

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

SmithTrager LLP  
Susan M. Trager, Esq. (SBN 58497)  
Summer L. Nastich, Esq. (SBN 229985)  
Laurel E. Adcock, Esq. (SBN 234201)  
19712 MacArthur Blvd., Suite 120  
Irvine, CA 92612  
Telephone: (949) 752-8971  
Facsimile: (949) 863-9804  
smt@smithtrager.com

EXEMPT FROM FILING FEES UNDER  
GOVERNMENT CODE § 6103

Attorneys for Cross-Complainant  
Phelan Piñon Hills Community Services District

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT

Coordination Proceeding )  
Special Title (Rule 1550(b)) )  
**ANTELOPE VALLEY** )  
**GROUNDWATER CASES** )  
Included Actions: )  
*Los Angeles County Waterworks District* )  
*No. 40 v.* )  
*Diamond Farming Co., et al.,* )  
Los Angeles County Superior Court, Case )  
No. BC 325 201 )  
*Los Angeles County Waterworks District* )  
*No. 40 v.* )  
*Diamond Farming Co., et al.,* )  
Kern County Superior Court, 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.* )  
Riverside County Superior Court, )  
Consolidated Action, Case Nos. RIC 353 )  
840, RIC 344 436, RIC 344 668 )  
**AND RELATED CROSS-ACTIONS** )

Judicial Council Coordination Proceeding  
No. 4408  
For Filing Purposes Only: Santa Clara  
County Case No.: 1-05-CV-049053  
Assigned to the Honorable Jack Komar,  
Department 17  
CROSS-COMPLAINANT PHELAN  
PINON HILLS COMMUNITY SERVICES  
DISTRICT'S CASE MANAGEMENT  
STATEMENT

\\

1 Cross-Complainant Phelan Piñon Hills Community Services District ("PPHCSD")  
2 respectfully submits this Case Management Statement in advance of the March 8, 2010 Case  
3 Management Conference.  
4

5 The Court has asked parties to address trial setting of the remaining phases. See Order  
6 Setting Hearing Date for Further Case Management Conference, entered February 8, 2010.  
7

8 PPHCSD concurs with the Public Water Suppliers' proposal that the next phase of trial be  
9 a determination of Basin characteristics including its safe yield and overdraft (past or present).  
10 The proposal has been discussed with other attorneys, and the trial should begin between July 6  
11 and extend through the month of August. The trial is expected to last about 10 to 15 court days.  
12

13 PPHCSD concurs with the Public Water Suppliers and other attorneys agree that the next  
14 phase of trial take place as soon as possible to minimize further delay, avoid potentially  
15 unnecessary litigation expense, and to facilitate the earliest possible negotiated resolution of case  
16 issues.  
17

18 PPHCSD concurs with the Public Water Suppliers that once the Court makes a safe yield  
19 determination and decides whether a prescriptive period has resulted from overproduction, each  
20 party will be able to assess the strength of its claim of priority to Basin water while  
21 understanding the total quantity available for all producers.  
22

23 PPHCSD became a party after the Court heard testimony and determined the issue of the  
24 basin boundaries which is set forth in the Order dated November 6, 2008.  
25

26 ///

27 ///

28 ///

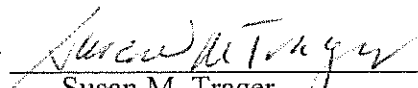
1 PPHCSD produces water from a well located several hundred feet westerly of the  
2 southeastern boundary of the Adjudication area established by the Court. The characteristics of  
3 the aquifer from which PPHCSD's well draws are not well understood and are now being  
4 investigated.

5  
6 In anticipation that its investigation may reveal facts which raise issues special to  
7 PPHCSD respectfully reserves the right to raise those issues relating to the boundary, and the  
8 groundwater conditions applicable to the Southeastern portion of the designated adjudicated area  
9 which give rise to management considerations, as the Court finds appropriate, in the Phase III  
10 trial.

11  
12 PPHCSD concurs with the discovery and briefing schedule proposed by the Public Water  
13 Purveyors.

14  
15 Dated: March 1, 2010

SmithTrager LLP

16  
17 By   
18 Susan M. Trager  
19 Attorneys for Defendant and Cross-  
20 Complainant Phelan Piñon Hills  
21 Community Services District  
22  
23  
24  
25  
26  
27  
28

3 **PROOF OF SERVICE**

4 I, Marie W. Young, declare:

5 I am employed in the County of Orange, State of California. I am over the age of 18 and  
6 am not a party to the within action; my business address is 19712 MacArthur Blvd., Suite 120,  
Irvine, California 92612.

7 On February 26, 2010, I served the foregoing documents(s) described as **CROSS-  
8 COMPLAINANT PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT'S  
CASE MANAGEMENT STATEMENT**, as follows:

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

11 \_\_\_\_\_ **(REGULAR MAIL)** By enclosing the document(s) listed in sealed envelope(s),  
12 addressing as shown below, and placing the envelope for collection and mailing  
following our ordinary business practices. I am readily familiar with this firm's practice  
13 for collection and processing correspondence for mailing. On the same day that  
correspondence is placed for collection and mailing, it is deposited in the ordinary course  
14 of business with the United States Postal Service in a sealed envelope with postage fully  
prepaid. I am aware that on motion of the party served, service is presumed invalid if  
15 postal cancellation date or postage meter date is more than one day after date of deposit  
for mailing in affidavit.

16 \_\_\_\_\_ **(FEDERAL EXPRESS)** By placing the document(s) listed above in a sealed overnight  
17 envelope, with delivery fees paid or provided for; addressed as shown below, and  
depositing it for overnight delivery at a facility regularly maintained by the express  
18 service carrier or delivered to a courier or driver authorized to receive documents on its  
behalf, for delivery on the next business day.

19 \_\_\_\_\_ **(FACSIMILE)** by transmitting the document(s) listed above via facsimile to the office of  
20 the addressee(s) shown below. A true and correct copy of the transmission report  
indicating transmission without error is attached hereto.

21 \_\_\_\_\_ **(PERSONAL SERVICE)** By delivering the document(s) listed above in a sealed  
22 envelope addressed to the parties as noted by hand to the offices of the addressee.

23  
24 I declare under penalty of perjury under the laws of the State of California that the foregoing  
is true and correct.

25 Executed this 1st day of March, 2010, in Irvine, California.

26  
27 /s/  
Marie W. Young