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9 Attorneys for DIAMOND FARMING COMPANY,  
10 a California corporation

11  
12  
13 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
14  
15 IN AND FOR THE COUNTY OF LOS ANGELES

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

18 ANTELOPE VALLEY GROUNDWATER  
19 CASES

20 Included actions:

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

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

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

Judicial Council Coordination No. 4408

Case No.: 1-05-CV-049053

**NOTICE OF MOTION AND MOTION  
TO COMPEL LOS ANGELES  
WATERWORKS DISTRICT NO. 40  
AND ROSAMOND COMMUNITY  
SERVICES DISTRICT TO PROVIDE  
FURTHER RESPONSES TO FORM  
INTERROGATORIES [SET ONE];  
REQUEST FOR ADMISSIONS  
[SET ONE]; AND FOR MONETARY  
SANCTIONS**

[Filed concurrently with Plaintiff's Points and  
Authorities, Declaration of Bob H. Joyce and  
Separate Statement]

Date: October 12, 2007  
Time: 9:00 a.m.  
Dept.: 1

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1 TO DEFENDANTS LOS ANGELES WATERWORKS DISTRICT NO. 40, ROSAMOND  
2 COMMUNITY SERVICES DISTRICT AND TO THEIR ATTORNEYS OF RECORD:

3 NOTICE IS HEREBY GIVEN that on October 12, 2007, at 9:00 a.m., in Department 1 of the  
4 above-entitled court, located at 111 North Hill Street, Los Angeles, CA 90012, plaintiff Diamond  
5 Farming Co., will and hereby does, move for an order compelling defendants Los Angeles Waterworks  
6 District No. 40 and Rosamond Community Services District to provide further responses to Form  
7 Interrogatories [Set One] and Request for Admissions [Set One] without objection, as well as an award  
8 of reasonable monetary sanctions in favor of plaintiff to be paid by defendants and/or defendants'  
9 attorneys of record.

10 The motion is made on the ground that defendants have asserted generalized objections that are  
11 without merit in an effort to avoid responding to plaintiff's Form Interrogatories [Set One] and Request  
12 for Admissions [Set One]. The assertion of these objections are insufficient to warrant the outright  
13 denial of discovery.

14 The motion for imposition of monetary sanctions will be made on the grounds that plaintiff has  
15 incurred reasonable expenses in the amount of \$1,415.00, as a result of defendants' assertion of  
16 improper objections. Additionally, defendants' counsel refused to meet and confer despite numerous  
17 requests made by counsel for Diamond Farming. This failure to meet and confer makes the imposition  
18 of sanctions mandatory.

19 The motion will be based on this Notice of Motion and Motion, the Declaration of Bob H. Joyce,  
20 the Memorandum of Points and Authorities, the Separate Statement in Support of the Motion, on the  
21 records on file herein, and on such evidence as may be presented at the time of the hearing of this  
22 motion.

23 Dated: September 12, 2007

LeBEAU • THELEN, LLP

24  
25 By: 

26 BOB H. JOYCE  
27 Attorneys for DIAMOND FARMING COMPANY,  
28 a California corporation

1 **PROOF OF SERVICE**

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

5 I am a citizen of the United States and a resident of the county aforesaid; I am over the age  
6 of eighteen years and not a party to the within action; my business address is: 5001 E.  
7 Commercenter Drive, Suite 300, Bakersfield, California 93309. On September 12, 2007, I served  
8 the within:

9 1. **NOTICE OF MOTION AND MOTION TO COMPEL LOS ANGELES**  
10 **WATERWORKS DISTRICT NO. 40 AND ROSAMOND COMMUNITY SERVICES**  
11 **DISTRICT TO PROVIDE FURTHER RESPONSES TO FORM INTERROGATORIES [SET**  
12 **ONE]; REQUEST FOR ADMISSIONS [SET ONE]; AND FOR MONETARY SANCTIONS**

13 2. **POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO COMPEL LOS**  
14 **ANGELES WATERWORKS DISTRICT NO. 40 AND ROSAMOND COMMUNITY**  
15 **SERVICES DISTRICT TO PROVIDE FURTHER RESPONSES TO FORM**  
16 **INTERROGATORIES [SET ONE]; REQUEST FOR ADMISSIONS [SET ONE]; AND FOR**  
17 **MONETARY SANCTIONS**

18 3. **DECLARATION OF BOB H. JOYCE, ESQ. IN SUPPORT OF MOTION TO**  
19 **COMPEL LOS ANGELES WATERWORKS DISTRICT NO. 40 AND ROSAMOND**  
20 **COMMUNITY SERVICES DISTRICT TO PROVIDE FURTHER RESPONSES TO FORM**  
21 **INTERROGATORIES [SET ONE]; REQUEST FOR ADMISSIONS [SET ONE]; AND FOR**  
22 **MONETARY SANCTIONS**

23 4. **SEPARATE STATEMENT IN SUPPORT OF MOTION TO COMPEL LOS**  
24 **ANGELES WATERWORKS DISTRICT NO. 40 AND ROSAMOND COMMUNITY**  
25 **SERVICES DISTRICT TO PROVIDE FURTHER RESPONSES TO FORM**  
26 **INTERROGATORIES [SET ONE]; REQUEST FOR ADMISSIONS [SET ONE]; AND FOR**  
27 **MONETARY SANCTIONS**

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

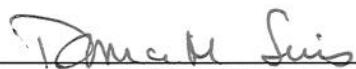
Los Angeles County Superior Court  
111 North Hill Street  
Los Angeles, CA 90012  
Attn: **Department 1**  
(213) 893-1014

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

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

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

12              **(STATE)** I declare under penalty of perjury under the laws of the State of  
13 California that the above is true and correct, and that the foregoing was executed on September  
14 12, 2007, in Bakersfield, California.

15 

16 **DONNA M. LUIS**