

# EXHIBIT "B"

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

DATE: 05/30/13

DEPT. 322

HONORABLE Jack Komar

JUDGE

D. McCULLOUGH

DEPUTY CLERK

HONORABLE #1

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

S. MARTINEZ, C.A.

Deputy Sheriff

SANDY GRECO, #3806

Reporter

9:00 am

JCCP4408

Plaintiff  
Counsel

Coordination Proceeding Special  
Title Rule (1550(b))  
ANTELOPE VALLEY  
GROUNDWATER CASES  
\*ASSIGNED TO JUDGE JACK KOMAR  
IN SANTA CLARA COUNTY (8/31/05)

Defendant  
Counsel

**NATURE OF PROCEEDINGS:**

**COURT TRIAL - PHASE 4**

Court trial resumes from May 28, 2013 with all counsel present as heretofore.

The following exhibits are marked for identification and admitted into evidence:

- ~~4- ANTELOPEPARK-3 Second supplemental response~~
- 4-BURROWS-6 Third Supplemental declaration of Bruce Burrows
- 4-KYLE-4 Declaration of Robert Jones
- 4-BOLTHOUSE-1 Amended declaration of Anthony L. Leggio
- 4-GRANITE-1 Declaration of William Taylor
- 4-GRANITE-2 Declaration of Steven McCracken
- 4-WHITEFENCE-1 Responses to 12/12/12 discovery order
- 4-WHITEFENCE-2 First supplemental responses
- 4-WHITEFENCE-3 Second supplemental responses

*delete duplicate of entry on page 1 of 5/29/13 Minute Order.*

Phase 4 of Trial is taken under submission by the Court.

Stipulation Regarding Pumping During Calendar Years 2011 and 2012 is filed this date.

Court and counsel confer re further motions and procedures for Phase 5 of trial.

MINUTES ENTERED 05/30/13 COUNTY CLERK
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IN SANTA CLARA COUNTY (8/31/05

Defendant  
Counsel

**NATURE OF PROCEEDINGS:**

Counsel are directed to meet and confer and submit a Joint Proposed Partial Statement of Decision for Phase 4 Trial.

Court sets a telephonic pre-trial status conference for June 27, 2013 at 9:00 a.m. Location for call-in purposes to be determined.

At the conclusion of Phase 4 Trial, the Court began reviewing the declarations and supporting evidence against a hearsay objection by counsel for the Wood Class to ensure that the declaration each has submitted is by a qualified person and to determine whether each submitted competent evidence that would support the conclusion of pumping.

Counsel for the Wood Class shall contact the court appointed expert to schedule a call with the Court to discuss the progress and submission of the report on the work he is doing on the Wood Class.

MINUTES ENTERED 05/30/13 COUNTY CLERK
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# EXHIBIT "C"

1 **BEST BEST & KRIEGER LLP**  
 2 **ERIC L. GARNER, Bar No. 130665**  
 3 **JEFFREY V. DUNN, Bar No. 131926**  
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 6 **IRVINE, CALIFORNIA 92612**  
 7 **TELEPHONE: (949) 263-2600**  
 8 **TELECOPIER: (949) 260-0972**  
 9 **Attorneys for Cross-Complainant**  
 10 **LOS ANGELES COUNTY WATERWORKS**  
 11 **DISTRICT NO. 40**

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

12 **OFFICE OF COUNTY COUNSEL**  
 13 **COUNTY OF LOS ANGELES**  
 14 **JOHN F. KRATTLI, Bar No. 82149**  
 15 **COUNTY COUNSEL**  
 16 **WARREN WELLEN, Bar No. 139152**  
 17 **PRINCIPAL DEPUTY COUNTY COUNSEL**  
 18 **500 WEST TEMPLE STREET**  
 19 **LOS ANGELES, CALIFORNIA 90012**  
 20 **TELEPHONE: (213) 974-8407**  
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 22 **Attorneys for Cross-Complainant LOS ANGELES**  
 23 **COUNTY WATERWORKS DISTRICT NO. 40**

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

**ANTELOPE VALLEY  
 GROUNDWATER CASES**

24 **Included Actions:**  
 25 **Los Angeles County Waterworks District**  
 26 **No. 40 v. Diamond Farming Co., Superior**  
 27 **Court of California, County of Los**  
 28 **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. 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**

**Judicial Council Coordination No. 4408**

**CLASS ACTION**

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

**(PROPOSED) FIFTH AMENDED CASE  
 MANAGEMENT ORDER**

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**ORDER**

The Court's current Case Management Order is hereby amended as follows:

The Phase IV Trial is only for the purpose of determining groundwater pumping during 2011 and 2012. The Phase IV Trial shall not result in any determination of any water right, or the reasonableness of any party's water use or manner of applying water to the use. The Phase IV Trial will not preclude any party from introducing in a later trial phase evidence to support its claimed water rights including, without limitation, evidence of water use in years other than 2011 and 2012. All parties reserve their rights to produce any evidence to support their claimed water rights and make any related legal arguments including, without limitation, arguments based on any applicable constitutional, statutory, or decisional authority.

IT IS SO ORDERED.

Dated: MAY 20, 2013

  
HON. JACK KOMAR

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

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