

1 Bernard A. Leckie (Bar No. 30180)
MESERVE, MUMPER & HUGHES LLP
2 18400 Von Karman Avenue, Suite 320
Irvine, California 92612-1556
3 Telephone: (949) 474-8995
Facsimile: (949) 975-1065

4 Attorneys for Defendant/Cross-complainant,
5 CAMERON PROPERTIES, INC., a
California Corporation
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7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES
10 CENTRAL DIVISION

11 ANTELOPE VALLEY GROUNDWATER)
CASES)

Judicial Council Coordination No. 4408
Santa Clara Case No. 1-05-CV-049053
Assigned to The Honorable Jack Komar

12 Included Actions:)
13 Los Angeles County Waterworks District No.)
40 v. Diamond Farming Co., Superior Court of)
14 California, County of Los Angeles, Case No.)
BC 325201;)

15 Los Angeles County Waterworks District No.)
16 40 v. Diamond Farming Co., Superior Court of)
California, County of Kern, Case No. S-1500-)
17 CV-254-348;)

**OBJECTIONS BY CAMERON
PROPERTIES, INC. TO PROPOSED
ORDER AMENDING AND MODIFYING
COURT'S CLASS CERTIFICATION
ORDER DATED SEPTEMBER 11, 2007**

18 Wm. Bolthouse Farms, Inc. v. City of)
Lancaster, Diamond Farming Co., v. City of)
19 Lancaster, Diamond Farming Co. v. Palmdale)
Water Dist., Superior Court of California,)
20 County of Riverside, Case Nos. RIC 353 840.)
RIC 344 436, RIC 344 668,)

21 _____)
22 AND RELATED CROSS ACTIONS)
23 _____)

24 CAMERON PROPERTIES, INC., a California Corporation (herein "CAMERON") hereby
25 objects to the Proposed Order Amending and Modifying Court's Class Certification Order Dated
26 September 11, 2007 as follows:
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1 1. The proposed Finding that the Amended or Modified Class satisfies the
2 requirements of C.C.P. 382 and due process is overly broad and conclusionary. CAMERON
3 (owns property north of Wrightwood in both San Bernardino and Los Angeles Counties.
4 CAMERON has been provided with an indecipherable map and contact with the Plaintiff is
5 unsatisfactory. CAMERON was orally advised that the lawsuit pertained to three parcels owned
6 by CAMERON with one of the parcels being an unidentifiable parcel of property. The other
7 parcels did not include a larger parcel owned in the area. Due process should at least permit a
8 landowner being forced into litigation to know the property being included. CAMERON is
9 designated as DOE 249. The specific ownership of its property is not set forth in pleadings that
10 have been provided. The property in CAMERON is not in what is generally considered the
11 Antelope Valley and CAMERON asserts that there is a denial of due process in this proceeding.
12

13 That CAMERON has State permits concerning the taking of water from this property and
14 the Plaintiff is attempting to take away this right by bringing the present action against non-
15 specified property owned by CAMERON. It is submitted that other members of the group do not
16 have existing privileges from the State of California to remove water from its own property and
17 that CAMERON is not part of the Class. It is premature to say that the requirements of due
18 process have been satisfied.
19

20 2. If the amended or modified Class (which is it?) is so numerous, why are parties
21 such as CAMERON given a fictitious number designation? What is the substantial evidence in
22 the files and record that justifies the establishment of a Class? This finding is conclusionary and
23 unsupported.
24

25 3. It is unknown if Plaintiff WILLIS has existing water rights and if he does not, then
26 any property of CAMERON should not be included.
27
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1 4. Since Plaintiff has not specifically designated APN numbers or legal descriptions
2 of any specific property of CAMERON which is included and provides only an illegible sketch
3 map. It is submitted that there is a denial of due process and lack of evidence to establish that
4 CAMERON is part of the Class. The paragraph does not make reference to landowners who have
5 established water rights on their property. In addition, there is no evidence that all Class members
6 are at risk from the existing "free for all" groundwater pumping. CAMERON further asserts that
7 there is a claim for inverse condemnation by attempting to take away water rights from
8 CAMERON which already exist and have been established, particularly when the specific parcels
9 are not even mentioned and the parcel numbers given by counsel for Plaintiff are apparently
10 incorrect as to one parcel and involve smaller owned parcels as to the other two mentioned.
11 CAMERON owns considerably more property south of Wrightwood and into San Bernardino
12 County.
13

