

EXHIBIT E

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9 Attorneys for Cross-Defendant and Cross-Complainant,
Phelan Piñon Hills Community Services District
10

11 **SUPERIOR COURT OF CALIFORNIA**

12 **COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

13 Coordination Proceeding
Special Title (Rule 1550(b))

) Judicial Council Coordination Proceeding
No. 4408

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

) (For Filing Purposes Only: Santa Clara
County Case No.: 1-05-CV-049053)

16 Included Actions:

) Assigned for All Purposes To:
Judge: Hon. Jack Komar

17 *Los Angeles County Waterworks District*
No. 40 v.

) (Filing Fees Exempt, Per Gov't Code § 6103)

18 *Diamond Farming Co., et al.*
Los Angeles County Superior Court, Case
19 No. BC 325 201

) **CROSS-DEFENDANT / CROSS-
COMPLAINANT PHELAN PIÑON
HILLS COMMUNITY SERVICES
DISTRICT'S RESPONSE TO
PLAINTIFF REBECCA WILLIS'
REQUEST FOR PRODUCTION OF
DOCUMENTS, SET NO. THREE**

20 *Los Angeles County Waterworks District*
No. 40 v.

21 *Diamond Farming Co., et al.*
Kern County Superior Court, Case No.
22 S-1500-CV-254-348

23 *Wm. Bolthouse Farms, Inc. v. City of*
Lancaster

24 *Diamond Farming Co. v. City of Lancaster*
Diamond Farming Co. v. Palmdale Water
25 *Dist.*

26 Riverside County Superior Court,
Consolidated Action, Case Nos. RIC 353
27 840, RIC 344 436, RIC 344 668
AND RELATED CROSS-ACTIONS
28

1 PROPOUNDING PARTY: Plaintiff, REBECCA WILLIS

2 RESPONDING PARTY: Cross-Defendant and Cross-Complainant, PHELAN PIÑON
3 HILLS COMMUNITY SERVICES DISTRICT

4 SET NO.: THREE

5 TO PLAINTIFF AND TO HER ATTORNEY OF RECORD:

6 Cross-Defendant and Cross-Complainant, PHELAN PIÑON HILLS COMMUNITY
7 SERVICES DISTRICT ("PPHCSD" or "Responding Party") responds to Plaintiff REBECCA
8 WILLIS' ("Plaintiff" or "Propounding Party") Request for Production of Documents, Set Three, as
9 follows:

10 **PRELIMINARY STATEMENT AND GENERAL OBJECTIONS**

11 The following responses are made solely for the purpose of legal actions and are based on
12 information presently available to Responding Party. Responding Party may discover further
13 information after the date of service of these responses and hereby reserves the right to amend,
14 supplement or modify these responses to reflect the result of ongoing investigation, discovery,
15 document review and analysis. Nothing in these responses shall be construed to impose a duty on
16 Responding Party to voluntarily update these responses, absent a formal request by Propounding
17 Party.

18 Responding Party objects to each and every Inspection Demand to the extent it requests
19 information protected from disclosure by the attorney-client privilege (Evidence Code §§ 950 et
20 seq. and Evidence Code § 1152) and/or attorney work product doctrine (Code of Civil Procedure
21 § 2018). Given that the request does not describe the documents sought with particularity, it is
22 possible that the request seeks documents protected by the attorney-client privilege, attorney
23 work-product doctrine, and materials considered by Responding Party's board in closed session
24 and consultant information from non-designated expert witnesses which Responding Party hereby
25 objects to producing. While specific objections are set forth below, Responding Party is
26 responding as if confidential and privileged documents are not being requested, expressly noting
27 that any such documents will not be produced.

28

1 Each response contained herein is subject to all appropriate objections (including, but not
2 limited to, objections concerning competency, relevancy, materiality, propriety, and admissibility),
3 which require the exclusion of any said response in any court hearing or proceeding. All such
4 objections and grounds are reserved and may be interposed at the time of trial. Responding Party
5 further objects to the preface and instructions to this request to the extent that it calls for responses
6 beyond the requirements of Code of Civil Procedure § 2031.

7 Responding Party also objects to producing documents at Plaintiff's attorneys' office as
8 being unduly burdensome. Further, the requested original documents are official PPHCSD's
9 records and cannot be removed from the PPHCSD's offices. Responding Party will permit
10 Plaintiff access to said records after a meet and confer at a mutually convenient time.

11 Additionally, many of the requests are duplicative. For documents produced pursuant to
12 this request, Responding Party has done its best to organize the documents so they can be
13 reviewed in response to each request. However, documents that are responsive to more than one
14 request will be produced in response to one request only because the cost of duplication is
15 unwarranted and unduly burdensome.

