

EXHIBIT D

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Exempt from filing fee
Government Code § 6103

*Attorneys for Defendants City of Lancaster and
Rosamond Community Services District*

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

**ANTELOPE VALLEY GROUNDWATER
CASES**

Included Actions:

- Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
Superior Court of California, County of
Los Angeles, Case No. BC 325201;
- Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
Superior Court of California, County of Kern,
Case No. S-1500-CV-254-348
- Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v. City of
Lancaster, Diamond Farming Co. v. Palmdale
Water Dist., Superior Court of California
County of Riverside, consolidated actions; Case
Nos. RIC 353 840, RIC 344 436, RIC 344 668.

Judicial Council Coordination
Proceeding No. 4408

CLASS ACTION

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

**DEFENDANTS CITY OF LANCASTER
AND ROSAMOND COMMUNITY
SERVICES DISTRICT'S OBJECTIONS
TO PLAINTIFF REBECCA LEE WILLIS
AND THE CLASS' REQUEST FOR
PRODUCTION OF DOCUMENTS,
SET THREE**

{00007841.1 }

1 PROPOUNDING PARTY: Plaintiffs Rebecca Willis and the Willis Class

2 RESPONDING PARTY: Defendants City of Lancaster and
3 Rosamond Community Services District

4 SET NO.: Three

5 Pursuant to California Code of Civil Procedure section 2030.210 *et seq.*, Defendants City of
6 Lancaster and Rosamond Community Services District (“Defendants”) hereby responds to Request
7 for Production of Documents, Set Three, propounded by Plaintiff Rebecca Willis and the Class (the
8 “Willis Class”), as follows:

9 **PRELIMINARY STATEMENT**

10 The following responses are made solely for the purpose of this litigation. Each response is
11 subject to all appropriate objections, including, but not limited to, objections concerning privilege,
12 competency, relevancy, materiality, propriety, and admissibility, which would require the exclusion of
13 any statement contained therein if the request were asked of a witness present and testifying in court,
14 or of any statements contained therein, if the answer were given by a witness. All such objections and
15 grounds are reserved and may be interposed at the time of trial.

16 The following responses are based on the facts and information presently known and available
17 to Defendants. The information set forth is true and correct to the best of Defendants’ knowledge at
18 this particular time, but it is subject to correction for inadvertent errors or omissions, if errors or
19 omissions shall be found to exist. Discovery, investigation, research and analysis are ongoing in this
20 case and may disclose the existence of additional facts, add meaning to known facts, establish entirely
21 new factual or legal contentions, or possibly lead to additions, variations, and changes to these
22 responses. Consequently, the following responses are given without prejudice to Defendants’ right to
23 produce at the time of trial subsequently discovered or recognized evidence relating to the proof of
24 presently known material facts and to produce all evidence, whenever discovered, relating to proof of
25 subsequently discovered or recognized material facts. In addition, these responses are based on the
26 assumption that the Willis Class is not requesting Defendants produce information that has already
27 been made available to the Willis Class in this action.

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{00007841.1 }

1 Except for facts explicitly admitted, no admissions of any kind whatsoever are implied or
2 should be inferred from these responses. The fact that a response has been given should not be taken
3 as an admission or any acceptance of the existence of any facts set forth or assumed by the request, or
4 that the response constitutes admissible evidence.

5 Each of the responses or objections is based on Defendants' understanding of these requests
6 for production and each individual request for production. To the extent that the Willis Class asserts
7 an interpretation of any request that is inconsistent with Defendants' understanding, Defendants
8 reserves the right to supplement its objections and responses.

9 GENERAL OBJECTIONS TO REQUESTS

10 1. Defendants objects to the requests in their entirety, and to each individual request, to
11 the extent they require Defendants to provide documents that are protected from disclosure by the
12 attorney-client privilege, the attorney-work product doctrine, or any other constitutional, statutory, or
13 common law privilege or protection.

14 2. Defendants further objects to the requests in their entirety, and to each individual
15 request, to the extent they seek: (a) documents that are neither relevant to the subject matter of this
16 action, nor reasonably calculated to lead to the discovery of admissible evidence; and/or (b)
17 documents that might be conceivably relevant, but so remotely relevant to the subject matter of the
18 action as to make disclosure of little or no practical benefit to the Willis Class.

19 3. Defendants further objects to the requests in their entirety, and to each individual
20 request, to the extent they require Defendants to provide confidential and/or proprietary information
21 related to Defendants and/or third parties.

22 4. Defendants further objects to the requests in their entirety, and to each individual
23 request, to the extent they seek documents that are a matter of public record or equally available to
24 Defendants from a third party.

