

1 **MUSICK, PEELER & GARRETT LLP**

2 **ATTORNEYS AT LAW**
3 ONE WILSHIRE BOULEVARD, SUITE 2000
4 LOS ANGELES, CALIFORNIA 90017-3383
5 TELEPHONE (213) 629-7600
6 FACSIMILE (213) 624-1376

7 Theodore A. Chester, Jr. (State Bar No. 105405)

8 *t.chester@mpglaw.com*

9 Steven Casselberry (State Bar No. 74234)

10 *s.casselberry@mpglaw.com*

11 Stephen R. Isbell (State Bar No. 247151)

12 *s.isbell@mpglaw.com*

13 Attorneys for LITTLE ROCK SAND AND GRAVEL, INC.

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

16 **ANTELOPE VALLEY GROUNDWATER**
17 **CASES**

18 **INCLUDED ACTIONS:**

19 Los Angeles County Waterworks District No.
20 40 v. Diamond Farming Co., Superior Court of
21 California, County of Los Angeles, Case No.
22 BC325201;

23 Los Angeles County Waterworks District No.
24 40 v. Diamond Farming Co., Superior Court of
25 California, County of Kern, Case No. S-1500-
26 CV-254348;

27 Wm. Bolthouse Farms, Inc. v. City of
28 Lancaster, Diamond Farming Co. v. Lancaster,
Diamond Farming Co. v. Palmdale Water
Dist., Superior Court of California, County of
Riverside, Case Nos. RIC 353840, RIC
344436, RIC 344668;

Rebecca Lee Willis v. Los Angeles County
Waterworks District No. 40
Superior Court of California, County of Los
Angeles, Case No. BC364553;

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

Little Rock Sand and Gravel, Inc. v. Granite
Construction Co., Superior Court of
California, County of Los Angeles, Case No.
MC026932

Judicial Counsel Coordination No. 4408

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

Assigned to Honorable Jack Komar

**LITTLE ROCK SAND AND GRAVEL,
INC.'S OBJECTION TO GRANITE
CONSTRUCTION COMPANY'S NOTICE
OF TAKING DEPOSITION OF LITTLE
ROCK SAND AND GRAVEL, INC., AND
REQUEST FOR PRODUCTION OF
DOCUMENTS**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT LITTLE ROCK SAND AND GRAVEL, INC. (“Little Rock”) hereby objects to GRANITE CONSTRUCTION COMPANY’s (“Granite”) Notice of Taking Deposition of Little Rock and and Request for Production of Documents (the “Notice of Deposition”) as follows:

GENERAL OBJECTIONS

Little Rock objects to the Notice of Deposition on the grounds that (1) the Notice of Deposition does not describe with reasonable particularity the matters on which it requests examination of Little Rock’s person(s) most qualified to testify (“PMQ”) (*Code of Civil Procedure* section 2025.230); and (2) the categories upon which Granite requests the deposition of the PMQ are overbroad, not reasonably calculated to lead to the discovery of admissible evidence, concern confidential settlement negotiations and invade the attorney-client privilege.

In addition to the General Objections, Little Rock objects to the Request for Production of Documents contained in the Notice of Deposition as follows:

SPECIFIC OBJECTIONS TO REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 1:

All DOCUMENTS identified in YOUR Responses to Form Interrogatories, Set One.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Little Rock objects to this Request on the ground that it demands documents that are equally available to or already in the possession of Granite.

REQUEST FOR PRODUCTION NO. 2:

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

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

Little Rock objects to this Request on the ground that it demands documents that are equally available to or already in the possession of Granite.

///

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

2 All DOCUMENTS that RELATE TO the allegations contained in paragraph 14 of the
3 COMPLAINT.

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

5 Little Rock objects to this Request on the ground that it demands documents that are
6 equally available to or already in the possession of Granite.

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

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

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

11 Little Rock objects to this Request on the ground that it demands documents that are
12 equally available to or already in the possession of Granite.

