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

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA

15 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

16 **ANTELOPE VALLEY GROUNDWATER  
17 CASES**

Included Actions:

18 *Los Angeles County Waterworks District No. 40 v.*  
*Diamond Farming Co.*, Superior Court of  
19 California, County of Los Angeles, Case No. BC  
325201;

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

22 *Wm. Bolthouse Farms, Inc. v. City of Lancaster,*  
*Diamond Farming Co. v. City of Lancaster,*  
23 *Diamond Farming Co. v. Palmdale Water Dist.*,  
Superior Court of California, County of Riverside,  
24 Case Nos. RIC 353 840, RIC 344 436, RIC 344 668  
*Rebecca Lee Willis v. Los Angeles County*  
25 *Waterworks District No. 40, et al.*, Superior Court  
of California, County of Los Angeles, Case No.  
26 BC364533

27 *Richard Wood v. Los Angeles County Waterworks*  
*District No. 40, et al.*, Superior Court of California,  
28 County of Los Angeles, Case No. BC391869

Judicial Council Coordination  
Proceeding No. 4408

CLASS ACTION

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

**WATER SUPPLIERS' OPPOSITION  
TO REQUEST FOR JUDICIAL  
NOTICE CONCURRENTLY FILED  
WITH CERTAIN LANDOWNER  
PARTIES' OPPOSITION TO  
WATER SUPPLIERS' MOTION TO  
INTERPRET JUDGMENT AND  
RESPONSE TO WATERMASTER'S  
MOTION; OBJECTIONS TO  
EXHIBITS**

Hearing: January 31, 2018  
Time: 9:00 a.m.  
Dept.: 222

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8 Palm Ranch Irrigation District, Desert Lake Community Services District, North Edwards Water  
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9 District

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1 Los Angeles County Waterworks District No. 40, Palmdale Water District, Rosamond  
2 Community Services District, Quartz Hill Water District, Littlerock Creek Irrigation District, and  
3 Palm Ranch Irrigation District (collectively, the “Water Suppliers”) hereby oppose the Request  
4 for Judicial Notice filed by the City of Los Angeles and Los Angeles World Airports, the County  
5 Sanitation Districts of Los Angeles County Nos. 14 and 20, Diamond Farming, Grimmway  
6 Enterprises, Inc., Crystal Organic Farms, Lapis Land Co., Tejon Ranchcorp and Tejon Ranch  
7 Company, Bolthouse Properties, LLC, WM Bolthouse Farms, Inc., State of California, and State  
8 of California 50th District Agricultural Association (“RJN”) in support of their opposition to  
9 Water Suppliers’ motion for interpretation of the Judgment. The Water Suppliers also object to  
10 the exhibits attached to the RJN for the reasons stated below.

11 None of the exhibits attached to the RJN is suitable for judicial notice as they are  
12 inadmissible as evidence for a myriad of reasons.

13 “Judicial notice is the recognition and acceptance by the court, for use by the trier of fact  
14 or by the court, of the existence of a matter of law or fact that is relevant to an issue in the action  
15 without requiring formal proof of the matter.” (*Lockley v. Law Office of Cantrell, Green, Pekich,*  
16 *Cruz & McCort* (2001) 91 Cal.App.4th 875, 882 [citation and internal quotation marks omitted].)  
17 Judicial notice may not be taken of any matter unless authorized or required by law. (Cal. Evid.  
18 Code, § 450.) The purpose of judicial notice is to expedite the production and introduction of  
19 otherwise admissible evidence. (*Mozzetti v. City of Brisbane* (1977) 67 Cal. App. 3d 565, 578.)  
20 Judicial notice is a “substitute for proof.” (*Mangini v. R.J. Reynolds Tobacco Co.* (1994) 7 Cal.4th  
21 1057, 1063 (overruled in part on other grounds in *In re Tobacco Cases II*, 41 Cal. 4th 1257, 1276  
22 (2007).) The burden is on the party requesting judicial notice to supply the court with sufficient,  
23 reliable, and trustworthy sources of information about the matter. (*People v. Maxwell* (1978) 78  
24 Cal.App.3d 124, 130.)