25 5. Defendants further objects to the requests in their entirety, and to each individual
26 request, on the ground that they are not reasonably calculated as to time and scope and, as a result, are
27 overbroad, vague, ambiguous and unduly burdensome and oppressive.

1 6. Defendants further objects to the requests in their entirety, and to each individual
2 request, on the ground they provide an inadequate description of the requested documents, which
3 prevents Defendants from identifying the documents to be produced. (Code Civ. Proc., § 2031.030,
4 subd. (c)(1) [“Each demand in a set shall . . . (1) Designate the documents . . . to be inspected, copied,
5 tested, or sampled either by specifically describing each individual item or by reasonably
6 particularizing each category of item.”].)

7 7. Defendants further objects to the requests in their entirety, and to each individual
8 request, to the extent they are vague and ambiguous.

9 Defendants does not waive any of these objections, and hereby incorporates them into each
10 individual response below.

11 **RESPONSES TO REQUEST FOR PRODUCTION OF DOCUMENTS**

12 **REQUEST FOR PRODUCTION NO. 1:**

13 Any and all Bills you have received from any counsel during the RELEVANT PERIOD
14 relating to this litigation.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

16 Defendants object to this request on the grounds that it requires Defendants to provide
17 information that is protected from disclosure by the attorney-client privilege and the attorney
18 work-product doctrine. Defendants further object to the request on the grounds it requests
19 documents and information not relevant to the subject matter of this action, nor reasonably calculated
20 to lead to the discovery of admissible evidence.

21 **REQUEST FOR PRODUCTION NO. 2:**

22 Any and all DOCUMENTS that refer or relate to the rates billed by your counsel for their
23 services in this matter.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

25 Defendants object to this request on the grounds that it requires Defendants to provide
26 information that is protected from disclosure by the attorney-client privilege and the attorney
27 work-product doctrine. Defendants further object to the request on the grounds it requests
28

1 documents and information not relevant to the subject matter of this action, nor reasonably calculated
2 to lead to the discovery of admissible evidence.

3 **REQUEST FOR PRODUCTION NO. 3:**

4 Any and all documents that refer or relate to the accompanying special interrogatories.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

6 Defendants object to this request on the grounds that it requires Defendants to provide
7 information that is protected from disclosure by the attorney-client privilege and the attorney
8 work-product doctrine. Defendants further object to the request on the grounds it requests
9 documents and information not relevant to the subject matter of this action, nor reasonably calculated
10 to lead to the discovery of admissible evidence.

11 **REQUEST FOR PRODUCTION NO. 4:**

12 Any and all documents that refer or relate to any arrangements whereby YOU have shared
13 responsibility for the payment of counsel fees with respect to this litigation.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

15 Defendants object to this request on the grounds that it requires Defendants to provide
16 information that is protected from disclosure by the attorney-client privilege and the attorney
17 work-product doctrine. Defendants further object to the request on the grounds it requests
18 documents and information not relevant to the subject matter of this action, nor reasonably calculated
19 to lead to the discovery of admissible evidence.

20
21 DATED: February 11, 2011 MURPHY & EVERTZ LLP

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23 By: 

24 Douglas J. Evertz, Attorneys for Defendants
25 CITY OF LANCASTER and ROSAMOND
26 COMMUNITY SERVICES DISTRICT
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PROOF OF SERVICE

ANTELOPE VALLEY GROUNDWATER CASES
Judicial Council Coordination, Proceeding No. 4408

Santa Clara Case No. 1-05-CV 049053
Assigned to the Honorable Jack Komar
Los Angeles County Superior Court, Central, Dept. 1

I am a resident of the State of California, over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 650 Town Center Drive, Suite 550, Costa Mesa, CA 92626. On February 14, 2011, I served the within document(s):

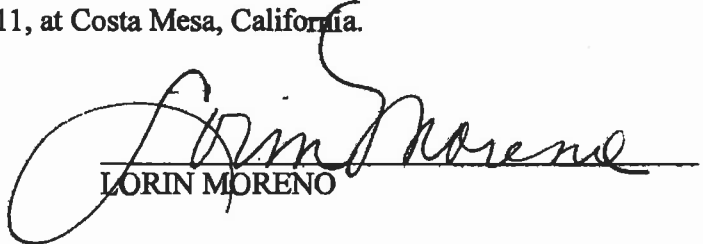
**DEFENDANTS CITY OF LANCASTER AND
ROSAMOND COMMUNITY SERVICES DISTRICT'S OBJECTIONS TO
PLAINTIFF REBECCA LEE WILLIS AND THE CLASS'
REQUEST FOR PRODUCTION OF DOCUMENTS, SET THREE**

- by posting the document(s) listed above to the website <http://www.scefilling.org>, a dedicated link to the Antelope Valley Groundwater Cases; Santa Clara Case No. 1-05-CV 049053, Assigned to the Honorable Jack Komar, said document(s) is electronically served/distributed therewith.
- By transmitting via e-mail the document(s) listed above to the e-mail address(es) and/or fax number(s) set forth below on this date.
- by placing the document(s) listed above in a sealed Overnight Express envelope/package for overnight delivery at Irvine, California addressed as set forth below.
- by causing personal delivery by Nationwide Legal of the document(s) listed above, to the person(s) at the address(es) set forth below.

