

# EXHIBIT E

1 WM. MATTHEW DITZHAZY  
2 City Attorney  
3 City of Palmdale

3 RICHARDS, WATSON & GERSHON  
4 A Professional Corporation  
5 JAMES L. MARKMAN (43536) (jmarkman@rwglaw.com)  
6 STEVEN R. ORR (136615) (sorr@rwglaw.com)  
7 ERIN L. POWERS (245148) (epowers@rwglaw.com)  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071-3101  
Telephone: (213) 626-8484  
Facsimile: (213) 626-0078

8 Attorneys for Defendant, Cross-Complainant,  
9 and Cross-Defendant CITY OF PALMDALE

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF SANTA CLARA**

12 **ANTELOPE VALLEY GROUNDWATER**  
13 **CASES**

14 Included Actions:

15 Los Angeles County Waterworks District  
16 No. 40 v. Diamond Farming Co.  
17 Superior Court of California  
18 County of Los Angeles, Case No. BC 325201

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

23 Wm. Bolthouse Farms, Inc. v. City of  
24 Lancaster

25 Diamond Farming Co. v. City of Lancaster

26 Diamond Farming Co. v. Palmdale Water  
27 District

28 Superior Court of California, County of  
Riverside, consolidated actions, Case Nos.  
RIC 353840, RIC 344436, RIC 344668

Judicial Council Coordination  
Proceeding No. 4408

Santa Clara Case No. 1-05-CV-049053

(Hon. Jack Komar)

**RESPONSE TO REQUESTS FOR**  
**ADMISSIONS [SET ONE]**

PROPOUNDING PARTY: DIAMOND FARMING COMPANY

RESPONDING PARTY: CITY OF PALMDALE

SET NO. ONE

**REQUESTS FOR ADMISSIONS**

**REQUEST NO. 1:**

Admit that YOU are a PERSON as defined in the definitions above.

**RESPONSE TO REQUEST NO. 1:**

Objection. This request is not reasonably calculated to lead to the discovery of admissible evidence. The request is manifestly irrelevant and calculated to harass.

**REQUEST NO. 2:**

Admit that YOU are a public entity.

**RESPONSE TO REQUEST NO. 2:**

Admit.

**REQUEST NO. 3:**

Admit that YOU did not provide notice in writing to any landowner that your use of groundwater from within the BASIN was adverse to their right to use groundwater before October 29, 1999.

**RESPONSE TO REQUEST NO. 3:**

Objection. The request is premature, burdensome and oppressive. This request seeks information concerning class members and the court has not yet completed its class certification process. No class representative has yet been approved by the court.

**REQUEST NO. 4:**

Admit that YOU did not provide notice in writing to any landowner that your use of groundwater from within the BASIN was adverse to their title to their real property at any time before October 29, 1999.

**RESPONSE TO REQUEST NO. 4:**

Objection. The request is premature, burdensome and oppressive. This request seeks information concerning class members and the court has not yet completed its class certification process. No class representative has yet been approved by the court.

1     **REQUEST NO. 5:**

2             Admit that YOU did not provide notice in writing to any landowner that you  
3     claimed a prescriptive right to use groundwater from within the BASIN before October  
4     29, 1999.

5     **RESPONSE TO REQUEST NO. 5:**

6             Objection. The request is premature, burdensome and oppressive. This request  
7     seeks information concerning class members and the court has not yet completed its class  
8     certification process. No class representative has yet been approved by the court.

9     **REQUEST NO. 6:**

10            Admit that YOU have not physically trespassed upon any landowner’s property  
11    within the BASIN.

12    **RESPONSE TO REQUEST NO. 6:**

13            Objection. The request is premature, burdensome and oppressive. This request  
14    seeks information concerning class members and the court has not yet completed its class  
15    certification process. No class representative has yet been approved by the court.

16    **REQUEST NO. 7:**

17            Admit that when YOU first started using groundwater from within the BASIN,  
18    that your then use was at that time lawful.