13 **REQUEST FOR PRODUCTION NO. 5:**

14 All DOCUMENTS that RELATE TO the allegations contained in paragraph 19 of the
15 COMPLAINT.

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

17 Little Rock objects to this Request on the following grounds: (1) it demands documents
18 that are equally available to or already in the possession of Granite and, thus, is unduly
19 burdensome and oppressive; (2) it demands documents that are protected from disclosure by the
20 attorney-client privilege and attorney work product doctrine; and (3) it demands documents that
21 contain settlement communications that are confidential under *Evidence Code* section 1152.

22 **REQUEST FOR PRODUCTION NO. 6:**

23 All DOCUMENTS that RELATE TO the allegations contained in paragraph 20 of the
24 COMPLAINT.

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

26 Little Rock objects to this Request on the following grounds: (1) it demands documents
27 that are equally available to or already in the possession of Granite and, thus, is unduly
28 burdensome and oppressive; (2) it demands documents that are protected from disclosure by the

1 attorney-client privilege and attorney work product doctrine; and (3) it demands documents that
2 contain settlement communications that are confidential under *Evidence Code* section 1152.

3 **REQUEST FOR PRODUCTION NO. 7:**

4 All DOCUMENTS that RELATE TO the allegations contained in paragraph 21 of the
5 COMPLAINT.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

7 Little Rock objects to this Request on the following grounds: (1) it demands documents
8 that are equally available to or already in the possession of Granite and, thus, is unduly
9 burdensome and oppressive; and (2) it demands documents that contain settlement
10 communications that are confidential under *Evidence Code* section 1152.

11 **REQUEST FOR PRODUCTION NO. 8:**

12 All DOCUMENTS that RELATE TO the allegations contained in paragraph 23 of the
13 COMPLAINT.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

15 Little Rock objects to this Request on the ground that it demands documents that are
16 equally available to or already in the possession of Granite.

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

18 All DOCUMENTS that RELATE TO the allegations contained in paragraph 24 of the
19 COMPLAINT.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

21 Little Rock objects to this Request on the following grounds: (1) it demands documents
22 that are equally available to or already in the possession of Granite and, thus, is unduly
23 burdensome and oppressive; and (2) it demands documents that contain settlement
24 communications that are confidential under *Evidence Code* section 1152.

25 **REQUEST FOR PRODUCTION NO. 10:**

26 All DOCUMENTS that RELATE TO the allegations contained in paragraph 25 of the
27 COMPLAINT.

28 ///

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

2 Little Rock objects to this Request on the ground that it is unduly burdensome, oppressive
3 and demands a document that is already in the possession of Granite, specifically, Little Rock’s
4 First Amended Complaint for Quiet Title and Declaratory Relief.

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

6 All DOCUMENTS that RELATE TO the allegations contained in paragraph 26 of the
7 COMPLAINT.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

9 Little Rock objects to this Request on the ground that it is unduly burdensome, oppressive
10 and demands a document that is already in the possession of Granite, specifically, Little Rock’s
11 First Amended Complaint for Quiet Title and Declaratory Relief.

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

13 All DOCUMENTS that RELATE TO the allegations contained in paragraph 27 of the
14 COMPLAINT.

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

16 Little Rock objects to this Request on the ground that it is unduly burdensome, oppressive
17 and demands a document that is already in the possession of Granite, specifically, Little Rock’s
18 First Amended Complaint for Quiet Title and Declaratory Relief.

19 **REQUEST FOR PRODUCTION NO. 13:**

20 All DOCUMENTS that RELATE TO the allegations contained in paragraph 29 of the
21 COMPLAINT.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

23 Little Rock objects to this Request on the following grounds: (1) it demands documents
24 that are equally available to or already in the possession of Granite and, thus, is unduly
25 burdensome and oppressive; and (2) it demands documents that contain settlement
26 communications that are confidential under *Evidence Code* section 1152.