16 Responding Party incorporates all of these objections (the "General Objections") into each
17 of the responses herein. Subject to and without waiving any of the foregoing, Responding Party
18 makes the following responses:

19 **RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS**

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

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

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

24 Responding Party objects to this request on the grounds that this request seeks information
25 protected by the attorney-client privilege and attorney work-product doctrine.

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

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

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

2 Responding Party objects to this request on the grounds that this request seeks information
3 protected by the attorney-client privilege and attorney work-product doctrine.

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

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

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

7 Responding Party objects to this request on the grounds that this request seeks information
8 protected by the attorney-client privilege and attorney work-product doctrine.

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

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

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

13 Responding Party objects to this request on the grounds that this request seeks information
14 protected by the attorney-client privilege and attorney work-product doctrine.

15

16 Dated: February 14, 2011

SMITH TRAGER, LLP
SUSAN M. TRAGER

17

ALESHIRE & WYNDER, LLP
WESLEY A. MILIBAND

18

19

By: 

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Wesley A. Miliband
Attorneys for Cross-Defendant and
Cross-Complainant,
Phelan Piñon Hills Community
Services District

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3 **PROOF OF SERVICE**

4 I, Linda M. Yarvis,

5 I am employed in the County of Orange, State of California. I am over the age of 18 and
6 not a party to the within action. My business address is 18881 Von Karman Avenue, Suite 400,
Irvine, CA 92612.

7 On February 14, 2011, I served the within document(s) described as **CROSS-**
8 **DEFENDANT / CROSS-COMPLAINANT PHELAN PIÑON HILLS COMMUNITY**
9 **SERVICES DISTRICT'S RESPONSE TO PLAINTIFF REBECCA WILLIS' REQUEST**
10 **FOR PRODUCTION OF DOCUMENTS, SET NO. THREE**, as follows:

11 (ELECTRONIC SERVICE) By posting the document(s) listed above to the Santa Clara
County Superior Court website in regard to Antelope Valley Groundwater matter pursuant to the
Court's Clarification Order. Electronic service and electronic posting completed through
www.scefiling.org.

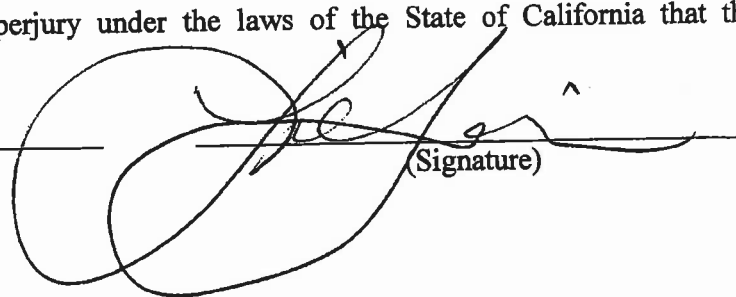
12 (BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope
13 addressed as set forth above. I placed each such envelope for collection and mailing following
ordinary business practices. I am readily familiar with this Firm's practice for collection and
14 processing of correspondence for mailing. Under that practice, the correspondence would be
deposited with the United States Postal Service on that same day, with postage thereon fully
15 prepaid at Irvine, California, in the ordinary course of business. I am aware that on motion of the
party served, service is presumed invalid if postal cancellation date or postage meter date is more
than one day after date of deposit for mailing in affidavit.

16 (BY OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained
17 by Overnight Express, an express service carrier, or delivered to a courier or driver authorized by
said express service carrier to receive documents, a true copy of the foregoing document(s) in a
18 sealed envelope or package designated by the express service carrier, addressed as set forth above,
with fees for overnight delivery paid or provided for.

19 Executed on February 14, 2011, 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.

22 Linda Yarvis
23 (Type or print name)

24 
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27
28 (Signature)

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11 **SUPERIOR COURT OF CALIFORNIA**

12 **COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

13 Coordination Proceeding
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14 **ANTELOPE VALLEY**
15 **GROUNDWATER CASES**

) (For Filing Purposes Only: Santa Clara
) County Case No.: 1-05-CV-049053)

16 Included Actions:

) Assigned for All Purposes To:
) Judge: Hon. Jack Komar

17 *Los Angeles County Waterworks District*
No. 40 v.

) (Filing Fees Exempt, Per Gov't Code § 6103)

18 *Diamond Farming Co., et al.*
Los Angeles County Superior Court, Case
19 No. BC 325 201

) **CROSS-DEFENDANT / CROSS-**
) **COMPLAINANT PHELAN PIÑON**
) **HILLS COMMUNITY SERVICES**

20 *Los Angeles County Waterworks District*
No. 40 v.