19    **RESPONSE TO REQUEST NO. 7:**

20            Objection. The request is premature, burdensome and oppressive. This request  
21    seeks information concerning class members and the court has not yet completed its class  
22    certification process. No class representative has yet been approved by the court.

23    **REQUEST NO. 8:**

24            Admit that when YOU first started using groundwater from within the BASIN,  
25    that your then use was not adverse to the overlying right of any landowner.

26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**RESPONSE TO REQUEST NO. 8:**

Objection. The request is premature, burdensome and oppressive. This request seeks information concerning class members and the court has not yet completed its class certification process. No class representative has yet been approved by the court.

**REQUEST NO. 9:**

Admit that when YOU first started using groundwater from within the BASIN, you were not invading the overlying right of any landowner.

**RESPONSE TO REQUEST NO. 9:**

Objection. The request is premature, burdensome and oppressive. This request seeks information concerning class members and the court has not yet completed its class certification process. No class representative has yet been approved by the court.

**REQUEST NO. 10:**

Admit that before October 29, 1999, YOU were not asserting an adverse claim of right to use groundwater from within the BASIN.

**RESPONSE TO REQUEST NO. 10:**

Objection. The request is premature, burdensome and oppressive. This request seeks information concerning class members and the court has not yet completed its class certification process. No class representative has yet been approved by the court.

**REQUEST NO. 11:**

Admit that before October 29, 1999, no landowner had actual notice that YOU were asserting an adverse claim of right to use groundwater from within the BASIN.

**RESPONSE TO REQUEST NO. 11:**

Objection. The request is premature, burdensome and oppressive. This request seeks information concerning class members and the court has not yet completed its class certification process. No class representative has yet been approved by the court.

1     **REQUEST NO. 12:**

2             Admit that before October 29, 1999, no landowner had constructive notice that  
3     YOU were asserting an adverse claim of right to use groundwater from within the  
4     BASIN.

5     **RESPONSE TO REQUEST NO. 12:**

6             Objection. The request is premature, burdensome and oppressive. This request  
7     seeks information concerning class members and the court has not yet completed its class  
8     certification process. No class representative has yet been approved by the court.

9     **REQUEST NO. 13:**

10            Admit that as of January 1, 1985, YOU knew that the groundwater supply of the  
11   BASIN was being overdrafted.

12   **RESPONSE TO REQUEST NO. 13:**

13            Objection. The request is premature, burdensome and oppressive. This request  
14   seeks information concerning class members and the court has not yet completed its class  
15   certification process. No class representative has yet been approved by the court.

16   **REQUEST NO. 14:**

17            Admit that as of January 1, 1986, YOU knew that the groundwater supply of the  
18   BASIN was being overdrafted.

19   **RESPONSE TO REQUEST NO. 14:**

20            Objection. The request is premature, burdensome and oppressive. This request  
21   seeks information concerning class members and the court has not yet completed its class  
22   certification process. No class representative has yet been approved by the court.

23   **REQUEST NO. 15:**

24            Admit that as of January 1, 1987, YOU knew that the groundwater supply of the  
25   BASIN was being overdrafted.

26

27

28

1     **RESPONSE TO REQUEST NO. 15:**

2             Objection. The request is premature, burdensome and oppressive. This request  
3 seeks information concerning class members and the court has not yet completed its class  
4 certification process. No class representative has yet been approved by the court.

5     **REQUEST NO. 16:**

6             Admit that as of January 1, 1988, YOU knew that the groundwater supply of the  
7 BASIN was being overdrafted.

8     **RESPONSE TO REQUEST NO. 16:**

9             Objection. The request is premature, burdensome and oppressive. This request  
10 seeks information concerning class members and the court has not yet completed its class  
11 certification process. No class representative has yet been approved by the court.

