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ROSAMOND COMMUNITY SERVICES  
6 DISTRICT and LOS ANGELES COUNTY  
WATERWORKS DISTRICT NO. 40

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

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COUNTY WATERWORKS DISTRICT NO. 40

13 [See Next Page For Additional Counsel]

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

17 **ANTELOPE VALLEY**  
18 **GROUNDWATER CASES**

19 Included Actions:  
Los Angeles County Waterworks District  
20 No. 40 v. Diamond Farming Co., Superior  
Court of California, County of Los  
21 Angeles, Case No. BC 325201;

22 Los Angeles County Waterworks District  
No. 40 v. Diamond Farming Co., Superior  
23 Court of California, County of Kern, Case  
No. S-1500-CV-254-348;

24 Wm. Bolthouse Farms, Inc. v. City of  
25 Lancaster, Diamond Farming Co. v. City of  
Lancaster, Diamond Farming Co. v.  
26 Palmdale Water Dist., Superior Court of  
California, County of Riverside, Case Nos.  
27 RIC 353 840, RIC 344 436, RIC 344 668

28 RICHARDS WATSON & GERSHON

Judicial Council Coordination No. 4408

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

[Code Civ. Proc., § 382]

**PUBLIC WATER SUPPLIERS' NOTICE  
OF MOTION AND MOTION FOR COURT  
TO SIGN PROPOSED ORDER RE  
JURISIDCTION OVER TRANSFEREES**

**Hearing:**

**Date: June 14, 2010**  
**Time: 9:00 a.m.**  
**Dept.: 1**

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8 Palm Ranch Irrigation District

9 LAGERLOF SENECALE GOSNEY & KRUSE  
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15 Attorneys for Quartz Hill Water District

16 CALIFORNIA WATER SERVICE COMPANY  
John Tootle, Bar No. 181822  
17 2632 West 237<sup>th</sup> Street  
Torrance, CA 90505  
18 (310) 257-1488; (310) 325-4605-fax

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NOTICE OF MOTION


TO ALL PARTIES AND ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on June 14, 2010, at 9:00 a.m., or as soon thereafter as the matter may be heard, in Department 1, Room 534 of the above titled court, located at 110 North Hill Street, Los Angeles, California 90012, Cross-Complainants California Water Service Company, City of Palmdale, Littlerock Creek Irrigation District, Los Angeles County Water Works District No. 40, Palmdale Water District, Rosamond Community Services District, Palm Ranch Irrigation District and Quartz Hill Water District (collectively, the "Public Water Suppliers") will, and hereby do, move for the Court to sign the Proposed Order Regarding Jurisdiction Over Transferees, submitted on January 4, 2008 and argued on January 14, 2008.

This Motion is made pursuant to Court direction, applicable common law, the attached Memorandum of Points and Authorities, and any other oral and documentary evidence presented at the hearing on the Motion.

Dated: May 26, 2010

BEST BEST & KRIEGER LLP

By   
ERIC L. GARNER  
JEFFREY V. DUNN  
STEFANIE D. HEDLUND  
Attorneys for Cross-Complainants  
ROSAMOND COMMUNITY SERVICES  
DISTRICT and LOS ANGELES COUNTY  
WATERWORKS DISTRICT NO. 40

1 Memorandum of Points and Authorities


2 California Water Service Company, City of Palmdale, Littlerock Creek Irrigation District ,  
3 Los Angeles County Water Works District No. 40, Palmdale Water District, Rosamond  
4 Community Services District, Palm Ranch Irrigation District and Quartz Hill Water District  
5 (collectively, the "Public Water Suppliers") request the Court sign the [Proposed] Order Re  
6 Jurisdiction over Transferees of Property, submitted on January 4, 2008 and attached hereto as  
7 Exhibit "A." The Court asked for briefing on this issue in May of 2007. At the direction of the  
8 Court, counsel for Tejon Ranch submitted a brief on May 11, 2007. Other parties were allowed  
9 to submit briefs and present arguments orally in subsequent hearings.

10 The Court issued an oral ruling from the bench regarding the proposed judgment. At the  
11 same time, the Court rescinded the ruling and directed those parties with issues to submit  
12 additional briefing. (See Minute Order after January 14, 2008 hearing.) No party submitted  
13 additional briefing and at each of the subsequent hearings (until May 6, 2010) there was no  
14 further discussion.

15 Los Angeles County Waterworks District No. 40 and Rosamond Communities Services  
16 District respectfully request that the Court sign the [Proposed] Order.

