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EXEMPT FROM FILING FEES  
GOVERNMENT CODE SECTION  
6103

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF LOS ANGELES**

Coordination Proceeding  
Special Title (Rule 1550(b))

) Judicial Council Coordination  
) Proceeding No. 4408  
)

**ANTELOPE VALLEY GROUNDWATER  
CASES**

) [Assigned for all Purposes to the  
) Honorable Jack Komar]  
)

Included actions:

) FEDERAL DEFENDANTS'  
) MOTION FOR LEAVE TO FILE  
) LATE RESPONSE

Los Angeles County Waterworks District No. 40 v.  
Diamond Farming Co., et al.  
Los Angeles County Superior Court, Case No. BC  
325 201

) Hearing:  
)

Los Angeles County Waterworks District No. 40 v.  
Diamond Farming Co., et al.  
Kern County Superior Court, Case No. S-1500-CV-  
254-348

) Date: June 14, 2010  
) Time: 9:00 a.m.  
) Dept: 1  
)

Wm. Bolthouse Farms, Inc. v. City of Lancaster  
Diamond Farming Co. v. City of Lancaster  
Diamond Farming Co. v. Palmdale Water District  
Riverside County Superior Court, Consolidated  
Action, Case nos. RIC 353 840, RIC 344 436, RIC  
344 668

**AND RELATED CROSS ACTIONS**

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1 Defendant United States respectfully moves the Court to enter an Order granting  
2 permission to file a late response to the Public Water Suppliers' Notice Of Motion And Motion  
3 For Court To Sign Proposed Order Re Jurisdiction Over Transferees, filed on May 26, 2010.

4 According to the Code of Civil Procedure, the motion set for hearing on June 14, 2010,  
5 was required to be filed no later than May 17, 2010. Code of Civil Procedure §§ 1005(b),  
6 1010.5(6), 1013(e). Pursuant to the Code of Civil Procedure § 1005, a response to the Motion  
7 should have been due on June 1, 2010, 15 days after the Motion and nine court days before the  
8 hearing. At the May 6, 2010 Case Management Conference, the Court directed that the motion  
9 be filed on or before May 24, 2010, eight days before the response was due pursuant to the Code  
10 of Civil Procedure. The Public Water Suppliers filed their motion on May 26, 2010, allowing  
11 only 3 business days prior to the response being due.

12 Due to the lateness of the Motion and the press of other business, the United States  
13 requires an extension of one additional day for the filing of its response brief. No other party  
14 will be prejudiced by the extension of one day for the filing of the United States' responsive  
15 brief.

16 WHEREFORE, for good cause shown, the United States respectfully requests this Court  
17 enter the attached Order granting the United States leave to file its Opposition to Motion to Sign  
18 Order Re Jurisdiction Over Transferees, attached hereto.

19 Respectfully submitted this 2nd day of June, 2010.

20  
21 IGNACIA S. MORENO  
Assistant Attorney General  
Environment and Natural Resources Division

22  
23 \_\_\_\_\_  
/s/  
R. LEE LEININGER  
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**PROOF OF SERVICE**

I, Linda Shumard, declare:

I am a resident of the State of Colorado and over the age of 18 years, and not a party to the within action. My business address is U.S. Department of Justice, Environmental and Natural Resources Section, 1961 Stout Street, 8<sup>th</sup> Floor, Denver, Colorado 80294.

On June 2, 2010, I caused the foregoing documents described as; **FEDERAL DEFENDANTS' MOTION FOR LEAVE TO FILE LATE RESPONSE; (Proposed) ORDER;** and **FEDERAL DEFENDANTS' OPPOSITION TO MOTION TO SIGN ORDER RE: JURISDICTION OVER TRANSFEREES,** to be served on the parties via the following service:

BY ELECTRONIC SERVICE AS FOLLOWS by posting the document(s) listed above to the Santa Clara website in regard to the Antelope Valley Groundwater matter.

BY MAIL AS FOLLOWS (to parties so indicated on attached service list): By placing true copies thereof enclosed in sealed envelopes addressed as indicated on the attached service list.

BY OVERNIGHT COURIER: I caused the above-referenced document(s) be delivered to FEDERAL EXPRESS for delivery to the above address(es).

Executed on June 2, 2010, at Denver, Colorado.

/s/ Linda Shumard  
Linda Shumard  
Legal Support Assistant