12     **REQUEST NO. 17:**

13             Admit that as of January 1, 1989, YOU knew that the groundwater supply of the  
14 BASIN was being overdrafted.

15     **RESPONSE TO REQUEST NO. 17:**

16             Objection. The request is premature, burdensome and oppressive. This request  
17 seeks information concerning class members and the court has not yet completed its class  
18 certification process. No class representative has yet been approved by the court.

19     **REQUEST NO. 18:**

20             Admit that as of January 1, 1990, YOU knew that the groundwater supply of the  
21 BASIN was being overdrafted.

22     **RESPONSE TO REQUEST NO. 18:**

23             Objection. The request is premature, burdensome and oppressive. This request  
24 seeks information concerning class members and the court has not yet completed its class  
25 certification process. No class representative has yet been approved by the court.

26     **REQUEST NO. 19:**

27             Admit that as of January 1, 1991, YOU knew that the groundwater supply of the  
28 BASIN was being overdrafted.

1 **RESPONSE TO REQUEST NO. 19:**

2       Objection. The request is premature, burdensome and oppressive. This request  
3 seeks information concerning class members and the court has not yet completed its class  
4 certification process. No class representative has yet been approved by the court.

5 **REQUEST NO. 20:**

6       Admit that as of January 1, 1992, YOU knew that the groundwater supply of the  
7 BASIN was being overdrafted.

8 **RESPONSE TO REQUEST NO. 20:**

9       Objection. The request is premature, burdensome and oppressive. This request  
10 seeks information concerning class members and the court has not yet completed its class  
11 certification process. No class representative has yet been approved by the court.

12 **REQUEST NO. 21:**

13       Admit that as of January 1, 1993, YOU knew that the groundwater supply of the  
14 BAS IN was being overdrafted.

15 **RESPONSE TO REQUEST NO. 21:**

16       Objection. The request is premature, burdensome and oppressive. This request  
17 seeks information concerning class members and the court has not yet completed its class  
18 certification process. No class representative has yet been approved by the court.

19 **REQUEST NO. 22:**

20       Admit that as of January 1, 1994, YOU knew that the groundwater supply of the  
21 BASIN was being overdrafted.

22 **RESPONSE TO REQUEST NO. 22:**

23       Objection. The request is premature, burdensome and oppressive. This request  
24 seeks information concerning class members and the court has not yet completed its class  
25 certification process. No class representative has yet been approved by the court.

26 **REQUEST NO. 23:**

27       Admit that as of January 1, 1995, YOU knew that the groundwater supply of the  
28 BASIN was being overdrafted.



1     **RESPONSE TO REQUEST NO. 23:**

2             Objection. The request is premature, burdensome and oppressive. This request  
3 seeks information concerning class members and the court has not yet completed its class  
4 certification process. No class representative has yet been approved by the court.

5     **REQUEST NO. 24:**

6             Admit that as of January 1, 1996, YOU knew that the groundwater supply of the  
7 BASIN was being overdrafted.

8     **RESPONSE TO REQUEST NO. 24:**

9             Objection. The request is premature, burdensome and oppressive. This request  
10 seeks information concerning class members and the court has not yet completed its class  
11 certification process. No class representative has yet been approved by the court.

12     **REQUEST NO. 25:**

13             Admit that as of January 1, 1997, YOU knew that the groundwater supply of the  
14 BASIN was being overdrafted.

15     **RESPONSE TO REQUEST NO. 25:**

16             Objection. The request is premature, burdensome and oppressive. This request  
17 seeks information concerning class members and the court has not yet completed its class  
18 certification process. No class representative has yet been approved by the court.

19     **REQUEST NO. 26:**

20             Admit that as of January 1, 1998, YOU knew that the groundwater supply of the  
21 BASIN was being overdrafted.

22     **RESPONSE TO REQUEST NO. 26:**

23             Objection. The request is premature, burdensome and oppressive. This request  
24 seeks information concerning class members and the court has not yet completed its class  
25 certification process. No class representative has yet been approved by the court.

