

1 Bob H. Joyce, (SBN 84607)
2 Andrew Sheffield, (SBN 220735)
3 Melissa H. Brown, (SBN 252591)

4 LAW OFFICES OF
5 **LEBEAU • THELEN, LLP**
6 5001 East Commercenter Drive, Suite 300
7 Post Office Box 12092
8 Bakersfield, California 93389-2092
9 (661) 325-8962; Fax (661) 325-1127

10 Attorneys for DIAMOND FARMING COMPANY,
11 a California corporation, CRYSTAL ORGANIC
12 FARMS, a limited liability company, GRIMMWAY
13 ENTERPRISES, INC., and LAPIS LAND COMPANY, LLC

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

15 **IN AND FOR THE COUNTY OF LOS ANGELES**

16 Coordination Proceeding Special Title
17 (Rule 1550 (b))

Judicial Council Coordination No. 4408

18 ANTELOPE VALLEY GROUNDWATER
19 CASES

Case No.: 1-05-CV-049053

20 Included actions:

**RENEWED OBJECTION TO HEARING
ON MOTION TO TRANSFER AND TO
CONSOLIDATE FOR ALL PURPOSES**

21 Los Angeles County Waterworks District No.
22 40 vs. Diamond Farming Company
23 Los Angeles Superior Court
24 Case No. BC 325201

Date: October 13, 2009
Time: 10:00 a.m.
Dept.: 17C

25 Los Angeles County Waterworks District No.
26 40 vs. Diamond Farming Company
27 Kern County Superior Court
28 Case No. S-1500-CV 254348 NFT

(Hon. Jack Komar)

29 Diamond Farming Company vs. City of
30 Lancaster
31 Riverside County Superior Court
32 Lead Case No. RIC 344436 [Consolidated
33 w/Case Nos. 344668 & 353840]

34 AND RELATED CROSS-ACTIONS.

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I.


ARGUMENT

The supplemental filing by the Public Water Suppliers in support of the Motion to Transfer and Consolidate does not address nor cure the defects addressed in our earlier filed "OBJECTION TO HEARING ON MOTION TO TRANSFER AND TO CONSOLIDATE FOR ALL PURPOSES." The supplemental filing and "Matrix" does not satisfy the mandatory requirements of California Rules of Court, Rule 3.350(a). The proof of service makes clear that California Rules of Court, Rule 3.350(a)(2)(B) has not been satisfied.

The fact of coordination and/or the fact that these cases have been deemed to be "complex", does not vitiate nor render inapplicable the California Code of Civil Procedure and the legislature's dictates set forth therein, nor the California Rules of Court. See, *Magana Cathcart McCarthy v. CB Richard Ellis, Inc.* (2009) 174 Cal.App.4th 106, p. 122.

Dated: September 18, 2009

LeBEAU • THELEN, LLP

By: 
BOB H. JOYCE
Attorneys for DIAMOND FARMING COMPANY,
a California corporation, CRYSTAL ORGANIC
FARMS, a limited liability company,
GRIMMWAY ENTERPRISES, INC., and LAPIS
LAND COMPANY, LLC

PROOF OF SERVICE

1 ANTELOPE VALLEY GROUNDWATER CASES
2 JUDICIAL COUNCIL PROCEEDING NO. 4408
3 CASE NO.: 1-05-CV-049053

4 I am a citizen of the United States and a resident of the county aforesaid; I am over the age
5 of eighteen years and not a party to the within action; my business address is: 5001 E. Commercenter
6 Drive, Suite 300, Bakersfield, California 93309. On September 18, 2009, I served the within
7 **RENEWED OBJECTION TO HEARING ON MOTION TO TRANSFER AND TO**
8 **CONSOLIDATE FOR ALL PURPOSES**

9 (BY POSTING) I am "readily familiar" with the Court's Clarification Order.
10 Electronic service and electronic posting completed through www.scefilng.org ; All papers filed
11 in Los Angeles County Superior Court and copy sent to trial judge and Chair of Judicial Council.

12 Los Angeles County Superior Court
13 111 North Hill Street
14 Los Angeles, CA 90012
15 Attn: **Department 1**
16 (213) 893-1014

Chair, Judicial Council of California
Administrative Office of the Courts
Attn: Appellate & Trial Court Judicial Services
(Civil Case Coordinator)
Carlotta Tillman
455 Golden Gate Avenue
San Francisco, CA 94102-3688
Fax (415) 865-4315

17 (BY MAIL) I am "readily familiar" with the firm's practice of collection and
18 processing correspondence for mailing. Under that practice it would be deposited with the U.S.
19 Postal Service on that same day with postage thereon fully prepaid at Bakersfield, California, in
20 the ordinary course of business.

21 (OVERNIGHT/EXPRESS MAIL) By enclosing a true copy thereof in a sealed
22 envelope designated by United States Postal Service (Overnight Mail)/Federal Express/United
23 Parcel Service ("UPS") addressed as shown on the above by placing said envelope(s) for ordinary
24 business practices from Kern County. I am readily familiar with this business' practice of
25 collecting and processing correspondence for overnight/express/UPS mailing. On the same day
26 that the correspondence is placed for collection and mailing, it is deposited in the ordinary course
27 of business with the United States Postal Service/Federal Express/UPS in a sealed envelope with
28 delivery fees paid/provided for at the facility regularly maintained by United States Postal Service
(Overnight Mail/Federal Express/United Postal Service [or by delivering the documents to an
authorized courier or driver authorized by United States Postal Service (Overnight Mail)/Federal
Express/United Postal Service to receive documents]).

(STATE) I declare under penalty of perjury under the laws of the State of
California that the above is true and correct, and that the foregoing was executed on September
18, 2009, in Bakersfield, California.


LEQUETTA HANSEN