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EXEMPT FROM FILING FEE
(Government Code § 6103)

6
7 Attorneys for Defendant/Cross-Defendant,
BORON COMMUNITY SERVICES
8 DISTRICT

9
10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF LOS ANGELES**

12
13 **Coordination Proceeding**
Special Title (Rule 3.550(c))

14 **ANTELOPE VALLEY GROUNDWATER**
15 **CASES**

16 **Included Actions:**

17 **Los Angeles County Waterworks District**
No. 40 v. Diamond Farming Co.
18 **Superior Court of California, County of Los**
Angeles, Case No. BC 325201;

19 **Los Angeles County Waterworks District**
20 **No. 40 v. Diamond Farming Co.**
Superior Court of California, County of Kern,
21 **Case No. S-1500-CV-254348**

22 **Wm. Bolthouse Farms, Inc. v. City of Lancaster,**
Diamond Farming Co. v. City of Lancaster,
23 **Diamond Farming Co. v. Palmdale Water Dist.,**
24 **Superior Court of California, County of**
Riverside, Case Nos. RIC 353 840, RIC 344 436,
25 **RIC 344 668**

26 **AND RELATED ACTIONS.**
27
28

Judicial Council Coordination
Proceeding No. 4408

Santa Clara Case No. 1-05-CV-049053

TRIAL SETTING CONFERENCE
STATEMENT OF
DEFENDANT/CROSS-DEFENDANT
BORON COMMUNITY SERVICES
DISTRICT

[Assigned for All Purposes to the
Honorable Jack Komar]

Date: July 9, 2012
Time: 9:00 a.m.
Dept: 316, Room 1515, Central Civil West

Action Filed: October 26, 2005

1 Boron Community Services District ("Boron") submits this Trial Setting Conference
2 Statement for the Trial Setting Conference to be held on July 9, 2012 in Department 1515.

3 **INTRODUCTION**

4 Boron Community Services District serves approximately 1200 customers utilizing pumped
5 groundwater. Commencing around 1980, Boron began purchasing supplemental state water project
6 supplies from AVEK, when available. During the period 2000 to 2004, Boron utilized
7 approximately six hundred (600) acre feet of groundwater per year to serve its customers. The
8 groundwater is blended with the supplemental water supplies when they are available.

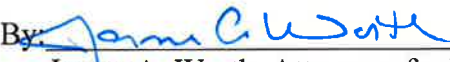
9 **NEXT PHASE OF TRIAL**

10 Boron has reviewed the trial setting conference statements of the parties filed to date and
11 agree that additional time is needed to allow the parties to complete the mediation process with
12 Justice Robie. A further trial setting conference/case management conference could be held shortly
13 after the September 11, 2012 mediation session with Justice Robie.

14 Assuming the parties are able to reach agreement on the proposed Judgment and Physical
15 Solution, Boron supports a streamlined evidentiary hearing to allow the parties to introduce facts and
16 evidence needed for the Court to decide whether to enter the proposed Judgment and Physical
17 Solution. If the parties are unable to reach agreement, all legal and factual issues must be
18 established and determined before proceeding with the evidentiary hearing.

19
20 DATED: July 5, 2012

21 McMURTREY, HARTSOCK & WORTH

22
23
24 By: 
25 James A. Worth, Attorneys for Defendant/
26 Cross-Defendant, BORON
27 COMMUNITY SERVICES DISTRICT
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1 **PROOF OF SERVICE**

2
3 **STATE OF CALIFORNIA, COUNTY OF KERN**

4 I, GUADALUPE GONZALEZ, declare: I am and was at the time of the service hereunder
5 mentioned, over the age of eighteen (18) years and not a party to the within cause. My business
6 address is 2001 22nd Street, Suite 100, Bakersfield, California 93301.

7 On July 5, 2012, I served the document(s) titled:

8 **TRIAL SETTING CONFERENCE STATEMENT OF
9 DEFENDANT/CROSS-DEFENDANT BORON COMMUNITY
10 SERVICES DISTRICT**

11 to be served on the parties in this action as follows:

12 XXX **(BY ELECTRONIC TRANSMISSION)** I caused such document(s) listed above to be posted to the
13 Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.

14 _____ **(BY MAIL)** I am readily familiar with the firm's practice of collection and processing of documents
15 for mailing. Under that practice, it would be deposited with the United States Postal Service on that
16 same day with postage thereon fully prepaid at Bakersfield, California, in the ordinary course of
17 business.

18 _____ **(BY FACSIMILE TRANSMISSION)** A transmission report was properly issued by the sending
19 facsimile machine, and the transmission was reported as completed and without error.

20 _____ **(BY PERSONAL SERVICE)** I caused such envelope to be delivered by hand to the offices of the
21 addressee(s).

22 _____ **(BY OVERNIGHT COURIER)** I caused such envelope with delivery fees fully prepaid to be sent
23 by overnight courier.

24 Executed on July 5, 2012, at Bakersfield, California.

25 XXX **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is
26 true and correct.

27 _____ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this Court at whose
28 direction the service was made.

29 
30 _____
31 **GUADALUPE GONZALEZ**