26     **REQUEST NO. 27:**

27             Admit that as of January 1, 1999, YOU knew that the groundwater supply of the  
28 BASIN was being overdrafted.

1 **RESPONSE TO REQUEST NO. 27:**

2           Objection. The request is premature, burdensome and oppressive. This request  
3 seeks information concerning class members and the court has not yet completed its class  
4 certification process. No class representative has yet been approved by the court.

5 **REQUEST NO. 28:**

6           Admit that as of January 1, 2000, YOU knew that the groundwater supply of the  
7 BASIN was being overdrafted.

8 **RESPONSE TO REQUEST NO. 28:**

9           Objection. The request is premature, burdensome and oppressive. This request  
10 seeks information concerning class members and the court has not yet completed its class  
11 certification process. No class representative has yet been approved by the court.

12 **REQUEST NO. 29:**

13           Admit that as of January 1, 2001, YOU knew that the groundwater supply of the  
14 BASIN was being overdrafted.

15 **RESPONSE TO REQUEST NO. 29:**

16           Objection. The request is premature, burdensome and oppressive. This request  
17 seeks information concerning class members and the court has not yet completed its class  
18 certification process. No class representative has yet been approved by the court.

19 **REQUEST NO. 30:**

20           Admit that as of January 1, 2002, YOU knew that the groundwater supply of the  
21 BASIN was being overdrafted.

22 **RESPONSE TO REQUEST NO. 30:**

23           Objection. The request is premature, burdensome and oppressive. This request  
24 seeks information concerning class members and the court has not yet completed its class  
25 certification process. No class representative has yet been approved by the court.

26 **REQUEST NO. 31:**

27           Admit that as of January 1, 2003, YOU knew that the groundwater supply of the  
28 BASIN was being overdrafted.

1     **RESPONSE TO REQUEST NO. 31:**

2             Objection. The request is premature, burdensome and oppressive. This request  
3 seeks information concerning class members and the court has not yet completed its class  
4 certification process. No class representative has yet been approved by the court.

5     **REQUEST NO. 32:**

6             Admit that as of January 1, 2004 YOU knew that the groundwater supply of the  
7 BASIN was being overdrafted.

8     **RESPONSE TO REQUEST NO. 32:**

9             Objection. The request is premature, burdensome and oppressive. This request  
10 seeks information concerning class members and the court has not yet completed its class  
11 certification process. No class representative has yet been approved by the court.

12     **REQUEST NO. 33:**

13             Admit that as of January 1, 2005, YOU knew that the groundwater supply of the  
14 BASIN was being overdrafted.

15     **RESPONSE TO REQUEST NO. 33:**

16             Objection. The request is premature, burdensome and oppressive. This request  
17 seeks information concerning class members and the court has not yet completed its class  
18 certification process. No class representative has yet been approved by the court.

19     **REQUEST NO. 34:**

20             Admit that as of January 1, 2006, YOU knew that the groundwater supply of the  
21 BASIN was being overdrafted.

22     **RESPONSE TO REQUEST NO. 34:**

23             Objection. The request is premature, burdensome and oppressive. This request  
24 seeks information concerning class members and the court has not yet completed its class  
25 certification process. No class representative has yet been approved by the court.

26     **REQUEST NO. 35:**

27             Admit that as of January 1, 2007, YOU knew that the groundwater supply of the  
28 BASIN was being overdrafted.

1 **RESPONSE TO REQUEST NO. 35:**

2       Objection. The request is premature, burdensome and oppressive. This request  
3 seeks information concerning class members and the court has not yet completed its class  
4 certification process. No class representative has yet been approved by the court.

5 **REQUEST NO. 36:**

6       Admit that as of January 1, 1985, YOU believed that the groundwater supply of  
7 the BASIN was being overdrafted.