14
15 5. That Paragraph 5 as to Issue (3) is alleged to involve a determination of physical
16 solutions to water shortage conditions which is a generalized concept. The reference to the
17 parties' right to store and recover non-native water in the Basin avoids reference to native water
18 and further the right to remove water from the Basin and the existing permits and rights of
19 property owners to remove water from their own property such as the rights of CAMERON.
20

21 6. There is no indication other than a conclusion that Mr. Willis is an adequate
22 representative of the amended or modified Class. The Class is either amended or modified and it
23 is submitted that it cannot be both. It is submitted that there is adversity and conflict with any
24 claims of WILLIS if WILLIS is not a current water producer with permits granted from the State.
25 This also refers to the amended and modified Class rather than the amended or modified Class.
26 What is the difference?
27
28

1 7. The Order says that the WILLIS counsel is adequate and capable to represent the
2 Class as amended or modified but no reference is made to the Class that is amended and modified.
3 What input did CAMERON have in the selection of counsel or the adequacy or capability of the
4 counsel for Mr. Willis?

5 8. What say did CAMERON have in the determination that the “amended or modified
6 Class” is a superior means to adjudicate the matter in light of the “need to obtain a comprehensive
7 allocation of water rights that is binding on all landowners within the Basin”. How can the
8 Plaintiff take away water rights currently possessed by CAMERON and granted by a permit from
9 the State? It appears there is not only a conflict but that CAMERON is not part of any such Class.

10 9. Why is the Order amended eliminating the provision relating to property owners
11 that are not presently pumping water on their property and did not do so at any time during the
12 five years preceding 1/18/06? What is the purpose of this deletion as CAMERON was such a
13 water producer.
14

15 10. Why is it necessary to delete the existing Paragraph and to eliminate the exclusion
16 of property owners already pumping water on their property?
17

18 11. There is an effort to change the designation of the Class by eliminating property
19 owners that were presently pumping water from their own property during the specified time
20 frame. How or why is CAMERON in effect reincluded in the lawsuit concerning property that
21 may or may not be within the adjudicated area. Please keep in mind that the APN numbers and/or
22 the legal description of the properties owned by CAMERON have not been inclusive as property
23 of CAMERON is not in what is generally conceived to be the Antelope Valley and much of the
24 property owned by CAMERON is in San Bernardino County.
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1 12. That the inclusion of CAMERON and the making of the present Order are unclear,
2 indefinite and denies CAMERON a fair hearing or due process and there is no indication that the
3 claims of WILLIS are identical to those of CAMERON.
4

5 Dated: March 14, 2008.

MESERVE, MUMPER & HUGHES LLP

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8 BY 
9 BERNARD A. LECKIE

10 Attorneys for Defendant/Cross-defendant,
11 CAMERON PROPERTIES, INC., a California
12 Corporation
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1 PROOF OF SERVICE

2
3 STATE OF CALIFORNIA)
4 COUNTY OF ORANGE) ss.:

5 I am employed in the County of Orange, State of California. I am over the age of
6 18 and not a party to the within action. My business address is 18400 Von Karman
7 Avenue, Suite 320, Irvine, California 92612-1556.

8 On March 14, 2008, I served on interested parties in said action the within:

9 **OBJECTIONS BY CAMERON PROPERTIES, INC. TO PROPOSED ORDER**
10 **AMENDING AND MODIFYING COURT'S CLASS CERTIFICATION ORDER**
11 **DATED SEPTEMBER 11, 2007**

12 by posting the document(s) listed above to the Santa Clara County Superior Court
13 website in regard to the Antelope Valley Groundwater matter

14 I am readily familiar with this firm's practice of collection and processing
15 correspondence for mailing. Under that practice it would be deposited with the U.S. postal
16 service on that same day in the ordinary course of business. I am aware that on motion of
17 party served, service is presumed invalid if postal cancellation date or postage meter date
18 is more than 1 day after date of deposit for mailing in affidavit.

19 Executed on March 14, 2008, at Irvine, California.

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

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Marla Trussell
(Signature)