1 2 3 4 5 6 7 8 9 10 11 12	BEST BEST & KRIEGER LLP ERIC L. GARNER, Bar No. 130665 JEFFREY V. DUNN, Bar No. 131926 WENDY Y. WANG, Bar No. 228923 18101 VON KARMAN AVENUE, SUITE 1000 IRVINE, CALIFORNIA 92612 TELEPHONE: (949) 263-2600 TELECOPIER: (949) 260-0972 Attorneys for LOS ANGELES COUNTY WATER WORKS DISTRICT NO. 40 OFFICE OF COUNTY COUNSEL COUNTY OF LOS ANGELES JOHN F. KRATTLI, Bar No. 82149 COUNTY COUNSEL WARREN WELLEN, Bar No. 139152 PRINCIPAL DEPUTY COUNTY COUNSEL 500 WEST TEMPLE STREET LOS ANGELES, CALIFORNIA 90012 TELEPHONE: (213) 974-8407 TELECOPIER: (213) 687-7337 Attorneys for LOS ANGELES COUNTY WATER WORKS DISTRICT NO. 40	EXEMPT FROM FILING FEES UNDER GOVERNMENT CODE SECTION 6103
13 14		E STATE OF CALIFORNIA
15 16	COUNTY OF LOS ANGEL	ES – CENTRAL DISTRICT Judicial Council Coordination Proceeding
 17 18 19 20 21 22 23 24 25 26 27 	 CASES Included Actions: Los Angeles County Waterworks District No. 40 v. Diamond Farming Co., Superior Court of California, County of Los Angeles, Case No. BC 325201; Los Angeles County Waterworks District No. 40 v. Diamond Farming Co., Superior Court of California, County of Kern, Case No. S-1500-CV-254-348; Wm. Bolthouse Farms, Inc. v. City of Lancaster, Diamond Farming Co. v. Palmdale Water Dist., Superior Court of California, County of Riverside, Case Nos. RIC 353 840, RIC 344 436, RIC 344 668 RICHARD WOOD, on behalf of himself and all other similarly situated v. A V. Matariak. 	No. 4408 CLASS ACTION Santa Clara Case No. 1-05-CV-049053 Assigned to the Honorable Jack Komar PUBLIC WATER SUPPLIERS' NOTICE AND EX PARTE APPLICATION TO EXTEND DATE TO RESPOND TO PHASE 6 DISCOVERY ORDER; DECLARATION OF JEFFREY V. DUNN Date: April 4, 2014 Time: 9:00 a.m. Dept.: Telephonic via CourtCall [Filed concurrently with [Proposed] Order]
27 28	RICHARD WOOD, on behalf of himself and all other similarly situated v. A.V. Materials, Inc., et al., Superior Court of California, County of Los Angeles, Case No. BC509546	

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	PUBLIC WATER SUPPLIERS' NOTICE AND EX PARTE APPLICATION TO EXTEND DATE TO RESPOND TO PHASE 6 DISCOVERY ORDER; DECLARATION OF JEFFREY V. DUNN

LAW OFFICES OF BEST BEST & KRIEGER LLP 18101 VON KARMAN AVENUE, SUITE 1000 IRVINE, CALIFORNIA 92612

1	TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:		
2	PLEASE TAKE NOTICE THAT on April 4, 2014 at 9:00 a.m. or as soon thereafter as the		
3	matter may be heard, Los Angeles County Waterworks District No. 40, City of Lancaster,		
4	Rosamond Community Services District, Littlerock Creek Irrigation District, Palm Ranch		
5	Irrigation District, Desert Lake Community Services District, North Edwards Water District,		
6	Llano Del Rio Water Company, Llano Mutual Water Company, Big Rock Mutual Water		
7	Company, Palmdale Water District, Quartz Hill Water District, and California Water Service		
8	Company (collectively "Public Water Suppliers") will, and hereby do, move this Court by way of		
9	an ex parte application, for an order extending the date to respond to the Phase 6 Discovery Order		
10	from April 4, 2014 to ten days after the end of the Phase 5 trial. Good cause exists for the relief		
11	sought.		
12	This ex parte application is made pursuant to California Rules of Court, rules 3.1200 et		
13	seq., and Code of Civil Procedure section 128. This application is based on the application, the		
14	attached memorandum of points and authorities and Declaration of Jeffrey V. Dunn and exhibits		
15	thereto, the [Proposed] Order, the pleadings and papers on file herein, and on such further		
16	arguments and material as the Court may consider at the hearing on this matter.		
17			
18	Dated: April 3, 2014 BEST BEST & KRIEGER LLP		
19	By:		
20	ERIC L. GARNER JEFFREY V. DUNN		
21	WENDY Y. WANG Attorneys for Cross-Complainant		
22	LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40		
23	DISTRICT NO. 40		
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	PUBLIC WATER SUPPLIERS' NOTICE AND EX PARTE APPLICATION TO EXTEND DATE TO RESPOND TO PHASE 6 DISCOVERY ORDER; DECLARATION OF JEFFREY V. DUNN		

