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5 Attorneys for Cross-Defendant ANTELOPE
VALLEY JOINT UNION HIGH SCHOOL
6 DISTRICT

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF LOS ANGELES**

10 Coordination Proceeding
Special Title (Rule 1550(b))

Judicial Council Coordination
Proceedings No. 4408

11 **ANTELOPE VALLEY GROUNDWATER**
12 **CASES**

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

13 Included Actions:

Assigned to
The Honorable Jack Komar

14 **Los Angeles County Waterworks District**
No. 40 v. Diamond Farming Co.
15 Los Angeles County Superior Court
Case No. BC 325201

NOTICE OF JOINDER IN
DEFENDANTS' NOTICE OF MOTION
AND MOTION TO DISMISS PUBLIC
WATER SUPPLIERS' CROSS-
COMPLAINT

16 **Los Angeles County Waterworks District**
No. 40 v. Diamond Farming Co.
17 Kern County Superior Court
Case No. S-1500-CV-254-348
18

Date: August 17, 2009
Time: 9:00 a.m.
Dept: 1

19 **Wm. Bolthouse Farms, Inc. v. City of**
Lancaster, Diamond Farming Co. v. City of
20 **Lancaster, Diamond Farming Co. v.**
Palmdale Water Dist.
21 Riverside County Superior Court
(Consolidated Actions) Case Nos. RIC 353
22 840, RIC 344 436, RIC 344 668

23
24 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

25 **PLEASE TAKE NOTICE** that Cross Defendant ANTELOPE VALLEY JOINT UNION
26 HIGH SCHOOL DISTRICT ("District"), hereby joins in the Notice of Motion and Motion to
27 Dismiss Public Water Suppliers' Cross-Complaint previously filed by Cross Defendants U.S.
28 BORAX, INC. ET AL., to the First-Amended Cross-Complaint of Public Water Suppliers for

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1 Declaratory and Injunctive Relief and Adjudication of Water Rights in the above matter, for which
2 a hearing is set for August 17, 2009, at 9:00 a.m., in Department 1 of the above-entitled Court,
3 located at 111 North Hill Street, Los Angeles, California 90012. Said motion is made pursuant to
4 Section 389 of the Code of Civil Procedure and 43 U.S.C. section 666 (the McCarran
5 Amendment).

6 This joinder in Motion is made and based upon said Cross Defendants' Notice of Motion
7 and Motion to Dismiss Public Water Suppliers' Cross-Complaint, upon the First-Amended Cross-
8 Complaint of Public Water Suppliers for Declaratory and Injunctive Relief and Adjudication of
9 Water Rights, upon the Court's own file pertaining to this matter, and upon such further oral and
10 documentary evidence as may be presented at the hearing of this matter.

11 In the interest of judicial economy and to avoid duplicative pleadings, the District
12 respectfully joins in the request by the other cross defendants for an order dismissing the cross
13 complaint.

14
15 DATED: July 22, 2009

FAGEN FRIEDMAN & FULFROST, LLP

16
17 By: /s/

18 _____
19 Kimberly A. Smith
20 Attorneys for Antelope Valley Joint Union High
21 School District

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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 6300 Wilshire Boulevard, Suite 1700, Los Angeles, California 90048.

On July 22, 2009, I served the following document(s) described as **NOTICE OF JOINDER IN DEFENDANTS' NOTICE OF MOTION AND MOTION TO DISMISS PUBLIC WATER SUPPLIERS' CROSS-COMPLAINT** on the interested parties in this action as follows:

BY ELECTRONIC SERVICE: I caused the above-titled document(s) to be served through the County of Santa Clara, Superior Court e-filing service at www.scefiling.org addressed to all parties appearing on the electronic service list for the above-entitled case. The service transmission was reported and a copy of the Filing Receipt Page/Confirmation will be maintained with the original document(s) in this office.

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

Executed on July 22, 2009, at Los Angeles, California.

/s/

Verlenia Hollins