

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, Bar number, and address): <b>Best Best &amp; Krieger (PFI)</b> <b>ERIC L GARNER 130665</b> <b>3750 University Ave</b> <b>5 PARK PLAZA, SUITE 1500 IRVINE CA</b> <b>Riverside, CA 92502-1028</b>  TELEPHONE NO.: <b>951 686-1450</b> FAX NO. (Optional): <b>951 686-3083</b> E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b>LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40</b>		ORIGINAL FILED <small>(FOR COURT USE ONLY)</small> <b>LOS ANGELES</b>  <b>SEP 07 2007</b>  <b>SUPERIOR COURT</b> By: <u>VICTOR E. SINO-CRUZ</u> <small>DEPUTY</small>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: <b>111 North Hill Street, Room 102</b> MAILING ADDRESS: CITY AND ZIP CODE: <b>Los Angeles 90012</b> BRANCH NAME:		
PLAINTIFF/PETITIONER: <b>LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40</b>	CASE NUMBER: <b>BC325201</b>	
DEFENDANT/RESPONDENT: <b>DIAMOND FARMING COMPANY</b>	Ref. No. or file No.: <b>26345.001</b>	
<b>PROOF OF SERVICE OF SUMMONS</b>		

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:

**AMENDED SUMMONS; FIRST-AMENDED CROSS-COMPLAINT OF PUBLIC WATER SUPPLIERS FOR DECLARATORY AND INJUNCTIVE RELIEF AND ADJUDICATION OF WATER RIGHTS; MODEL ANSWER TO COMPLAINT AND ALL CROSS-COMPLAINTS; AMENDMENT TO COMPLAINT (NAMING DOES 231-554).**

3. a. Party served (specify name of party as shown on documents served):  
**BURTON BROS INC.**

b.  Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b whom substituted service was made) (specify name and relationship to the party named in item 3a):  
**CLIFFORD G BURTON REGISTERED AGENT, A white male approx. over 65 years of age 5'8"-5'10" in height weighing 140-160 lbs with gray hair**

4. Address where the party was served: **9120 SAN JUAN LA MESA, CA 91941**

5. I served the party (check proper box)

a.  **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **Jul 24 2007** (2) at (time): **12:25:00 PM**

b.  **by substituted service.** On (date): \_\_\_\_\_ at (time): \_\_\_\_\_ I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):

- (1)  **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
- (2)  **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- (3)  **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
- (4)  I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): \_\_\_\_\_ from (city): \_\_\_\_\_ or  a declaration of mailing is attached.
- (5)  I attach a **declaration of diligence** stating actions taken first to attempt personal service.

COPY



PLAINTIFF/PETITIONER: <b>LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40</b>	CASE NUMBER: <b>BC325201</b>
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- c.  **by mail and acknowledgement of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): \_\_\_\_\_ (2) from (city): \_\_\_\_\_
- (3)  with two copies of the *Notice and Acknowledgement of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgement of Receipt.*) (Code Civ. Proc., § 415.30.)
- (4)  to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d.  **by other means** (specify means of service and authorizing code section):

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:
- a.  as an individual defendant.
- b.  as the person sued under the fictitious name of (specify): \_\_\_\_\_
- c.  as occupant.
- d.  On behalf of (specify): **BURTON BROS INC.**

under the following Code of Civil Procedure section:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> 416.10 (corporation)          | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation)             | <input type="checkbox"/> 416.60 (minor)                               |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee)                 |
| <input type="checkbox"/> 416.40 (association or partnership)      | <input type="checkbox"/> 416.90 (authorized person)                   |
| <input type="checkbox"/> 416.50 (public entity)                   | <input type="checkbox"/> 415.46 (occupant)                            |
|   | <input type="checkbox"/> other:                                       |

7. **Person who served papers**

- a. Name: **Bruno Roj**
- b. Address: **2121 Fifth Avenue #200 San Diego, CA 92101**
- c. Telephone number: **619-232-1920**
- d. The fee for service was: **\$ 100.00**
- e. I am:

- (1)  not a registered California process server.
- (2)  exempt from registration under Business and Professions Code section 22350(b).
- (3)  registered California process server:
- (i)  owner  employee  independent contractor.
- (ii) Registration No.: \_\_\_\_\_
- (iii) County: \_\_\_\_\_

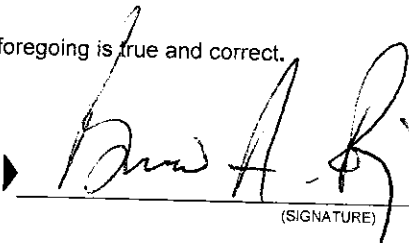
8.  **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9.  **I am a California sheriff or marshal and I** certify that the foregoing is true and correct.

Date: **Jul 25 2007**

\_\_\_\_\_  
Bruno Roj  
(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

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