8 **RESPONSE TO REQUEST NO. 36:**

9       Objection. The request is premature, burdensome and oppressive. This request  
10 seeks information concerning class members and the court has not yet completed its class  
11 certification process. No class representative has yet been approved by the court.

12 **REQUEST NO. 37:**

13       Admit that as of January 1, 1986, YOU believed that the groundwater supply of  
14 the BASIN was being overdrafted.

15 **RESPONSE TO REQUEST NO. 37:**

16       Objection. The request is premature, burdensome and oppressive. This request  
17 seeks information concerning class members and the court has not yet completed its class  
18 certification process. No class representative has yet been approved by the court.

19 **REQUEST NO. 38:**

20       Admit that as of January 1, 1987, YOU believed that the groundwater supply of  
21 the BASIN was being overdrafted.

22 **RESPONSE TO REQUEST NO. 38:**

23       Objection. The request is premature, burdensome and oppressive. This request  
24 seeks information concerning class members and the court has not yet completed its class  
25 certification process. No class representative has yet been approved by the court.

26 **REQUEST NO. 39:**

27       Admit that as of January 1, 1988, YOU believed that the groundwater supply of  
28 the BASIN was being overdrafted.

1     **RESPONSE TO REQUEST NO. 39:**

2             Objection. The request is premature, burdensome and oppressive. This request  
3 seeks information concerning class members and the court has not yet completed its class  
4 certification process. No class representative has yet been approved by the court.

5     **REQUEST NO. 40:**

6             Admit that as of January 1, 1989, YOU believed that the groundwater supply of  
7 the BASIN was being overdrafted.

8     **RESPONSE TO REQUEST NO. 40:**

9             Objection. The request is premature, burdensome and oppressive. This request  
10 seeks information concerning class members and the court has not yet completed its class  
11 certification process. No class representative has yet been approved by the court.

12     **REQUEST NO. 41:**

13             Admit that as of January 1, 1990, YOU believed that the groundwater supply of  
14 the BASIN was being overdrafted.

15     **RESPONSE TO REQUEST NO. 41:**

16             Objection. The request is premature, burdensome and oppressive. This request  
17 seeks information concerning class members and the court has not yet completed its class  
18 certification process. No class representative has yet been approved by the court.

19     **REQUEST NO. 42:**

20             Admit that as of January 1, 1991, YOU believed that the groundwater supply of  
21 the BASIN was being overdrafted.

22     **RESPONSE TO REQUEST NO. 42:**

23             Objection. The request is premature, burdensome and oppressive. This request  
24 seeks information concerning class members and the court has not yet completed its class  
25 certification process. No class representative has yet been approved by the court.

26     **REQUEST NO. 43:**

27             Admit that as of January 1, 1992, YOU believed that the groundwater supply of  
28 the BASIN was being overdrafted.

1 **RESPONSE TO REQUEST NO. 43:**

2           Objection. The request is premature, burdensome and oppressive. This request  
3 seeks information concerning class members and the court has not yet completed its class  
4 certification process. No class representative has yet been approved by the court.

5 **REQUEST NO. 44:**

6           Admit that as of January 1, 1993, YOU believed that the groundwater supply of  
7 the BASIN was being overdrafted.

8 **RESPONSE TO REQUEST NO. 44:**

9           Objection. The request is premature, burdensome and oppressive. This request  
10 seeks information concerning class members and the court has not yet completed its class  
11 certification process. No class representative has yet been approved by the court.

12 **REQUEST NO. 45:**

13           Admit that as of January 1, 1994, YOU believed that the groundwater supply of  
14 the BASIN was being overdrafted.

15 **RESPONSE TO REQUEST NO. 45:**

16           Objection. The request is premature, burdensome and oppressive. This request  
17 seeks information concerning class members and the court has not yet completed its class  
18 certification process. No class representative has yet been approved by the court.

19 **REQUEST NO. 46:**

20           Admit that as of January 1, 1995, YOU believed that the groundwater supply of  
21 the BASIN was being overdrafted.