I am readily familiar with Murphy & Evertz LLP's practice for collecting and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

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

Executed on February 14, 2011, at Costa Mesa, California.


LORIN MORENO

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*Attorneys for Defendants City of Lancaster and
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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

**ANTELOPE VALLEY GROUNDWATER
CASES**

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- Wm. Bolthouse Farms, Inc. v. City of
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Lancaster, Diamond Farming Co. v. Palmdale
Water Dist., Superior Court of California
County of Riverside, consolidated actions; Case
Nos. RIC 353 840, RIC 344 436, RIC 344 668.

Judicial Council Coordination
Proceeding No. 4408

CLASS ACTION

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

**DEFENDANTS CITY OF LANCASTER
AND ROSAMOND COMMUNITY
SERVICES DISTRICT'S RESPONSE
TO PLAINTIFF REBECCA LEE WILLIS
AND THE CLASS' SPECIAL
INTERROGATORIES, SET THREE**

{00007840.2 }

1 PROPOUNDING PARTY: Plaintiffs Rebecca Willis and the Willis Class

2 RESPONDING PARTY: Defendants City of Lancaster and
3 Rosamond Community Services District

4 SET NO.: Three

5
6 Pursuant to California Code of Civil Procedure section 2030.210 *et seq.*, Defendants City of
7 Lancaster and Rosamond Community Services District (“Defendants”) hereby responds to
8 Special Interrogatories, Set Three, propounded by Plaintiff Rebecca Willis and the Class (the “Willis
9 Class”), as follows:

10 **PRELIMINARY STATEMENT**

11 The following responses are made solely for the purpose of this litigation. Each response is
12 subject to all appropriate objections, including, but not limited to, objections concerning privilege,
13 competency, relevancy, materiality, propriety, and admissibility, which would require the exclusion of
14 any statement contained therein if the interrogatory were asked of a witness present and testifying in
15 court, or of any statements contained therein, if the answer were given by a witness. All such
16 objections and grounds are reserved and may be interposed at the time of trial.

17 The following responses are based on the facts and information presently known and available
18 to Defendants. The information set forth is true and correct to the best of Defendants’ knowledge at
19 this particular time, but it is subject to correction for inadvertent errors or omissions, if errors or
20 omissions shall be found to exist. Discovery, investigation, research and analysis are ongoing in this
21 case and may disclose the existence of additional facts, add meaning to known facts, establish entirely
22 new factual or legal contentions, or possibly lead to additions, variations, and changes to these
23 responses. Consequently, the following responses are given without prejudice to Defendants’ right to
24 produce at the time of trial subsequently discovered or recognized evidence relating to the proof of
25 presently known material facts and to produce all evidence, whenever discovered, relating to proof of
26 subsequently discovered or recognized material facts. In addition, these responses are based on the
27 assumption that the Willis Class is not requesting Defendants produce information that has already
28 been made available to the Willis Class in this action.

{00007840.2 }

1 Except for facts explicitly admitted, no admissions of any kind whatsoever are implied or
2 should be inferred from these responses. The fact that a response has been given should not be taken
3 as an admission or any acceptance of the existence of any facts set forth or assumed by the
4 interrogatory, or that the response constitutes admissible evidence.

5 Each of the responses or objections is based on Defendants' understanding of these
6 interrogatories and each individual interrogatory. To the extent that the Willis Class asserts an
7 interpretation of any interrogatory that is inconsistent with Defendants' understanding, Defendants
8 reserves the right to supplement its objections and responses.

9 **GENERAL OBJECTIONS TO INTERROGATORIES**

10 1. Defendants object to the interrogatories in their entirety, and to each individual
11 interrogatory, to the extent they require Defendants to provide information that is protected from
12 disclosure by the attorney-client privilege, the attorney-work product doctrine, or any other
13 constitutional, statutory, or common law privilege or protection.

14 2. Defendants further objects to the interrogatories in their entirety, and to each individual
15 interrogatory, to the extent they are overly broad, burdensome, and oppressive because they seek
16 information that is a matter of public record, equally available to the Willis Class or already within the
17 Willis Class' possession.