27 ///

28 ///

1 **REQUEST FOR PRODUCTION NO. 14:**

2 All DOCUMENTS that RELATE TO the allegations contained in paragraph 30 of the
3 COMPLAINT.

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

5 Little Rock objects to this Request on the following grounds: (1) it demands documents
6 that are equally available to or already in the possession of Granite and, thus, is unduly
7 burdensome and oppressive; and (2) it demands documents that contain settlement
8 communications that are confidential under *Evidence Code* section 1152.

9 **REQUEST FOR PRODUCTION NO. 15:**

10 All DOCUMENTS that RELATE TO the allegations contained in paragraph 31 of the
11 COMPLAINT.

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

13 Little Rock objects to this Request on the ground that it demands documents that are
14 equally available to or already in the possession of Granite and, thus, is unduly burdensome and
15 oppressive.

16 **REQUEST FOR PRODUCTION NO. 16:**

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

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

20 Little Rock objects to this Request on the following grounds: (1) it demands documents
21 that are equally available to or already in the possession of Granite and, thus, is unduly
22 burdensome and oppressive; (2) it demands documents that are protected from disclosure by the
23 attorney-client privilege and attorney work product doctrine; (3) it demands documents that
24 contain settlement communications that are confidential under *Evidence Code* section 1152; and
25 (4) overbroad.

26 **REQUEST FOR PRODUCTION NO. 17:**

27 All DOCUMENTS that RELATE TO communications, whether oral or in writing,
28 regarding settlement of the Antelope Valley Groundwater Cases, including without limitation

1 communications regarding the allocations reflected on Exhibit 4 to Exhibit A to the Judgment
2 entered in the Antelope Valley Groundwater Cases.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 17:**

4 Little Rock objects to this Request on the following grounds: (1) it demands documents
5 that are equally available to or already in the possession of Granite and, thus, is unduly
6 burdensome and oppressive; (2) it demands documents that are protected from disclosure by the
7 attorney-client privilege and attorney work product doctrine; and (3) it demands documents that
8 contain settlement communications that are confidential under *Evidence Code* section 1152.

9 **REQUEST FOR PRODUCTION NO. 18:**

10 All DOCUMENTS that RELATE TO formation of the LEASE.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

12 Little Rock objects to this Request on the ground that it demands documents that are
13 equally available to or already in the possession of Granite and, thus, is unduly burdensome and
14 oppressive.

15 **REQUEST FOR PRODUCTION NO. 19:**

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

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

18 Little Rock objects to this Request on the grounds that (1) it demands 30 plus years of
19 documents that are already in the possession of or equally available to Granite and, thus, is unduly
20 burdensome and oppressive; and (2) overbroad.

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

22 ALL DOCUMENTS that RELATE TO formation of the First Amendment to LEASE
23 between GRANITE and LITTLE ROCK entered into in 2010

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

25 Little Rock objects to this Request on the ground that it demands documents that are
26 equally available to or already in the possession of Granite and, thus, is unduly burdensome and
27 oppressive.

28 ///

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

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

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 21:**

5 Little Rock objects to this Request on the grounds that (1) it demands 17 plus years of
6 documents that are equally available to or already in the possession of Granite and, thus, is unduly
7 burdensome and oppressive; and (2) overbroad.

8 **REQUEST FOR PRODUCTION NO. 22:**

9 All DOCUMENTS that RELATE TO communications, whether oral or in writing, with
10 GRANITE or any other person regarding the LEASE and the parties' duties and performance
11 under the LEASE.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 22:**

13 Little Rock objects to this Request on the following grounds: (1) it demands documents
14 that are equally available to or already in the possession of Granite and, thus, is unduly
15 burdensome and oppressive; (2) compound; and (3) overbroad and unduly burdensome.

16 **REQUEST FOR PRODUCTION NO. 23:**

17 All DOCUMENTS that RELATE TO GRANITE'S use of the wells located on the LEASE
18 PROPERTY.

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

20 Little Rock objects to this Request on the ground that it demands documents that are
21 equally available to or already in the possession of Granite and, thus, is unduly burdensome and
22 oppressive.

