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4

**Attorneys for Cross-defendants,**  
5 LITTLE ROCK SAND AND GRAVEL, INC.,  
a California Corporation;  
6 THE GEORGE AND CHARLENE LANE FAMILY TRUST;  
THE FRANK AND YVONNE LANE 1993 FAMILY  
7 TRUST, DATED MARCH 5, 1993, AS RESTATED  
JULY 20, 2000; MONTE VISTA BUILDING SITES, INC.,  
8 a California Corporation; A.V. MATERIALS, INC.,  
a California Corporation;  
9 HOLLIDAY ROCK CO., INC.,  
successor in interest to  
10 LITTLEROCK AGGREGATE CO., INC. dba  
ANTELOPE VALLEY AGGREGATE, INC.;  
11 LITTLEROCK AGGREGATE CO., INC. dba  
ANTELOPE VALLEY AGGREGATE, INC.  
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14 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
15 FOR THE COUNTY OF LOS ANGELES

16 ANTELOPE VALLEY GROUNDWATER CASES )	Judicial Council Coordination No.
)	4408
17 Included Actions: )	
)	For filing purposes only:
18 Los Angeles County Waterworks )	Santa Clara County Case No.
District No. 40 v. Diamond )	1-05-CV-049053
19 Farming Co. Superior Court of )	[Assigned to the Honorable Jack
California County of Los Angeles, )	Komar]
20 Case No. BC 325 201 )	
)	NOTICE TO ANTELOPE VALLEY EAST
21 Los Angeles County Waterworks 2 )	KERN WATER AGENCY TO APPEAR
District No. 40 v. Diamong )	AND PRODUCE DOCUMENTS AT
22 Farming Co. Superior court of )	TRIAL
California, County of Kern, Case )	
23 No. S-1500-CV-254-348 )	Date: May 28, 2013
)	Time: 9:00 a.m.
24 Wm. Bolthouse Farms, Inc. V. City )	Place: 111 N. Hill Street
)	Los Angeles, CA
)	Dept.: TBD

1 of Lancaster Diamong Farming Co. )  
V. City of Lancaster Diamond )  
2 Farming Co. V. Palmdale Water )  
Dist. Superior Court of )  
3 California, County of Riverside, )  
consolidated actions, Case No. )  
4 RIC 353 840, RIC 344 436, RIC 344 )  
668 )

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6 PLEASE TAKE NOTICE that PURSUANT TO Code of Civil Procedure  
7 section 1987(b) and (c) these cross-defendants request that  
8 ANTELOPE VALLEY EAST KERN WATER AGENCY ("AVEK") produce  
9 witnesses Tom Barnes and Dwayne Chisam at the trial in the  
10 above-captioned matter on on May 28, 2013 at 9:00 a.m. in  
11 Department "1" of the Los Angeles Superior Court, located at 111  
12 North Hill Street, Los Angeles, California, or such other  
13 location as may be ordered by the court, to testify as witnesses  
14 in this case.

15 PLEASE TAKE FURTHER NOTICE THAT pursuant to Code of Civil  
16 Procedure section 1987(c) these cross-defendants request that  
17 CALANDRI produce the original documents listed in the attached  
18 Exhibit A, which AVEK have in their possession or under their  
19 control.

20 These requests are made pursuant to section 1987(b) and (c)  
21 of the Code of Civil Procedure, which provide that the giving of  
22 this notice has the same effect as the service of a subpoena and  
23 that, in the event of noncompliance with this notice, the  
24 parties shall have such rights, and the court may make such

1 orders, including the imposition of sanctions, as in the case of  
2 a subpoena for attendance before the court.

3 Dated: May 8, 2013

TAYLOR & RING

4  
5 By: 

6 James W. Lewis  
7 Attorneys for Cross-  
8 Defendants HOLLIDAY ROCK  
9 CO., INC., successor in  
10 interest to LITTLE ROCK  
11 AGGREGATE CO., INC. dba  
12 ANTELOPE VALLEY  
13 AGGREGATE, INC.; THE  
14 FRANK AND YVONNE LANE  
15 1993 FAMILY TRUST, DATED  
16 MARCH 5, 1993, AS  
17 RESTATED JULY 20, 2000,  
18 successor in interest to  
19 FRANK A. LANE, ROE 612;  
20 THE GEORGE AND CHARLENE  
21 LANE FAMILY TRUST,  
22 Successor in interest to  
23 George M. Lane, Roe 316;  
24 MONTE VISTA BUILDING  
SITES, INC., a  
California Corporation;  
A.V. MATERIALS, INC., a  
California Corporation,  
ROE 9; A.C. WARNACK,  
as Trustee of the A.C.  
WARNACK TRUST; LITTLE  
ROCK SAND AND GRAVEL,  
INC.

1 EXHIBIT A

2 I. DEFINITIONS

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

6 1. "DOCUMENTS" means "writing" as defined by Evidence Code  
7 section 250 and includes drafts, originals and duplicates of  
8 written, graphic, computer or otherwise recorded matters,  
9 whether stored in written, electronic, magnetic or photographic  
10 format or by any other means.

11 2. "AVEK" shall mean ANTELOPE VALLEY EAST KERN WATER  
12 AGENCY, any of their agents, representatives, officers or  
13 employees.

14 II. DOCUMENTS TO BE PRODUCED

15 1. The DOCUMENTS prepared by AVEK, including sales  
16 ledgers, or other similar documents, showing the quantities of  
17 water purchased from AVEK by George Lane, the George and  
18 Charlene Lane Family Trust, Frank Lane, the Frank and Yvonne  
19 Lane Family Trust, and Yvonne Lane between 2000 and 2012 at real  
20 property located at 60<sup>th</sup> Street West and Avenue L in Lancaster,  
21 California.

22 2. The DOCUMENTS prepared by AVEK, including sales  
23 ledgers, or other similar documents, showing the quantities of  
24 water purchased from AVEK by George Lane, the George and

1 Charlene Lane Family Trust, Frank Lane, the Frank and Yvonne  
2 Lane Family Trust, and Yvonne Lane between 2000 and 2012 at real  
3 property located at or near 70<sup>th</sup> Street West and Avenue N in  
4 Palmdale, California 93551.

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PROOF OF SERVICE  
(C.C.P. 1013A, 2015.5)

STATE OF CALIFORNIA

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 10900 Wilshire Boulevard, Suite 920, Los Angeles, California 90024.

On May 8, 2013, I served the foregoing document, described as:

**NOTICE TO ANTELOPE VALLEY EAST KERN WATER AGENCY TO APPEAR AND PRODUCE DOCUMENTS AT TRIAL**

on the interested parties in this action in the following manner:

  X   **BY ELECTRONIC SERVICE AS FOLLOWS** by posting the document(s) listed above to the Santa Clara website in the action of the *Antelope Valley Groundwater Litigation*, Judicial Council Coordination Proceeding No. 4408, Santa Clara Case No. 1-05-CV-049053.

Executed on May 8, 2013 at Los Angeles, California.

  XX   **(State)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

James W. Lewis