18 3. Defendants further objects to the interrogatories in their entirety, and to each individual
19 interrogatory, to the extent that they seek: (a) information that is neither relevant to the subject matter
20 of this action, nor reasonably calculated to lead to the discovery of admissible evidence; and/or
21 (b) information that might be conceivably relevant, but so remotely relevant to the subject matter of
22 the action as to make disclosure of little or no practical benefit to the Willis Class.

23 4. Defendants further objects to the interrogatories in their entirety, and to each individual
24 interrogatory, to the extent they require Defendants to provide confidential and/or proprietary
25 information related to Defendants and/or third parties.

26 5. Defendants further objects to the interrogatories in their entirety, and to each individual
27 interrogatory, to the extent they are not reasonably calculated as to time and scope and, as a result, are
28 overbroad, vague, ambiguous, and unduly burdensome and oppressive.

{00007840.2 }

1 **SPECIAL INTERROGATORY NO. 3:**

2 State the number of hours that your in-house counsel has worked on this matter during the
3 RELEVANT PERIOD, broken down on a monthly or other applicable periodic basis.

4 **RESPONSE TO SPECIAL INTERROGATORY NO. 3:**

5 Defendants object to this interrogatory on the grounds that it requires Defendants to provide
6 information that is protected from disclosure by the attorney-client privilege and the attorney
7 work-product doctrine. Defendants further object to the interrogatory on the grounds that the
8 interrogatory calls for information not relevant to the subject matter of this action, nor reasonably
9 calculated to lead to the discovery of admissible evidence.

10 **SPECIAL INTERROGATORY NO. 4:**

11 State the total amount you have paid for legal services rendered in this matter during the
12 RELEVANT PERIOD, broken down on a monthly or other applicable periodic basis.

13 **RESPONSE TO SPECIAL INTERROGATORY NO. 4:**

14 Defendants object to this interrogatory on the grounds that it requires Defendants to provide
15 information that is protected from disclosure by the attorney-client privilege and the attorney
16 work-product doctrine. Defendants further object to the interrogatory on the grounds that the
17 interrogatory calls for information not relevant to the subject matter of this action, nor reasonably
18 calculated to lead to the discovery of admissible evidence.

19 **SPECIAL INTERROGATORY NO. 5:**

20 State the billing rate(s) you have paid counsel for their work on this matter during the
21 RELEVANT PERIOD, identifying the extent to which, if at all that rate is a discounted rate.

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1 **RESPONSE TO SPECIAL INTERROGATORY NO. 5:**

2 Defendants object to this interrogatory on the grounds that it requires Defendants to provide
3 information that is protected from disclosure by the attorney-client privilege and the attorney
4 work-product doctrine. Defendants further object to the interrogatory on the grounds that the
5 interrogatory calls for information not relevant to the subject matter of this action, nor reasonably
6 calculated to lead to the discovery of admissible evidence.

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8 DATED: February 11, 2011 MURPHY & EVERTZ LLP

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By: 

Douglas J. Evertz, Attorneys for Defendants
CITY OF LANCASTER and ROSAMOND
COMMUNITY SERVICES DISTRICT

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PROOF OF SERVICE

ANTELOPE VALLEY GROUNDWATER CASES

Judicial Council Coordination, Proceeding No. 4408

Santa Clara Case No. 1-05-CV 049053

Assigned to the Honorable Jack Komar

Los Angeles County Superior Court, Central, Dept. 1

I am a resident of the State of California, over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 650 Town Center Drive, Suite 550, Costa Mesa, CA 92626. On February 14, 2011, I served the within document(s):

DEFENDANTS CITY OF LANCASTER AND ROSAMOND COMMUNITY SERVICES DISTRICT'S RESPONSE TO PLAINTIFF REBECCA LEE WILLIS AND THE CLASS' SPECIAL INTERROGATORIES, SET THREE

by posting the document(s) listed above to the website <http://www.scefiling.org>, a dedicated link to the Antelope Valley Groundwater Cases; Santa Clara Case No. 1-05-CV 049053, Assigned to the Honorable Jack Komar, said document(s) is electronically served/distributed therewith.

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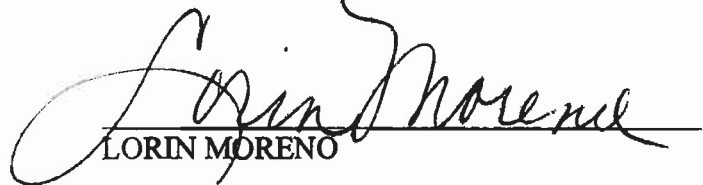
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 14, 2011, at Costa Mesa, California.


LORIN MORENO