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7 Attorneys for Granite Construction Company

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

10 **ANTELOPE VALLEY GROUNDWATER**  
11 **CASES**

12 **INCLUDED ACTIONS:**

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

14 Los Angeles County Waterworks District No. 40  
15 v. Diamond Farming Co., Superior Court of  
California, County of Kern, Case No. S-1500-CV-  
16 254348;

17 Wm. Bolthouse Farms, Inc. v. City of Lancaster,  
18 Diamond Farming Co. v. Lancaster, Diamond  
Farming Co. v. Palmdale Water Dist., Superior  
19 Court of California, County of Riverside, Case  
No. RIC 353840, RIC 344436, RIC 344668

20 Rebecca Lee Willis v. Los Angeles County  
21 Waterworks District No. 40  
Superior Court of California, County of Los  
22 Angeles, Case No. BC 364553

23 Wood v. A.V. Materials, Inc., et al., Superior  
24 Court of California, County of Los Angeles, Case  
No. BC 509546

25 Little Rock Sand and Gravel, Inc. v. Granite  
26 Construction Co., Superior Court of California,  
County of Los Angeles, North Judicial District,  
27 Case No. MC026932  
28

Judicial Council Coordination No. 4408

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

**NOTICE OF TAKING DEPOSITION  
AND REQUEST FOR PRODUCTION  
OF DOCUMENTS**

[Code Civ. Proc., § 2025.210.]

Deponent: Little Rock Sand and Gravel, Inc.  
Date: November 21, 2017  
Time: 10:00 a.m.  
Place: Antelope Valley Court Reporters  
1672 W. Avenue J, Suite 207  
Lancaster, CA 93534

1 NOTICE IS HEREBY GIVEN as follows:

2 **A. Deponent, Time and Place.**

3 GRANITE CONSTRUCTION COMPANY (“GRANITE”) will take the deposition of  
4 LITTLE ROCK SAND AND GRAVEL, INC. (the “Deponent” or “LITTLE ROCK”)  
5 stenographically before a certified shorthand reporter at Antelope Valley Court Reporters, 1672  
6 W. Avenue J, Suite 207, Lancaster, CA 93534, commencing at 10:00 a.m., on November 21,  
7 2017, and continuing from day-to-day thereafter, weekends and holidays excepted.

8 **B. Deponent Not a Natural Person.**

9 The Deponent is not a natural person. The Deponent is requested to designate and  
10 produce at the deposition those of its officers, directors, managing agents, agents or employees  
11 who are most qualified to testify on its behalf regarding the following subject matter:

- 12 1. Formation of the Lease dated April 8, 1987, between Granite and LITTLE ROCK  
13 (hereinafter, the “LEASE”), and all amendments thereto.
- 14 2. Performance under the LEASE.
- 15 3. Formation of the First Amendment to LEASE executed in 2010.
- 16 4. Performance under the First Amendment to LEASE.
- 17 5. Communications, whether oral or in writing, with GRANITE or any other person  
18 regarding the LEASE and the parties’ duties and performance under the LEASE.
- 19 6. GRANITE’s mining permit for its Little Rock Quarry and LITTLE ROCK’s  
20 consent to modifications to the permit.
- 21 7. The Antelope Valley Groundwater Cases (“AVG Cases”), including without  
22 limitation all proceedings and settlement negotiations conducted therein.
- 23 8. Negotiations leading to the stipulations for entry of judgment and physical  
24 solution entered into in the AVG Cases, including without limitation, the Stipulation for Entry of  
25 Judgment and Physical Solution and the Second Amended Stipulation for Entry of Judgment and  
26 Physical Solution, including without limitation the formation and execution of those stipulations.

1           9.       Negotiations between Granite and Littlerock and all other parties relating to the  
2 Judgment entered on or about December 23, 2015, in the AVG Cases, including without  
3 limitation Exhibit 4 of Exhibit A of the Judgment.

4           10.       LITTLE ROCK's responses to discovery in the AVG Cases, including without  
5 limitation responses to court ordered discovery.

6           11.       The allegations in the Verified First Amended Complaint filed by LITTLE ROCK  
7 on or about April 10, 2017.

8           12.       The allegations and defenses in the Verified Answer to First Amended Complaint  
9 filed by GRANITE on or about May 17, 2017.

10          13.       Communications, whether oral or in writing, with GRANITE or any other person  
11 regarding settlement of the AVG Cases, including without limitation communications regarding  
12 the allocations reflected on Exhibit 4 to Exhibit A to the Judgment entered in the AVG Cases.

13          14.       GRANITE's use of the wells located on the LEASE PROPERTY ("LEASE  
14 PROPERTY" means the property that is leased by GRANITE from LITTLE ROCK for  
15 operation of a rock, sand and gravel quarry.

16          15.       LITTLE ROCK'S current and historic use of water in the Antelope Valley.

17          16.       GRANITE's current and historic use of water in the Antelope Valley.

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19 **C. Items to Be Produced by Party Deponent.**

20           The deponent is required to produce immediately prior to the deposition the documents,  
21 records or other materials described in **Exhibit A** attached hereto.

22           A list of all parties or attorneys for parties on whom this notice is being served is shown  
23 on the accompanying Proof of Service.

24 Dated: October 11, 2017

KUHS & PARKER

25 By   
26 \_\_\_\_\_

Bernard C. Barmann, Jr., Attorneys for  
27 Noticing Party, Granite Construction Company

1  
2 **EXHIBIT A**

3 **I. DEFINITIONS**

4 The following words and phrases shall govern the construction of this document unless  
5 the context otherwise requires:

6 1. "GRANITE" means Granite Construction Company.  
7 2. "YOU," "YOUR" or "LITTLE ROCK" means Little Rock Sand and Gravel, Inc.  
8 3. "DOCUMENT" means a writing, as defined by Evidence Code section 250, and  
9 includes the originals or a copy of handwriting, typewriting, printing, photostats, photographs,  
10 electronically stored information, and every other means of recording upon any tangible thing  
11 and form of communicating or representation, including letters, words, pictures, sounds, or  
12 symbols, or combination of them.