17  
18  
19 Dated: May 26, 2010

BEST BEST & KRIEGER LLP

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

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**EXHIBIT “A”**

1 NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP  
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2 HENRY S. WEINSTOCK (SBN 089765)  
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3 Los Angeles, California 90071-1602  
4 Telephone: (213) 612-7800  
Facsimile: (213) 612-7801

5 Attorneys for Defendant and Cross-Complainant Tejon Ranchcorp  
6  
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 FOR THE COUNTY OF LOS ANGELES

10 ANTELOPE VALLEY	)	Judicial Council Coordination Proceeding No.
GROUNDWATER CASES	)	4408
11 Included Actions:	)	
	)	Santa Clara Case No. 1-05-CV-049053
12 Los Angeles County Waterworks District No. 40	)	Assigned to The Honorable Jack Komar
v. Diamond Farming Co.	)	
13 Superior Court of California	)	
14 County of Los Angeles, Case No. BC 325 201	)	<b>[PROPOSED]</b>
	)	<b>ORDER RE JURISDICTION OVER</b>
	)	<b>TRANSFEREES OF PROPERTY</b>
15 Los Angeles County Waterworks District No. 40	)	
v. Diamond Farming Co.	)	Hearing Date: January 14, 2008
16 Superior Court of California, County of Kern,	)	Time: 9:00 a.m.
Case No. S-1500-CV-254-348	)	Department: 1
17	)	
18 Wm. Bolthouse Farms, Inc. v. City of Lancaster	)	
Diamond Farming Co. v. City of Lancaster	)	
19 Diamond Farming Co. v. Palmdale Water Dist.	)	
Superior Court of California, County of Riverside,	)	
20 consolidated actions, Case Nos.	)	
RIC 353 840, RIC 344 436, RIC 344 668	)	
21	)	

22 Prior to the May 21, 2007 Case Management Conference, the Court asked Tejon  
23 Ranchcorp counsel to brief the question of how best to obtain jurisdiction over transferees of Antelope  
24 Valley land, so that the Court's final judgment will be binding upon them. In a brief dated May 11,  
25 2007, Tejon Ranchcorp discussed these issues, including the inadvisability of relying on a *lis pendens*.  
26 Instead, it recommended, in summary, that the Court order that the transferors of property post notice of  
27 their transfers on the Court website and notify their transferees of this litigation. These issues were  
28 discussed further in subsequent case management conferences. At the Case Management Conference on

1 December 18, 2007, there was further discussion of these issues, and the Court requested that counsel  
2 for Tejon Ranchcorp prepare and circulate this Proposed Order prior to the hearing on January 14, 2008,  
3 which Tejon Ranchcorp counsel has done.

4 NOW, THEREFORE, THE COURT ORDERS AS FOLLOWS:

5           1.       This Order applies to all parties to this adjudication, including individual parties  
6 and class members, that own real property or an interest in real property within the jurisdictional  
7 boundaries of this adjudication, as previously or hereafter defined by the Court.

8           2.       This Order shall be effective from the date hereof and continue after entry of  
9 judgment, until such time as it is modified or terminated by this Court.

10           3.       Any party (hereinafter "transferor") that sells, assigns, gives, exchanges, or  
11 otherwise transfers (hereinafter "transfers") an interest, in whole or in part, in any real property within  
12 the jurisdictional boundaries of the Antelope Valley Groundwater Adjudication shall, within 20 days  
13 after the transfer, post notice of the transfer on the Court website. This notice shall include: the name,  
14 address, and phone number of the buyer, transferee, recipient, or assignee (hereinafter "transferee"); the  
15 Assessor Parcel Number and the address or legal description of the property transferred; and  
16 identification of all applicable County Deed Numbers or Deed Reference Numbers. If the transferor is  
17 required to provide a Real Estate Transfer Disclosure Statement by Civil Code § 1102, et seq., the  
18 transferor shall provide the above information with that Statement.

19           4.       At least 10 days before completion of any such transfer, the transferor shall  
20 provide to the transferee the following information regarding this adjudication: the title of this case; the  
21 case number; the location of the court; a copy of this Order; a copy of the current Cross-Complaint of  
22 the "Public Water Suppliers"; a copy of the current answer and/or cross-complaint filed by the  
23 transferor; and a copy of any Settlement Agreement and/or Judgment in this adjudication that applies to  
24 the transferred real property.

25           5.       The notice of transfer required to be posted by paragraph 3 above shall include a  
26 representation to the Court by the transferor that it provided the information required in paragraph 4  
27 above.

28           6.       Counsel for all parties shall advise their clients, both individuals and class

1 members, of the requirements of this order. To assist class counsel in this regard, a copy of this Order  
2 shall be included with the initial Notice of Class Action that will be mailed to all class members.

3 7. After a notice of transfer is posted pursuant to paragraph 3 above, the "Public  
4 Water Suppliers" shall promptly serve their current Cross-Complaint on any transferees that are new  
5 parties to this adjudication, except new class members, substituting the transferees as cross-defendants  
6 per CCP § 368.5.

7 IT IS SO ORDERED.

8  
9 Dated: January \_\_\_\_, 2008

\_\_\_\_\_  
10 The Honorable Jack Komar  
11 Judge of the Superior Court  
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LAW OFFICES OF  
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**PROOF OF SERVICE**

I, Lori Bauer, declare as follows:

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, 400 Capitol Mall, Suite 1650, Sacramento, California 95814. On May 26, 2010, I served the within document(s):

**PUBLIC WATER SUPPLIERS' NOTICE OF MOTION AND MOTION FOR COURT TO SIGN PROPOSED ORDER RE: JURISDICTION OVER TRANSFEREES**

- by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter proceeding as JCCP 4408.
- 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 May 26, 2010, at Sacramento, California.

  
\_\_\_\_\_  
Lori Bauer