

1 WM. MATTHEW DITZHAZY
City Attorney
2 City of Palmdale

3 RICHARDS, WATSON & GERSHON
A Professional Corporation
4 JAMES L. MARKMAN (43536) (jmarkman@rwglaw.com)
STEVEN R. ORR (136615) (sorr@rwglaw.com)
5 WHITNEY G. MCDONALD (245587) (wmcdonald@rwglaw.com)
355 South Grand Avenue, 40th Floor
6 Los Angeles, CA 90071-3101
Telephone: (213) 626-8484
7 Facsimile: (213) 626-0078

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

21 Diamond Farming Co. v. City of Lancaster

22 Diamond Farming Co. v. Palmdale Water
23 District

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

Judicial Council Coordination
Proceeding No. 4408

**VERIFICATION TO THE CITY OF
PALMDALE'S RESPONSE TO
DIAMOND FARMING COMPANY
and CRYSTAL ORGANIC FARMS'
REQUEST FOR PRODUCTION
(SET NO. TWO)**

Phase 2 Trial: October 6, 2008
(Hon. Jack Komar)

[Exempt from Filing Fees Pursuant to Govt. Code
§6103]

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, the undersigned, say:

I have read the foregoing **RESPONSE TO REQUEST FOR PRODUCTION (SET NO. TWO)** and know its contents.

(X) CHECK APPLICABLE PARAGRAPH

- I am a party to this action. The matters stated in it are true of my own knowledge.
- I am **(X)** the Director of Public Works a partner an employee of the City of Palmdale, a party to this action, and am authorized to make this verification for that reason. I am informed and believe and on that ground allege that the matters stated in it are true.
- I am one of the attorneys for a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in it are true.

Executed on August **5**, 2008, at Palmdale, California.

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



Michael J. Mischel

1 **PROOF OF SERVICE**

2 I, Kelley Herrington, declare:

3 I am a resident of the State of California and over the age of eighteen years, and
4 not a party to the within action; my business address is Richards, Watson & Gershon, 355 South
5 Grand Avenue, 40th Floor, Los Angeles, California 90071. On August 6, 2008, I served the
6 within documents:

7 **VERIFICATION TO THE CITY OF PALMDALE'S RESPONSE TO
8 DIAMOND FARMING COMPANY AND CRYSTAL ORGANIC FARMS'
9 REQUEST FOR PRODUCTION (SET NO. TWO)**

- 10 by causing facsimile transmission of the document(s) listed above from (213) 626-
11 0078 to the person(s) and facsimile number(s) set forth below on this date before
12 5:00 P.M. This transmission was reported as complete and without error. A copy
13 of the transmission report(s), which was properly issued by the transmitting
14 facsimile machine, is attached. Service by facsimile has been made pursuant to a
15 prior written agreement between the parties.
- 16 by posting the document(s) listed above to the Santa Clara County Superior Court
17 website in regard to the Antelope Valley Groundwater matter.
- 18 by placing the document(s) listed above in a sealed envelope and affixing a pre-
19 paid air bill, and causing the envelope to be delivered to an agent for delivery, or
20 deposited in a box or other facility regularly maintained by , in an envelope or
21 package designated by the express service carrier, with delivery fees paid or
22 provided for, addressed to the person(s) at the address(es) set forth below.
- 23 by personally delivering the document(s) listed above to the person(s) at the
24 address(es) set forth below.
- 25 by causing personal delivery by First Legal Support Services, 1511 West Beverly
26 Boulevard, Los Angeles, California 90026 of the document(s) listed above to the
27 person(s) at the address(es) set forth below.

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

Executed on August 6, 2008.



Kelley Herrington