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June 21, 2007

Via Facsimile, Electronic Posting & U.S. Mail

Jeffrey Dunn, Esq.
Best, Best & Krieger
5 Park Plaza, Suite 1500
Irvine, CA 92614

And to All Counsel Identified on Attached Service List

Re: *Antelope Valley Groundwater Adjudication/
Mr. Dunn's Correspondence of June 20, 2007*

Gentlemen:

I note that each of you were apparently provided with a copy of Mr. Dunn's letter. I note the concluding paragraph wherein Mr. Dunn purports to speak for all as follows:

"For the foregoing reasons the Public Water Suppliers' request that Diamond Farming withdraw its discovery requests, or tailor discovery requests limited to the class certification issues before the court. Please advise us in writing on or before June 22, 2007 that the discovery request are withdrawn."

In response to said demand, we respond, "NO."

We have no legal obligation to presently disclose our thought processes or rationale but do believe that the discovery propounded has a bearing upon the class certification issues, even if they likewise will ultimately have a bearing upon the merits at trial. You should each appreciate that there is no order in place staying discovery in the action. In fact, on Friday, December 2, 2005, I expressly asked Judge Komar if there was any prohibition against the initiation of discovery, and Judge Komar responded in the negative. I am reasonably certain that each of you are aware of your responsibilities under the Code of Civil Procedure, and likewise, equally aware of the procedural remedies available to you.

EX. 2

Jeffrey Dunn, Esq.

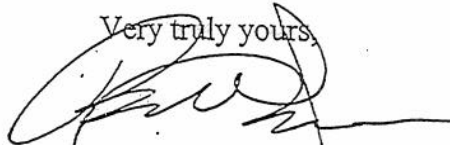
And to All Counsel Identified on Attached Service List

June 21, 2007

Page 2

Each of you were properly served with the discovery requests 26 days before the date of Mr. Dunn's letter. Given your history, I assume you all collectively and consciously elected to wait until the eleventh hour to raise the issue. I hope that in the interim you have not instructed your clients to disregard that discovery or sat on your hands. I am reasonably certain that each of you or at least some of you collectively are aware of the consequences of not timely responding to discovery propounded upon your clients. I expect the responses to be timely served as required by law.

Very truly yours,



BOB H. JOYCE

BHJ:dml

cc: Jeffrey A. Green, Esq.

SERVICE LIST

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DATED: June 21, 2007

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RE: Antelope Valley Groundwater Cases
JUDICIAL COUNSEL PROCEEDING NO. 4408
CASE NO.: 1-05-CV-049053

NUMBER OF PAGES SENT 4 (INCLUDING TRANSMISSION PAGE).

INSTRUCTIONS (IF ANY): Response to correspondence re discovery

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2045	Jun-21-2007 05:07 PM	Send	13103254605	1:39	4	Success

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 County of Santa Clara
 Hon. Jack Komar, Department 17
 191 N. First Street, San Jose, CA 95113

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Service date: 06/21/2007 5:13 PM

Antelope Valley Groundwater Cases
 Case No: 1-05-CV-049053

Document #5252:

Title: Response to correspondence re discovery ([Click here to view document information](#))

Type: Other

Author: Bob Joyce of LeBeau-Thelen, LLP

Parties: Diamond Farming Company

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