1	MEMORANDUM OF POINTS AND AUTHORITIES		
2	Pursuant to California Rules of Court, rules 3.1200 et seq., and Code of Civil Procedure		
3	section 128, Los Angeles County Waterworks District No. 40, City of Lancaster, Rosamond		
4	Community Services District, Littlerock Creek Irrigation District, Palm Ranch Irrigation District,		
5	Desert Lake Community Services District, North Edwards Water District, Llano Del Rio Water		
6	Company, Llano Mutual Water Company, Big Rock Mutual Water Company, Palmdale Water		
7	District, Quartz Hill Water District, and California Water Service Company (collectively "Public		
8	Water Suppliers") hereby make this ex parte application for an order extending the date to		
9	respond to the Phase 6 Discovery Order from April 4, 2014 to ten days after the end of the Phase		
10	5 trial.		
11	On January 27, 2014, the Court signed and issued the Discovery Order for Phase 6 Trial		
12	("Discovery Order"), which was prepared by counsel for Tejon Ranchcorp and Granite		
13	Construction Company and was propounded on all parties asserting prescriptive rights. At the		
14	time the Court entered the Discovery Order, the parties anticipated Phase 5 trial to conclude by		
15	the end of February 2014 and to have at least one month to prepare for responses to the Discovery		
16	Order. (Declaration of Jeffrey V. Dunn ("Dunn Decl.") at Ex. "A".) As the Court is aware,		
17	Phase 5 trial was paused to allow the parties an opportunity to engage in settlement discussions.		
18	Since February 2014, the Public Water Suppliers and other parties to this coordinated proceeding		
19	have been diligently meeting to discuss settlement, and continue to meet. (Dunn Decl. at ¶5.)		
20	To ensure that the focus is kept on the settlement discussions, and, if necessary, to allow		
21	responding parties sufficient time to prepare for Phase 5 trial and the Phase 6 discovery, the		
22	Public Water Suppliers respectfully request the Court to extend the date to response to the		
23	Discovery Order to ten days after the end of the Phase 5 trial.		
24	Dated: April 3, 2014 BEST BEST & KRIEGER LLP		
25	By By I am		
26	ERIC L. GARNER JEFFREY V. DUNN		
27	WENDY Y. WANG Attorneys for LOS ANGELES COUNTY		
28	WATEŘWORKS DISTRICT NO. 40		
	PUBLIC WATER SUPPLIERS' NOTICE AND EX PARTE APPLICATION TO EXTEND DATE TO RESPOND TO PHASE 6 DISCOVERY ORDER; DECLARATION OF JEFFREY V. DUNN		

1	DECLARATION OF JEFFREY V. DUNN		
2			
3	I, Jeffrey V. Dunn, declare as follows:		
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.		
6	2. I am licensed to practice law in the State of California and am an attorney of Best,		
7	Best & Krieger LLP, attorneys of record for the Los Angeles County Waterworks District No. 40		
8	("District No. 40").		
9	3. At or prior to 10:00 a.m. on April 3, 2014, I provided notice to all parties and their		
10	counsel of the Public Water Suppliers' ex parte application for an order continuing the date to		
11	respond to the Phase 6 Discovery Order, by posting the accompanying notice and application to		
12	the court's designated website for this case. The accompanying notice provide the location and		
13	time of the ex parte hearing, and the specific relief to be requested.		
14	4. Attached as Exhibit "A" is a true and correct copy of the Case Management Order		
15	for Phase 5 and Phase 6 trials, which was posted to the court's website on October 25, 2013.		
16	5. Phase 5 trial was paused to allow the parties an opportunity to engage in settlement		
17	discussions. Since February 2014, the Public Water Suppliers and other parties to this		
18	coordinated proceeding have been diligently meeting to discuss settlement, and continue to meet.		
19	I declare under penalty of perjury under the laws of the State of California that the		
20	foregoing is true and correct.		
21	Executed this 3rd day of April, 2014, at Irvine, California.		
22 23	Jeffrey V. Dunn		
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	DECLARATION OF JEFFREY V. DUNN IN SUPPORT OF PUBLIC WATER SUPPLIERS' NOTICE AND EX PARTE APPLICATION TO EXTEND DATE TO RESPOND TO PHASE 6 DISCOVERY ORDER		

LAW OFFICES OF BEST BEST & KRIEGER LLP 18101 VON KARMAN AVENUE, SUITE 1000 IRVINE, CALIFORNIA 92612

	1	PROOF OF SERVICE
	2	I, Sandra K. Sandoval, declare:
	3	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,300 South Grand
	4	Avenue, 25th Floor, Los Angeles, CA 90071. On April 3, 2014, I served the within document(s):
	5	PUBLIC WATER SUPPLIERS' NOTICE AND EX PARTE APPLICATION TO
	6	EXTEND DATE TO RESPOND TO PHASE 6 DISCOVERY ORDER; DECLARATION OF JEFFREY V. DUNN
	7 8	by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.
	9	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
1000	10	below.
R LLP SUITE 2612	11	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.
LAW OFFICES OF LAW OFFICES OF BEST BEST & KRIEGER LLP VON KARMAN AVENUE, SUITE 1000 IRVINE, CALIFORNIA 92612	12 13	by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
N OFFI EST & K MAN A CALIF(13	
LAN EST BE DN KAF NVINE,	15	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
18101 VG	16	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.
	17	I declare under penalty of perjury under the laws of the State of California that the above
	18	is true and correct. Executed on April 3, 2014, at Los Angeles, California
	19	MAN XTUNO
	20	Sandra K. Sandoval
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		PROOF OF SERVICE OF PUBLIC WATER SUPPLIERS' NOTICE AND EX PARTE APPLICATION TO EXTEND DATE TO RESPOND TO PHASE 6 DISCOVERY ORDER; DECLARATION OF JEFFREY V. DUNN

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