13 4. "RELATE TO" and "RELATES TO" mean disclose, discuss, support, evidence,  
14 constitute, identify, indicate, involve, reference or reflect the subject matter referred to.

15 5. "COMPLAINT" means the Verified First Amended Complaint filed by YOU on  
16 or about April 11, 2017, in Los Angeles County Superior Court, Case No. MC026932, entitled  
17 *Little Rock Sand and Gravel, Inc. v. Granite Construction Company*.

18 6. "ANSWER" means the Verified Answer to First Amended Complaint filed by  
19 GRANITE on or about May 17, 2017, in Los Angeles County Superior Court, Case No.  
20 MC026932, entitled *Little Rock Sand and Gravel, Inc. v. Granite Construction Company*.

21 7. "LEASE" means the Lease dated April 8, 1987, between GRANITE and LITTLE  
22 ROCK, as amended.

23 8. "LEASE PROPERTY" means the property that is leased by GRANITE from  
24 LITTLE ROCK for operation of a rock, sand and gravel quarry.

25 **II. DOCUMENTS TO BE PRODUCED**

26 YOU are required to produce, at the date, time and location so noticed, all  
27 DOCUMENTS described below. This demand relates not only to all DOCUMENTS under  
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1 YOUR possession, custody or control, but also those DOCUMENTS reasonably available to  
2 YOU. To the extent any DOCUMENT consists of electronically stored information as defined  
3 in Code of Civil Procedure section 2016.020, such DOCUMENT must be produced in its native  
4 format.

- 5 1. All DOCUMENTS identified in YOUR Responses to Form Interrogatories, Set  
6 One.
- 7 2. All DOCUMENTS that RELATE TO the allegations contained in paragraph 6 of  
8 the COMPLAINT.
- 9 3. All DOCUMENTS that RELATE TO the allegations contained in paragraph 14 of  
10 the COMPLAINT.
- 11 4. All DOCUMENTS that RELATE TO the allegations contained in paragraph 15 of  
12 the COMPLAINT.
- 13 5. All DOCUMENTS that RELATE TO the allegations contained in paragraph 19 of  
14 the COMPLAINT.
- 15 6. All DOCUMENTS that RELATE TO the allegations contained in paragraph 20 of  
16 the COMPLAINT.
- 17 7. All DOCUMENTS that RELATE TO the allegations contained in paragraph 21 of  
18 the COMPLAINT.
- 19 8. All DOCUMENTS that RELATE TO the allegations contained in paragraph 23 of  
20 the COMPLAINT.
- 21 9. All DOCUMENTS that RELATE TO the allegations contained in paragraph 24 of  
22 the COMPLAINT.
- 23 10. All DOCUMENTS that RELATE TO the allegations contained in paragraph 25 of  
24 the COMPLAINT.
- 25 11. All DOCUMENTS that RELATE TO the allegations contained in paragraph 26 of  
26 the COMPLAINT.
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1           12. All DOCUMENTS that RELATE TO the allegations contained in paragraph 27 of  
2 the COMPLAINT.

3           13. All DOCUMENTS that RELATE TO the allegations contained in paragraph 29 of  
4 the COMPLAINT.

5           14. All DOCUMENTS that RELATE TO the allegations contained in paragraph 30 of  
6 the COMPLAINT.

7           15. All DOCUMENTS that RELATE TO the allegations contained in paragraph 31 of  
8 the COMPLAINT.

9           16. All DOCUMENTS that RELATE TO communications between YOU and any  
10 other person regarding the allocation of groundwater rights as between GRANITE and YOU.

11           17. All DOCUMENTS that RELATE TO communications, whether oral or in  
12 writing, regarding settlement of the Antelope Valley Groundwater Cases, including without  
13 limitation communications regarding the allocations reflected on Exhibit 4 to Exhibit A to the  
14 Judgment entered in the Antelope Valley Groundwater Cases.

15           18. All DOCUMENTS that RELATE TO formation of the LEASE.

16           19. All DOCUMENTS that RELATE TO the parties' performance under the LEASE.

17           20. All DOCUMENTS that RELATE TO formation of the First Amendment to Lease  
18 between GRANITE and LITTLE ROCK entered into in 2010.

19           21. All DOCUMENTS that RELATE TO the parties' performance under the First  
20 Amendment to Lease between GRANITE and LITTLE ROCK entered into in 2010.

21           22. All DOCUMENTS that RELATE TO communications, whether oral or in  
22 writing, with GRANITE or any other person regarding the LEASE and the parties' duties and  
23 performance under the LEASE.  
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25           23. All DOCUMENTS that RELATE TO GRANITE's use of the wells located on the  
26 LEASE PROPERTY.

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24. All DOCUMENTS that RELATE TO communications between YOU and GRANITE regarding the Antelope Valley Groundwater Cases, including without limitation communications relating to settlement.

25. All DOCUMENTS that RELATE TO communications between YOU and any other person regarding the Antelope Valley Groundwater Cases, including without limitation communications relating to settlement.

26. All DOCUMENTS that RELATE TO communications between YOU and GRANITE regarding the LEASE.

27. All DOCUMENTS that RELATE TO communications between YOU and GRANITE regarding groundwater in the Antelope Valley.

28. All DOCUMENTS constituting, reflecting or relating to communications between YOU and any other person regarding groundwater in the Antelope Valley.

