

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
Jeffrey V. Dunn, Bar No. 131926 Daniel S. Roberts, Bar No. 205535  
BEST BEST & KRIEGER LLP  
5 Park Plaza, Ste. 1500  
Irvine, CA 92614  
TELEPHONE NO.: (949) 263-2600 FAX NO. (Optional): (949) 260-0972  
E-MAIL ADDRESS (Optional):  
ATTORNEY FOR (Name): L.A. County Waterworks District No. 40 and Rosamond CFD

FOR COURT USE ONLY

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**  
STREET ADDRESS: 111 N. Hill  
MAILING ADDRESS: 111 N. Hill  
CITY AND ZIP CODE: Los Angeles, CA 90012  
BRANCH NAME: Central District

PLAINTIFF/PETITIONER: Los Angeles County Waterworks District No. 40, et al.  
DEFENDANT/RESPONDENT: Diamond Farming Company, et al.

**REQUEST FOR DISMISSAL**  
 Personal Injury, Property Damage, or Wrongful Death  
 Motor Vehicle  Other  
 Family Law  Eminent Domain  
 Other (specify) : Declaratory Relief and Injunctive Relief of Water Rights

CASE NUMBER:  
JCCP 4408

- A conformed copy will not be returned by the clerk unless a method of return is provided with the document. -

1. TO THE CLERK: Please **dismiss** this action as follows:

- a. (1)  With prejudice (2)  Without prejudice
- b. (1)  Complaint (2)  Petition
- (3)  Cross-complaint filed by (name): Los Angeles Co. Waterworks, et al.\*
- (4)  Cross-complaint filed by (name):
- (5)  Entire action of all parties and all causes of action
- (6)  Other (specify):\*

on (date): August 21, 2008  
on (date):

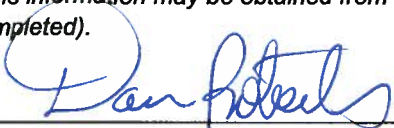
**\*AS TO SCOTT OUELLETTE (named as Roe 1702) ONLY**

2. (Complete in all cases except family law cases.)

Court fees and costs were waived for a party in this case. (This information may be obtained from the clerk. If this box is checked, the declaration on the back of this form must be completed).

Date: November 18, 2009

Daniel S. Roberts



(TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)

(SIGNATURE)

Attorney or party without attorney for:

\*If dismissal requested is of specified parties only of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

- Plaintiff/Petitioner  Defendant/Respondent
- Cross-Complainant

3. TO THE CLERK: Consent to the above dismissal is hereby given.\*\*

Date:



(TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)

(SIGNATURE)

Attorney or party without attorney for:

\*\* If a cross-complaint – or Response (Family Law) seeking affirmative relief- is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581 (i) or (j).

- Plaintiff/Petitioner  Defendant/Respondent
- Cross-Complainant

(To be completed by clerk)

- 4.  Dismissal entered as requested on (date):
- 5.  Dismissal entered on (date): as to only (name):
- 6.  Dismissal not entered as requested for the following reasons (specify):
- 7. a.  Attorney or party without attorney notified on (date):
- b.  Attorney or party without attorney not notified. Filing party failed to provide  a copy to be conformed  means to return conformed copy

Date: Clerk, by \_\_\_\_\_, Deputy

PLAINTIFF/PETITIONER: Los Angeles County Waterworks District No. 40, et  
 DEFENDANT/RESPONDENT: Diamond Farming Company, et al.

CASE NUMBER:  
 JCCP 4408

### Declaration Concerning Waived Court Fees

The court has a statutory lien for waived fees and costs on any recovery of \$10,000 or more in value by settlement, compromise, arbitration award, mediation settlement, or other recovery. The court's lien must be paid before the court will dismiss the case.

1. The court waived fees and costs in this action for (*name*): N/A
2. The person in item 1 (*check one*):
  - a.  is not recovering anything of value by this action.
  - b.  is recovering less than \$10,000 in value by this action.
  - c.  is recovering \$10,000 or more in value by this action. (*If item 2c is checked, item 3 must be completed.*)
3.  All court fees and costs that were waived in this action have been paid to the court (*check one*):  Yes  No

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

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



\_\_\_\_\_  
 (TYPE OR PRINT NAME OF  ATTORNEY  PARTY MAKING DECLARATION)

\_\_\_\_\_  
 (SIGNATURE)

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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 November 19, 2009, I served the within document(s):

**REQUEST FOR DISMISSAL**

- 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 November 19, 2009, at Irvine, California.

  
Kerry V. Keefe