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*Exempt from filing fee pursuant to
Gov't. Code Section 6103*

7 Attorneys for Cross-Complainant,
8 ANTELOPE VALLEY-EAST KERN WATER AGENCY

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12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**
14

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

Judicial Council Coordination Proceeding
No. 4408

17 **ANTELOPE VALLEY**
18 **GROUNDWATER CASES**

Santa Clara Case No.
1-05-CV-049053
The Honorable Jack Komar, Dept.17

19 **Included Actions:**

ANTELOPE VALLEY-EAST KERN
WATER AGENCY'S CASE
MANAGEMENT STATEMENT

20 Los Angeles County Waterworks District
21 No. 40 vs. Diamond Farming Company, a
22 corporation, Superior Court of California,
23 County of Los Angeles, Case No.
24 BC325201;

Date: January 9, 2009
Time: 9:00 a.m.
Dept.: 1

25 Los Angeles County Waterworks District
26 No. 40 vs. Diamond Farming Company, a
27 corporation., Superior Court of California,
28 County of Kern, Case No. S-1500-CV-254-
348;

Wm. Bolthouse Farms, Inc. vs. City of
Lancaster, Diamond Farming Company, a
corporation, vs. City of Lancaster, Diamond
Farming Company, a corporation vs.
Palmdale Water District, Superior Court of
California, County of Riverside, Case Nos.
RIC 353840, RIC 344436, RIC 344668.

1 Pursuant to this Court's MINUTE ORDER AFTER THE CASE MANAGEMENT
2 CONFERENCE on November 25, 2008, the Antelope Valley-East Kern Water Agency (AVEK)
3 hereby submits the following narrative Case Management Statement.

4 **I. FUTURE PHASE(S) OF TRIAL**

5 At the Case Management Conference on November 25, 2008 the Court discussed future
6 phases of trial. The Court proposed that Phase III of the trial shall be for the determination of
7 safe yield and overdraft.

8 **II. FEDERAL RESERVED RIGHT**

9 It is suggested that in addition to determination of safe yield and overdraft in Phase III,
10 the trial should also include a determination of whether the United States has a federal reserve
11 right in the Antelope Valley groundwater basin as determined by the Court. Secondly, if such
12 a right exists, what is the quantified amount. Such a determination may expedite potential
13 resolution to the litigation and allow the Antelope Valley-East Kern Water Agency to initiate
14 a planning process with the Air Force Base.

15 Dated: January 2, 2009

BRUNICK, McELHANEY & BECKETT

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18 By: W J Brunick

WILLIAM J. BRUNICK
Attorneys for Cross-Complainant,
ANTELOPE VALLEY-EAST KERN
WATER AGENCY

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PROOF OF SERVICE

4 **STATE OF CALIFORNIA }
5 COUNTY OF SAN BERNARDINO }**

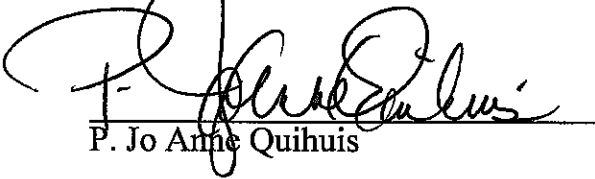
6 I am employed in the County of the San Bernardino, State of California. I am over
7 the age of 18 and not a party to the within action; my business address is 1839 Commercenter
8 West, San Bernardino, California.

9 On January 2, 2009, I served the foregoing document(s) described as: **ANTELOPE
10 VALLEY-EAST KERN WATER AGENCY'S CASE MANAGEMENT STATEMENT**
11 on the interested parties in this action served in the following manner:

12 **XX** BY ELECTRONIC SERVICE AS FOLLOWS by posting the document(s) listed
13 above to the Santa Clara website in the action of the *Antelope Valley Groundwater*
14 *Litigation*, Judicial Council Coordination Proceeding No. 4408, Santa Clara Case No.
15 1-05-CV-049053.

16 **X** (STATE) I declare under penalty of perjury under the laws of the State of California
17 that the above is true and correct.

18 Executed on January 2, 2009, at San Bernardino, California.

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P. Jo Anne Quihuis