

EXHIBIT D

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City Attorney
2 City of Palmdale

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

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
No. 40 v. Diamond Farming Co.
Superior Court of California
16 County of Los Angeles, Case No. BC 325201

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

20 Wm. Bolthouse Farms, Inc. v. City of
Lancaster

21 Diamond Farming Co. v. City of Lancaster

22 Diamond Farming Co. v. Palmdale Water
District
23

24 Superior Court of California, County of
Riverside, consolidated actions, Case Nos.
RIC 353840, RIC 344436, RIC 344668
25

Judicial Council Coordination
Proceeding No. 4408

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

(Hon. Jack Komar)

**RESPONSE TO REQUEST FOR
PRODUCTION OF DOCUMENTS
[SET ONE]**

26 PROPOUNDING PARTY: DIAMOND FARMING COMPANY

27 RESPONDING PARTY: CITY OF PALMDALE

28 SET NO. ONE

1 ITEMS TO BE PRODUCED

2 **REQUEST NO. 1:**

3 Produce each WRITING which YOU contend supports your contention that all
4 landowners had actual notice of your adverse claim of right.

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

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. No
9 WRITINGS will be produced, at this point in time, in response to this request.

10 **REQUEST NO. 2:**

11 Produce each WRITING which YOU contend supports your contention that any
12 landowner had actual notice of your adverse claim of right.

13 **RESPONSE TO REQUEST NO. 2:**

14 Objection. The request is premature, burdensome and oppressive. This request
15 seeks information concerning class members and the court has not yet completed its class
16 certification process. No class representative has yet been approved by the court. No
17 WRITINGS will be produced, at this point in time, in response to this request.

18 **REQUEST NO. 3:**

19 Produce each WRITING which YOU contend supports your contention that all
20 landowners had constructive notice of your adverse claim of right.

21 **RESPONSE TO REQUEST NO. 3:**

22 Objection. The request is premature, burdensome and oppressive. This request
23 seeks information concerning class members and the court has not yet completed its class
24 certification process. No class representative has yet been approved by the court. No
25 WRITINGS will be produced, at this point in time, in response to this request.

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1 **REQUEST NO. 4:**

2 Produce each WRITING which YOU contend supports your contention that any
3 landowner had constructive notice of your adverse claim of right

4 **RESPONSE TO REQUEST NO. 4:**

5 Objection. The request is premature, burdensome and oppressive. This request
6 seeks information concerning class members and the court has not yet completed its class
7 certification process. No class representative has yet been approved by the court. No
8 WRITINGS will be produced, at this point in time, in response to this request.

9 **REQUEST NO. 5:**

10 Produce each WRITING which YOU contend supports your contention that the
11 right of any property owner to pump water from the BASIN is subordinate to your
12 prescriptive right.

13 **RESPONSE TO REQUEST NO. 5:**

14 Objection. The request is premature, burdensome and oppressive. This request
15 seeks information concerning class members and the court has not yet completed its class
16 certification process. No class representative has yet been approved by the court No
17 WRITINGS will be produced, at this point in time, in response to this request..

18 **REQUEST NO. 6:**

19 Produce each WRITING identified or described in any response to any of the
20 interrogatories which were served concurrently with this request.

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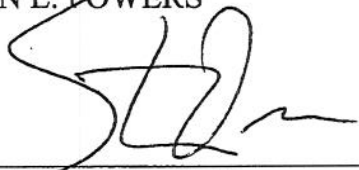
RESPONSE TO REQUEST NO. 6:

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. No WRITINGS will be produced, at this point in time, in response to this request.

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

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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, 40th Floor, Los Angeles, California 90071. On June 26, 2007, I served the within documents:

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS [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