dollar Level**

\$ 2,500

**Open/Contract Rates Per Column Inch**

\$32.82 Daily

\$9.21

TMC

\$35.17 Sunday

Day	Date	Col(s)	Height	Placement	Inch Size	Special Rate	DA SU	Ad Color?	% Discount	Budget	
SUN	2/1	3.0	10.5	BUSINESS	31.5		SU			\$1,107.86	
WED	2/4	3.0	10.5	BUSINESS	31.5		DA		25%	\$775.37	
SUN	2/8	3.0	10.5	BUSINESS	31.5		SU			\$1,107.86	
WED	2/11	3.0	10.5	BUSINESS	31.5		DA		25%	\$775.37	#####

Total Column Inches for period: 126 **TOTAL:** \$3,766.46

Total Discounts Applied \$258.46

- Advertiser agrees to schedule with noted changes
- Advertiser agrees to schedule, no changes

Advertiser: \_\_\_\_\_

Date: \_\_\_\_\_

Mailing Address: PO BOX 4050, Palmdale CA, 93550-4050

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BEST BEST & KRIEGER LLP  
5 PARK PLAZA, SUITE 1500  
IRVINE, CALIFORNIA 92614

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**PROOF OF SERVICE**

I, Kerry V. Keefe, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger LLP, 5 Park Plaza, Suite 1500, Irvine, California 92614. On February 20, 2009, I served the within document(s):

**DECLARATION OF JEFFREY V. DUNN RE STATUS OF SERVICE OF CLASS NOTICE AND PUBLICATION OF SUMMARY NOTICE**

- by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Irvine, California addressed as set forth below.
- by causing personal delivery by ASAP Corporate Services of the document(s) listed above to the person(s) at the address(es) set forth below.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- I caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by Federal Express following the firm's ordinary business practices.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 20, 2009, at Irvine, California.

  
Kerry V. Keefe