22 **RESPONSE TO REQUEST NO. 46:**

23           Objection. The request is premature, burdensome and oppressive. This request  
24 seeks information concerning class members and the court has not yet completed its class  
25 certification process. No class representative has yet been approved by the court.

26 **REQUEST NO. 47:**

27           Admit that as of January 1, 1996, YOU believed that the groundwater supply of  
28 the BASIN was being overdrafted.

1 **RESPONSE TO REQUEST NO. 47:**

2       Objection. The request is premature, burdensome and oppressive. This request  
3 seeks information concerning class members and the court has not yet completed its class  
4 certification process. No class representative has yet been approved by the court.

5 **REQUEST NO. 48:**

6       Admit that as of January 1, 1997, YOU believed that the groundwater supply of  
7 the BASIN was being overdrafted.

8 **RESPONSE TO REQUEST NO. 48:**

9       Objection. The request is premature, burdensome and oppressive. This request  
10 seeks information concerning class members and the court has not yet completed its class  
11 certification process. No class representative has yet been approved by the court.

12 **REQUEST NO. 49:**

13       Admit that as of January 1, 1998, YOU believed that the groundwater supply of  
14 the BASIN was being overdrafted.

15 **RESPONSE TO REQUEST NO. 49:**

16       Objection. The request is premature, burdensome and oppressive. This request  
17 seeks information concerning class members and the court has not yet completed its class  
18 certification process. No class representative has yet been approved by the court.

19 **REQUEST NO. 50:**

20       Admit that as of January 1, 1999, YOU believed that the groundwater supply of  
21 the BASIN was being overdrafted.

22 **RESPONSE TO REQUEST NO. 50:**

23       Objection. The request is premature, burdensome and oppressive. This request  
24 seeks information concerning class members and the court has not yet completed its class  
25 certification process. No class representative has yet been approved by the court.

26 **REQUEST NO. 51:**

27       Admit that as of January 1, 2000, YOU believed that the groundwater supply of  
28 the BASIN was being overdrafted.

1 **RESPONSE TO REQUEST NO. 51:**

2           Objection. The request is premature, burdensome and oppressive. This request  
3 seeks information concerning class members and the court has not yet completed its class  
4 certification process. No class representative has yet been approved by the court.

5 **REQUEST NO. 52:**

6           Admit that as of January 1, 2001, YOU believed that the groundwater supply of  
7 the BASIN was being overdrafted.

8 **RESPONSE TO REQUEST NO. 52:**

9           Objection. The request is premature, burdensome and oppressive. This request  
10 seeks information concerning class members and the court has not yet completed its class  
11 certification process. No class representative has yet been approved by the court.

12 **REQUEST NO. 53:**

13           Admit that as of January 1, 2002, YOU believed that the groundwater supply of  
14 the BASIN was being overdrafted.

15 **RESPONSE TO REQUEST NO. 53:**

16           Objection. The request is premature, burdensome and oppressive. This request  
17 seeks information concerning class members and the court has not yet completed its class  
18 certification process. No class representative has yet been approved by the court.

19 **REQUEST NO. 54:**

20           Admit that as of January 1, 2003, YOU believed that the groundwater supply of  
21 the BASIN was being overdrafted.

22 **RESPONSE TO REQUEST NO. 54:**

23           Objection. The request is premature, burdensome and oppressive. This request  
24 seeks information concerning class members and the court has not yet completed its class  
25 certification process. No class representative has yet been approved by the court.

26 **REQUEST NO. 55:**

27           Admit that as of January 1, 2004 YOU believed that the groundwater supply of the  
28 BASIN was being overdrafted.



1     **RESPONSE TO REQUEST NO. 55:**

2             Objection. The request is premature, burdensome and oppressive. This request  
3 seeks information concerning class members and the court has not yet completed its class  
4 certification process. No class representative has yet been approved by the court.