) **DISTRICT'S RESPONSE TO**
) **PLAINTIFF REBECCA WILLIS'**
) **SPECIAL INTERROGATORIES, SET**
) **NO. THREE**

21 *Diamond Farming Co., et al.*
Kern County Superior Court, Case No.
22 S-1500-CV-254-348

23 *Wm. Bolthouse Farms, Inc. v. City of*
Lancaster

24 *Diamond Farming Co. v. City of Lancaster*
Diamond Farming Co. v. Palmdale Water
25 *Dist.*

26 Riverside County Superior Court,
Consolidated Action, Case Nos. RIC 353
27 840, RIC 344 436, RIC 344 668
AND RELATED CROSS-ACTIONS
28

1 PROPOUNDING PARTY: Plaintiff, REBECCA WILLIS

2 RESPONDING PARTY: Cross-Defendant and Cross-Complainant, PHELAN PIÑON
3 HILLS COMMUNITY SERVICES DISTRICT

4 SET NO.: THREE

5 TO PLAINTIFF AND TO HER ATTORNEY OF RECORD:

6 Pursuant to Section 2030.010 of the Code of Civil Procedure, Cross-Defendant and Cross-
7 Complainant, PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT ("PPHCSD" or
8 "Responding Party") responds to Plaintiff REBECCA WILLIS' ("Plaintiff" or "Propounding
9 Party") Special Interrogatories, Set Three, as follows:

10 The responses are made solely for the purpose of this action. Each response is subject to all
11 objections as to competence, relevance, materiality, propriety, and admissibility, and any and all
12 other objections and grounds that would require the exclusion of any statement contained herein if
13 such interrogatory were asked of, or if any statement contained herein were made by, a witness
14 present and testifying in court, all of which objections and grounds are reserved and may be
15 interposed at the time of trial.

16 It should be noted that this responding party has not fully completed his investigation of the
17 facts relating to the case, has not fully completed discovery in this action, and has not completed
18 preparation for trial. Therefore, the responses contained herein are based only on such information
19 and documents as are presently available to and specifically known by the responding party. It is
20 anticipated further discovery, independent investigation, legal research, and analysis may supply
21 additional facts and documents, add meaning to the known facts as well as establish entirely new
22 factual conclusions and legal conclusions, all of which may lead to substantial additions to, changes
23 in, and variations from the contentions herein set forth. The following responses are given without
24 prejudice to the responding party's right to produce evidence of any documents or facts
25 subsequently discovered or recalled. Accordingly, the responding party reserves the right to
26 change any and all responses herein as additional facts are discovered or ascertained, analyses are
27 made, legal research is completed, and contentions are made in a good faith effort to supply as
28 much material and factual information and as much specification of legal contentions as are

1 presently known, but should in no way be to the prejudice of the responding party in relation to
2 further discovery, research and analysis.

3 **GENERAL OBJECTIONS**

4 1. PPHCSD objects to the interrogatories, and each of them, to the extent that they
5 seek information protected by the attorney-client privilege, the attorney work product doctrine or
6 any other privilege.

7 2. PPHCSD further objects to the interrogatories, and each of them, to the extent that
8 they seek information which can only be obtained through inquiries to third parties not under the
9 control of PPHCSD on the grounds that PPHCSD is under no duty to make such inquiries and that
10 the results of such inquiries made by PPHCSD is protected under the attorney work product
11 doctrine.

12 **RESPONSES AND OBJECTIONS TO INTERROGATORIES**

13 **SPECIAL INTERROGATORY NO. 1:**

14 State the total amount you have been billed by any counsel for its services in this matter
15 during the RELEVANT PERIOD, broken down on a monthly or other applicable periodic basis.

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

17 Responding Party objects to this interrogatory on the grounds that this interrogatory seeks
18 information protected by the attorney-client privilege and attorney work-product doctrine.

19 **SPECIAL INTERROGATORY NO. 2:**

20 State the number of hours billed by YOUR counsel on this matter during the RELEVANT
21 PERIOD, broken down on a monthly or other applicable periodic basis.

22 **RESPONSE TO SPECIAL INTERROGATORY NO. 2:**

23 Responding Party objects to this interrogatory on the grounds that this interrogatory seeks
24 information protected by the attorney-client privilege and attorney work-product doctrine.

25 **SPECIAL INTERROGATORY NO. 3:**

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

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

2 Responding Party objects to this interrogatory on the grounds that this interrogatory seeks
3 information protected by the attorney-client privilege and attorney work-product doctrine.

4 **SPECIAL INTERROGATORY NO. 4:**

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

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

8 Responding Party objects to this interrogatory on the grounds that this interrogatory seeks
9 information protected by the attorney-client privilege and attorney work-product doctrine.

10 **SPECIAL INTERROGATORY NO. 5:**

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

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

14 Responding Party objects to this interrogatory on the grounds that this interrogatory seeks
15 information protected by the attorney-client privilege and attorney work-product doctrine.

