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

Coordination Proceeding
Special Title (Rule 1550(b))

ANTELOPE VALLEY GROUNDWATER
CASES

Judicial Council Coordination
Proceeding No. 4408

Lead Case No.: BC 325201

**[proposed] FIRST AMENDMENT TO
CASE MANAGEMENT ORDER FOR
PHASE FOUR TRIAL**

1 IT IS HEREBY ORDERED:

2 The Case Management Order For Phase 4 Trial (the “CMO”), dated December 12,
3 2012, is hereby amended as set forth below.

4 1. Paragraph 2 of the CMO is amended to read as follows:

5 The Phase 4 trial will address the issue of the current groundwater
6 production (or alternative nontributary waters in lieu thereof) of all parties, proof
7 of claimed reasonable and beneficial use of the water for each parcel to be
8 adjudicated, and the claimed return flows from imported water, for the calendar
9 year 2011 and January 1 through November 30, 2012. Parties that wish to
10 produce evidence during the years of 2000 through 2012 may do so if they timely
11 produce such evidence in discovery. Trial of the parties’ claimed reasonable and
12 beneficial uses of water will include the amount of water used by each party and
13 the identification of the beneficial use to which that amount was applied, but will
14 not include any determination as to the reasonableness of that type of use, of the
15 manner in which the party applied water to that use, or any determination of a
16 water right. The trial will also address federal reserved rights. Claims of
17 prescription will be tried following the decision in Phase Four.

18
19 2. The Court sets the following schedule for the Phase Four trial and pretrial dates:

20	DATE	EVENT
21	1/31/2013	Declarations of parties for potential stipulations to be filed and served
22		
23	2/8/2013	Tejon Ranch’s deadline for filing and serving of declaration(s) for potential stipulations
24		
25	2/15/2013	Deposition Coordination meet & confer, 9 a.m. (telephonic)
26	2/15/2013	Status conference, 1:30 p.m. (telephonic)
27	2/15/2013	Supplemental expert disclosure
28	2/22/2013	Resume depositions of percipient and expert witnesses

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DATE	EVENT
2/28/2013	Stipulations or objections to declarations of the parties be filed and served
3/15/2013	Order to Show Cause re: approval of stipulations of the parties on evidence relevant to the Phase Four Trial
3/29/2013	Motion(s) in limine re: federal reserved rights to be filed and served
4/19/2013	Oppositions to Motion(s) in limine re: federal reserved rights to be filed and served
4/26/2013	Discovery cutoff date
5/1/2013	Liaison Committee to divide exhibit numbers
5/3/2013	Reply brief in support of motion(s) in limine re: federal reserved rights to be filed and served
5/13/2013	Opening trial briefs to be filed and served
5/14/2013	Witness and exhibit lists to be filed and served
5/15/2013	Motions in limine to be filed and served
5/21/2013	Responsive trial briefs to be filed and served
5/21/2013	Opposition to motions in limine to be filed and served
5/22/2013	Submission of trial exhibits to Court
5/28/2013	TRIAL

All other portions of the CMO remain unchanged.

DATED: _____
Hon. Jack Komar
Judge of the Superior Court