5     **REQUEST NO. 56:**

6             Admit that as of January 1, 2005, YOU believed that the groundwater supply of  
7 the BASIN was being overdrafted.

8     **RESPONSE TO REQUEST NO. 56:**

9             Objection. The request is premature, burdensome and oppressive. This request  
10 seeks information concerning class members and the court has not yet completed its class  
11 certification process. No class representative has yet been approved by the court.

12     **REQUEST NO. 57:**

13             Admit that as of January 1, 2006, YOU believed that the groundwater supply of  
14 the BASIN was being overdrafted.

15     **RESPONSE TO REQUEST NO. 57:**

16             Objection. The request is premature, burdensome and oppressive. This request  
17 seeks information concerning class members and the court has not yet completed its class  
18 certification process. No class representative has yet been approved by the court.

19     **REQUEST NO. 58:**

20             Admit that as of January 1, 2007, YOU believed that the groundwater supply of  
21 the BASIN was being overdrafted.

22     **RESPONSE TO REQUEST NO. 58:**

23             Objection. The request is premature, burdensome and oppressive. This request  
24 seeks information concerning class members and the court has not yet completed its class  
25 certification process. No class representative has yet been approved by the court.  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**REQUEST NO. 59:**

Admit that after YOU knew that the groundwater supply within the BASIN was being overdrafted, that YOU issued will-serve letters for new developments within your jurisdiction.

**RESPONSE TO REQUEST NO. 59:**

Objection. The request is premature, burdensome and oppressive. This request seeks information concerning class members and the court has not yet completed its class certification process. No class representative has yet been approved by the court.

**REQUEST NO. 60:**

Admit that after YOU knew that the groundwater supply within the BASIN was being overdrafted, that YOU issued will-serve letters for new developments within your jurisdiction that had been approved on the basis of a negative declaration.

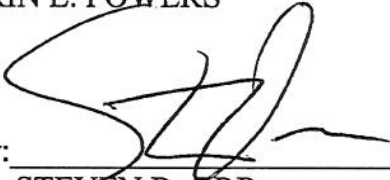
**RESPONSE TO REQUEST NO. 60:**

Objection. The request is premature, burdensome and oppressive. This request seeks information concerning class members and the court has not yet completed its class certification process. No class representative has yet been approved by the court.

Dated: June 26, 2007

WM. MATTHEW DITZHAZY  
City Attorney  
City of Palmdale

RICHARDS, WATSON & GERSHON  
A Professional Corporation  
JAMES L. MARKMAN  
STEVEN R. ORR  
ERIN L. POWERS

By:   
STEVEN R. ORR  
Attorneys for Defendant, Cross-Complainant,  
and Cross-Defendant  
CITY OF PALMDALE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

I, Kelley Herrington, 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 Richards, Watson & Gershon, 355 South Grand Avenue, 40<sup>th</sup> Floor, Los Angeles, California 90071. On June 26, 2007, I served the within documents:

**RESPONSE TO REQUESTS FOR ADMISSIONS [SET ONE]**

- by causing facsimile transmission of the document(s) listed above from (213) 626-0078 to the person(s) and facsimile number(s) set forth below on this date before 5:00 P.M. This transmission was reported as complete and without error. A copy of the transmission report(s), which was properly issued by the transmitting facsimile machine, is attached. Service by facsimile has been made pursuant to a prior written agreement between the parties.
- by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.
- by placing the document(s) listed above in a sealed envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to an agent for delivery, or deposited in a box or other facility regularly maintained by , in an envelope or package designated by the express service carrier, with delivery fees paid or provided for, addressed to the person(s) at the address(es) set forth below.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- by causing personal delivery by First Legal Support Services, 1511 West Beverly Boulevard, Los Angeles, California 90026 of the document(s) listed above to the person(s) at the address(es) set forth below.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 26, 2007.

  
\_\_\_\_\_  
Kelley Herrington