16

17 Dated: February 14, 2011

SMITH TRAGER, LLP
SUSAN M. TRAGER

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ALESHIRE & WYNDER, LLP
WESLEY A. MILIBAND

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By: 

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Wesley A. Miliband
Attorneys for Cross-Defendant and
Cross-Complainant,
Phelan Piñon Hills Community
Services District

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3 **PROOF OF SERVICE**

4 I, Linda M. Yarvis,

5 I am employed in the County of Orange, State of California. I am over the age of 18 and
6 not a party to the within action. My business address is 18881 Von Karman Avenue, Suite 400,
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7 On February 14, 2011, I served the within document(s) described as **CROSS-
8 DEFENDANT / CROSS-COMPLAINANT PHELAN PIÑON HILLS COMMUNITY
SERVICES DISTRICT'S RESPONSE TO PLAINTIFF REBECCA WILLIS' SPECIAL
INTERROGATORIES, SET NO. THREE**, as follows:

9 (ELECTRONIC SERVICE) By posting the document(s) listed above to the Santa Clara
10 County Sueprior Court website in regard to Antelope Valley Groundwater matter pursuant to the
Court's Clarification Order. Electronic service and electronic posting completed through
11 www.scefiling.org.

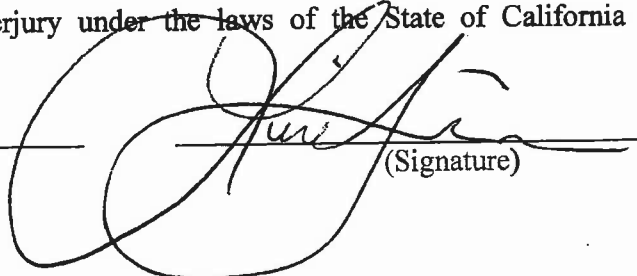
12 (BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope
13 addressed as set forth above. I placed each such envelope for collection and mailing following
ordinary business practices. I am readily familiar with this Firm's practice for collection and
14 processing of correspondence for mailing. Under that practice, the correspondence would be
deposited with the United States Postal Service on that same day, with postage thereon fully
15 prepaid at Irvine, California, in the ordinary course of business. I am aware that on motion of the
party served, service is presumed invalid if postal cancellation date or postage meter date is more
than one day after date of deposit for mailing in affidavit.

16 (BY OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained
17 by Overnight Express, an express service carrier, or delivered to a courier or driver authorized by
said express service carrier to receive documents, a true copy of the foregoing document(s) in a
18 sealed envelope or package designated by the express service carrier, addressed as set forth above,
with fees for overnight delivery paid or provided for.

19 Executed on February 14, 2011, 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.

22 Linda Yarvis
23 (Type or print name)


24 (Signature)

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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

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):

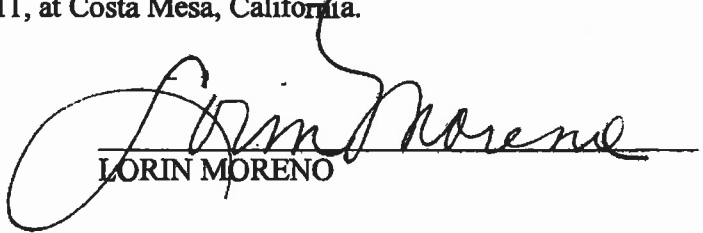
**DEFENDANTS CITY OF LANCASTER AND
ROSAMOND COMMUNITY SERVICES DISTRICT'S OBJECTIONS TO
PLAINTIFF REBECCA LEE WILLIS AND THE CLASS'
REQUEST FOR PRODUCTION OF DOCUMENTS, SET THREE**

- by posting the document(s) listed above to the website <http://www.scefilng.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.

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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

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Douglas J. Evertz, SBN 123066
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650 Town Center Drive, Suite 550
Costa Mesa, California 92626
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Fax: (714) 277-1777

Exempt from filing fee
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*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 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:**

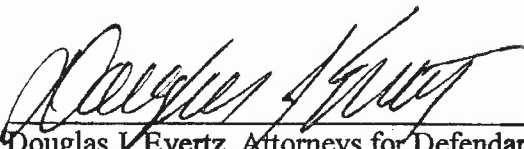
2 Defendants object to this interrogatory on the grounds that it requires Defendants to provide
3 information that is protected from disclosure by the attorney-client privilege and the attorney
4 work-product doctrine. Defendants further object to the interrogatory on the grounds that the
5 interrogatory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

7

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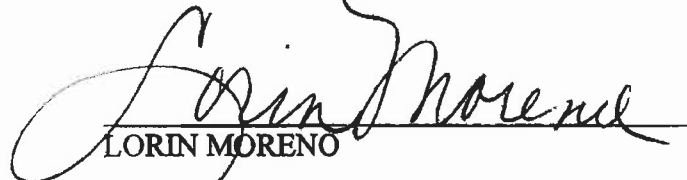
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Executed on February 14, 2011, at Costa Mesa, California.


LORIN MORENO