

1 BEST BEST & KRIEGER LLP
ERIC L. GARNER, Bar No. 130665
2 JEFFREY V. DUNN, Bar No. 131926
STEFANIE D. HEDLUND, Bar No. 239787
3 5 PARK PLAZA, SUITE 1500
IRVINE, CALIFORNIA 92614
4 TELEPHONE: (949) 263-2600
TELECOPIER: (949) 260-0972
5 Attorneys for Cross-Complainants
ROSAMOND COMMUNITY SERVICES
6 DISTRICT and LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 40

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

7 OFFICE OF COUNTY COUNSEL
8 COUNTY OF LOS ANGELES
JOHN F. KRATTLI, Bar No. 82149
9 SENIOR ASSISTANT COUNTY COUNSEL
WARREN WELLEN, Bar No. 139152
10 PRINCIPAL DEPUTY COUNTY COUNSEL
500 WEST TEMPLE STREET
11 LOS ANGELES, CALIFORNIA 90012
TELEPHONE: (213) 974-8407
12 TELECOPIER: (213) 687-7337
Attorneys for Cross-Complainant LOS ANGELES
13 COUNTY WATERWORKS DISTRICT NO. 40

14 [See Next Page For Additional Counsel]

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA
16 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

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

Judicial Council Coordination No. 4408

CLASS ACTION

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

CASE MANAGEMENT STATEMENT

Date: March 8, 2010
Time: 10:00 a.m.
Dept.: 1

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RICHARDS WATSON & GERSHON

James L. Markman, Bar No. 43536
Steven Orr, Bar No. 136615
355 S. Grand Avenue, 40th Floor
Los Angeles, CA 90071-3101
(213) 626-8484 (213) 626-0078 fax
Attorneys for City of Palmdale

LEMIEUX & O'NEILL

Wayne Lemieux, Bar No. 43501
2393 Townsgate Road, Suite 201
Westlake Village, CA 91361
(805) 495-4770 (805) 495-2787 fax
Attorneys for Littlerock Creek Irrigation District and
Palm Ranch Irrigation District

LAGERLOF SENEAL GOSNEY & KRUSE

Thomas Bunn III, Bar No. 89502
301 North Lake Avenue, 10th Floor
Pasadena, CA 91101-4108
(626) 793-9400 (626) 793-5900 fax
Attorneys for Palmdale

CHARLTON WEEKS LLP

Bradley T. Weeks, Bar No. 173745
1007 West Avenue M-14, Suite A
Palmdale, CA 93551
(661) 265-0969 (661) 265-1650 fax
Attorneys for Quartz Hill Water District

CALIFORNIA WATER SERVICE COMPANY

John Tootle, Bar No. 181822
2632 West 237th Street
Torrance, CA 90505
(310) 257-1488; (310) 325-4605-fax

**KRONICK, MOSKOVITZ, TIEDEMANN &
GIRARD**

Janet K. Goldsmith, Bar No. 065959
Eric N. Robinson, Bar No. 191781
400 Capitol Mall, 27th Floor
Sacramento, CA 95814-4416
(916) 321-4500; (916) 321-4555-fax
Attorneys for the City of Los Angeles

CITY OF LOS ANGELES

Carmen A. Trutanich, Bar No. 86629
Julie Conboy-Riley, Bar No. 197407
111 North Hope Street, Suite 340
Los Angeles, CA 90051-0100
(213) 367-4500; (213) 367-4588-fax
Attorneys for the City of Los Angeles

1 TRIAL

2 The Public Water Suppliers propose the next phase of trial be a determination of Basin
3 characteristics including its safe yield and overdraft (past or present). The proposal has been
4 discussed with other attorneys, and the trial should start between July 6 and August 1, 2010. The
5 trial is expected to last about 10 to 15 court days.

6
7 The Public Water Suppliers and other attorneys agree the next phase of trial take place as
8 soon as possible to minimize further delay, avoid potentially unnecessary litigation expense, and
9 to facilitate the earliest possible negotiated resolution of case issues. Once the Court makes a safe
10 yield determination and decides whether a prescriptive period has resulted from overproduction,
11 the parties will be able assess the strength of their claims of priority to Basin water while
12 understanding the total amount available for all producers. In any event, the Court cannot make a
13 determination of whether a party acquired prescriptive rights until the Court first determines the
14 nature and extent of the Basin's safe yield, and whether groundwater withdrawals have exceeded
15 safe yield.

16
17 As the Court is aware, the parties' experts participated in an informal Technical
18 Committee that spent over a year collecting and analyzing data concerning groundwater recharge
19 including precipitation and return flows from imported water. They are ready to testify on Basin
20 characteristics. Accordingly, the following dates are proposed for the first trial phase:

21
22 1. April 30, 2010 is the deadline for a party to designate its expert witness(es), if any, and
23 to provide an expert witness report.

24
25 2. May 20, 2020 is the deadline for a party to designate supplemental expert witnesses but
26 only as allowed by Code of Civil Procedure section 2034.280 and applicable case law.

27
28 3. May 30, 2010 is the deadline for completing non-expert discovery limited to the next

1 phase of trial.
2

3 4. June 15, 2010 is the deadline for completing expert witness depositions.
4

5 5 June 15, 2010 is the deadline for each party's witness list, exhibit list and trial
6 brief to be posted on the court's website.
7

8 Each party's expert witness designation shall comply with Code of Civil Procedure
9 Section 2034.260 and shall include a written report containing all opinions and the entire factual
10 basis for each opinion. Each expert must provide his or her opinion, if any, on the natural yield of
11 the Basin (past and present), yield from imported water deliveries, and whether groundwater
12 extractions exceeded either or both yields for any time period. No party will be allowed to
13 provide an expert witness opinion at trial unless the opinion was fully and timely disclosed and
14 explained in writing with the party's expert witness designation.
15

16 Dated: February 26, 2010
17

BEST BEST & KRIEGER LLP

18
19 By 

20 ERIC L. GARNER
21 JEFFREY W. DUNN
22 STEFANIE D. HEDLUND
23 Attorneys for Cross-Complainants
24 ROSAMOND COMMUNITY SERVICES
25 DISTRICT and LOS ANGELES
26 COUNTY WATERWORKS DISTRICT
27 NO. 40
28

ORANGE\65647.1

LAW OFFICES OF
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 March 2, 2010, I served the within document(s):

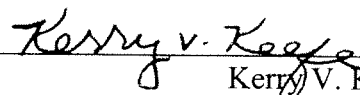
CASE MANAGEMENT STATEMENT

- 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 March 2, 2010, at Irvine, California.


Kerry V. Keefe