23 **REQUEST FOR PRODUCTION NO. 24:**

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

27 ///

28 ///

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

2 Little Rock objects to this Request on the following grounds: (1) it demands documents
3 that are equally available to or already in the possession of Granite and, thus, is unduly
4 burdensome and oppressive; and (2) it demands documents that contain settlement
5 communications that are confidential under *Evidence Code* section 1152.

6 **REQUEST FOR PRODUCTION NO. 25:**

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

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

11 Little Rock objects to this Request on the following grounds: (1) it demands documents
12 that are equally available to or already in the possession of Granite and, thus, is unduly
13 burdensome and oppressive; (2) it demands documents that are protected from disclosure by the
14 attorney-client privilege and attorney work product doctrine; and (3) it demands documents that
15 contain settlement communications that are confidential under *Evidence Code* section 1152.

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

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

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 26:**

20 Little Rock objects to this Request on the grounds that (1) it demands 30 plus years of
21 documents that are already in the possession of or equally available to Granite and, thus, is unduly
22 burdensome and oppressive; and (2) overbroad.

23 **REQUEST FOR PRODUCTION NO. 27:**

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

26 ///

27 ///

28 ///

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 27:**

2 Little Rock objects to this Request on the grounds that (1) it demands 30 plus years of
3 documents that are already in the possession of or equally available to Granite and, thus, is unduly
4 burdensome and oppressive; and (2) overbroad.

5 **REQUEST FOR PRODUCTION NO. 28:**

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

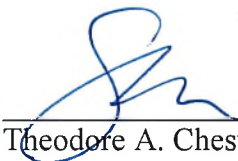
8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 28:**

9 Little Rock objects to this Request on the following grounds: (1) it demands documents
10 that are equally available to or already in the possession of Granite and, thus, is unduly
11 burdensome and oppressive; (2) it demands documents that are protected from disclosure by the
12 attorney-client privilege and attorney work product doctrine; (3) it demands documents that
13 contain settlement communications that are confidential under *Evidence Code* section 1152; and
14 (4) overbroad and unduly burdensome.

15
16 DATED: November 13, 2017

MUSICK, PEELER & GARRETT LLP

17
18
19 By:



Theodore A. Chester, Jr.
Stephen R. Isbell
Attorneys for Plaintiff LITTLE ROCK SAND
AND GRAVEL, INC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 650 Town Center Drive, Suite 1200, Costa Mesa, California 92626.

On November 13, 2017, I served true copies of the following document(s) described as **LITTLE ROCK SAND AND GRAVEL, INC.'S OBJECTION TO GRANITE CONSTRUCTION COMPANY'S NOTICE OF TAKING DEPOSITION OF LITTLE ROCK SAND AND GRAVEL, INC., AND REQUEST FOR PRODUCTION OF DOCUMENTS** on the interested parties in this action as follows:

SERVICE LIST

Robert G. Kuhs	Attorneys for Defendant Granite Construction
Bernard C. Barmann, Jr.	Company
KUHS & PARKER	T: (661) 322-4004
P.O. Box 2205	F: (661) 322-2906
1200 Truxtun Avenue, Suite 200	E: rgkuhs@kuhsparkerlaw.com
Bakersfield, CA 93303	E: bbarmann@kuhsparkerlaw.com

BY ELECTRONIC SERVICE: I submitted the above listed document(s) to www.avwatermaster.org for email submission to all parties appearing on the electronic service list for the Antelope Valley Groundwater case. Electronic service is complete at the time of transmission.

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the practice of Musick, Peeler & Garrett LLP for collecting and processing correspondence for mailing. On the same day that 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 am a resident or employed in the county where the mailing occurred. The envelope was placed in the mail at Los Angeles, California.

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

Executed on November 13, 2017, at Costa Mesa, California.



Judy Jacobs