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3 LAW OFFICES OF  
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6 Attorneys for DIAMOND FARMING COMPANY,  
7 a California corporation, and CRYSTAL ORGANIC  
8 FARMS, a limited liability company

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
10 **IN AND FOR THE COUNTY OF LOS ANGELES**

11  
12 Coordination Proceeding Special Title  
(Rule 1550 (b))

Judicial Council Coordination No. 4408

13 ANTELOPE VALLEY GROUNDWATER  
14 CASES

Case No.: 1-05-CV-049053

15 Included actions:

**DECLARATION OF BOB H. JOYCE IN  
SUPPORT OF OPPOSITION TO  
MOTION FOR PROTECTIVE ORDER**

16 Los Angeles County Waterworks District No.  
17 40 vs. Diamond Farming Company  
18 Los Angeles Superior Court  
19 Case No. BC 325201

18 Los Angeles County Waterworks District No.  
19 40 vs. Diamond Farming Company  
20 Kern County Superior Court  
21 Case No. S-1500-CV 254348 NFT

DATE: October 16, 2007  
TIME: 9:00 a.m.  
DEPT: 1

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

26 \_\_\_\_\_  
27 AND RELATED CROSS-ACTIONS.  
28 \_\_\_\_\_

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1 I, Bob H. Joyce declare,

2 1. I am an attorney at law, duly admitted to practice before all the courts of the State of  
3 California and I am a partner in the law firm of LeBeau • Thelen, attorneys of record herein for plaintiff,  
4 DIAMOND FARMING CO., in this matter. I am familiar with the aspects of this case, including all of  
5 the matters which are set forth in this Declaration. If called upon to testify at the hearing of this motion,  
6 I could and would competently testify to the following based upon my own personal knowledge.

7 2. This Declaration is being submitted in support of Diamond Farming's Opposition to the  
8 Motion for Protective Order filed on behalf of LITTLEROCK CREEK IRRIGATION DISTRICT,  
9 PALMRANCH IRRIGATION DISTRICT, CALIFORNIA SERVICE WATER COMPANY, CITY OF  
10 LANCASTER, PALMDALE WATER DISTRICT AND QUARTZ HILL WATER DISTRICT  
11 (collectively "Water Purveyors").

12 3. On December 2, 2005, I, and counsel for each of the moving parties, attended a Case  
13 Management Conference in this matter. At that Conference, I addressed the issue of discovery and  
14 asked this court if there was any prohibition against initiating discovery. This court affirmed that there  
15 was no prohibition. Attached hereto as Exhibit "A" is a true and correct copy of the relevant pages of  
16 the hearing transcript documenting the exchange.

17 4. As evidenced by Exhibit A, none of the moving parties objected to or expressed any  
18 concern about the volume or timing of any possible discovery.

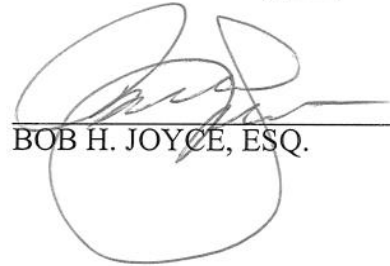
19 5. On or about May 25, 2007, on behalf of Diamond Farming Co., I served Special  
20 Interrogatories [Set One], Form Interrogatories [Set One], Request for Admissions [Set One] and  
21 Request for Production of Documents [Set One] on each individual moving party. Thereafter, each party  
22 waited the statutory 30 day time period before responding in part and objecting in part to the proposed  
23 discovery.

24 6. After receiving these responses, I began the process of trying to meet and confer to obtain  
25 proper responses. From June 26, 2007 through September 10, 2007, I had to bring an ex parte  
26 application to obtain a court order for the parties to meet and confer, I then met and conferred with  
27 counsel for the moving parties about the impropriety of their objections through telephone calls and  
28 correspondence, and on two occasions I made trips of over 100 miles to meet and confer with them face

1 to face as ordered by this court. These meet and confer attempts were undertaken at considerable  
2 expense to Diamond Farming.

3 7. During these meet and confer attempts, counsel for each moving party agreed that  
4 Diamond was entitled to the responses but refused to agree on a date certain in which to provide the  
5 responses. Due to our inability to come to a resolution as to when the responses would be provided, I  
6 was forced to file a motion to compel against each purveyor on September 12, 2007. After these  
7 motions were filed, the moving parties filed their belated motion for a protective order.

8 I declare under penalty of perjury under the laws of the State of California, that the foregoing is  
9 true and correct, and that this Declaration was executed on October 2nd, 2007, at Bakersfield,  
10 California.

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13 BOB H. JOYCE, ESQ.  
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**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 October 3, 2007, I served the within

7 **DECLARATION OF BOB H. JOYCE IN SUPPORT OF OPPOSITION TO MOTION FOR**  
8 **PROTECTIVE ORDER**

9  (BY POSTING) I am "readily familiar" with the Court's Clarification Order.  
10 Electronic service and electronic posting completed through [www.scefilings.org](http://www.scefilings.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**  
(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

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

20  (STATE) I declare under penalty of perjury under the laws of the State of  
21 California that the above is true and correct, and that the foregoing was executed on October 3,  
22 2007, in Bakersfield, California.

*Donna M. Luis*

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**DONNA M. LUIS**

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