25 Any matters that are judicially noticed must also be relevant to the issue at hand. (*See*  
26 *Evid. Code section 350* [irrelevant evidence is not admissible]; *see also Wasko v. Department of*  
27 *Corrections* (1989) 211 Cal.App.3d 996, 1001, n.1 (“The request to take judicial notice is denied  
28 because the matter requested to be noticed is irrelevant.”) Here, certain landowner parties “seek

1 judicial notice of written records of proceedings before the Watermaster.” (RJN at 2:12-20  
2 (emphasis added).) However, submittals to the Watermaster are irrelevant to the issue at hand as  
3 no Party is challenging a Watermaster’s decision. No one has asked the Court to overturn a  
4 Watermaster’s vote. No one has accused the Watermaster of abusing its powers under the  
5 Judgment.

6 Rather, the sole issue in the duplicative motions pending before the Court is the  
7 interpretation of the Judgment. What the Watermaster or its legal counsel may or may not have  
8 considered is not probative to the interpretation of a judgment entered before any of the exhibits  
9 to the RJN was created.

10 Furthermore, the exhibits to the RJN contain improper legal opinions and legal  
11 conclusions by counsel to Parties and the Watermaster – none of which are admissible. (Evid.  
12 Code §§ 801 & 803; *W. v. Sundown Little League of Stockton* (2002) 96 Cal.App.4th 351, 359  
13 [legal conclusions are not the proper subject of expert testimony]; *Adams v. City of Fremont*  
14 (1998) 68 Cal.App.4th 243, 266 [“Opinion testimony is inadmissible and irrelevant to adjudging  
15 questions of law.”].)

16 California courts have long recognized that expert opinions are not admissible for the  
17 consideration of legal matters, such as interpretation of a written instrument. (*Summers v. A. L.*  
18 *Gilbert Co.* (1999) 69 Cal.App.4th 1155, 1178 [“There are limits to expert testimony, not the least  
19 of which is the prohibition against admission of an expert’s opinion on a question of law.”];  
20 *Cooper Companies v. Transcontinental Ins. Co.* (1995) 31 Cal.App.4th 1094, 1100 [“The  
21 interpretation of an insurance contract, as with that of any written instrument, is primarily a  
22 judicial function. Unless the interpretation of the instrument turns upon the credibility of  
23 conflicting extrinsic evidence, a reviewing court makes an independent determination of the  
24 policy’s meaning.”].)

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As the exhibits that are subject to the RJN are inadmissible and provide no probative value, the Court should deny the request for judicial notice and should not consider them in deciding the pending motions.

Dated: January 24, 2018

BEST BEST & KRIEGER LLP

By: 

ERIC L. GARNER  
JEFFREY V. DUNN  
WENDY Y. WANG  
Attorneys for Defendant  
LOS ANGELES COUNTY  
WATERWORKS DISTRICT NO. 40

**PROOF OF SERVICE**

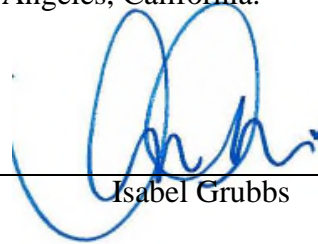
I, Isabel Grubbs, declare:

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, 300 S. Grand Avenue, 25th Floor, Los Angeles, California 90071. On January 24, 2018, I served the following document(s):

**WATER SUPPLIERS' OPPOSITION TO REQUEST FOR JUDICIAL NOTICE  
CONCURRENTLY FILED WITH CERTAIN LANDOWNER PARTIES'  
OPPOSITION TO WATER SUPPLIERS' MOTION TO INTERPRET JUDGMENT  
AND RESPONSE TO WATERMASTER'S MOTION; OBJECTIONS TO EXHIBITS**

by posting the document(s) listed above to the Antelope Valley WaterMaster website with e-service to all parties listed on the websites Service List.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on January 24, 2018, at Los Angeles, California.



Isabel Grubbs

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