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Attorneys for Cross-Defendant/Cross-Complainant,  
A.V. UNITED MUTUAL GROUP

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

Coordination Proceeding  
Special Title (Rule 1550(b))

**ANTELOPE VALLEY  
GROUNDWATER CASES**

Including Consolidated Actions:

**Los Angeles County Waterworks District  
No. 40 v. Diamond Farming Co.**  
Superior Court of California, County of Los  
Angeles, Case No. BC 325 201

**Los Angeles County Waterworks District  
No. 40 v. Diamond Farming Co.**  
Superior Court of California, County of  
Kern, 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.**

Superior Court of California, County of  
Riverside, consolidated actions, Case Nos.  
RIC 353 840, RIC 344 436, RIC 344 668

AND RELATED ACTIONS.

Judicial Council Coordination  
Proceeding No. 4408

Santa Clara Case No. 1-05-CV-049053  
Assigned to the Honorable Jack Komar  
Department 17C

**CROSS-DEFENDANT/CROSS-  
COMPLAINANT, A.V. UNITED MUTUAL  
GROUP'S NOTICE OF INTENTION  
REGARDING PARTICIPATION IN PHASE  
5 TRIAL**

Date of Trial: February 10, 2014  
Time: 9:00 A.M.

For Court's Use Only:  
Santa Clara County  
Case No. 1-05-CV-049053  
(For E-Posting/E-Service Purposes Only)

1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 Cross-Defendant / Cross-Complainant, **A. V. UNITED MUTUAL GROUP** [comprised  
3 of Antelope Park Mutual Water Co., Aqua-J Mutual Water Co., Averydale Mutual Water Co.,  
4 Baxter Mutual Water Co., Bleich Flat Mutual Water Co., Colorado Mutual Water Co., Eldorado  
5 Mutual Water Co., Evergreen Mutual Water Co., Land Projects Mutual Water Co., Landale  
6 Mutual Water Co., Shadow Acres Mutual Water Co., Sundale Mutual Water Co., Sunnyside  
7 Farms Mutual Water Co., Tierra Bonita Mutual Water Co., Westside Park Mutual Water Co.,  
8 and White Fence Farms Mutual Water Co., Inc.] by and through their attorneys of record,  
9 Gresham Savage Nolan & Tilden, PC, by Michael Duane Davis and Marlene L. Allen-  
10 Hammarlund, hereby submit their NOTICE OF INTENTION REGARDING PARTICIPATION  
11 IN PHASE 5 TRIAL ("Notice") as follows:

12 1. **Federal Reserve Right:** The members in the **A. V. UNITED MUTUAL GROUP** do  
13 not intend to participate in the Phase 5 Trial on the issue of the federal reserved right, unless an  
14 issue arises through discovery or otherwise that would affect their rights or place them at risk.  
15 To that extent, the **A. V. UNITED MUTUAL GROUP** reserves their right to participate in the  
16 Phase 5 Trial on this issue.

17 2. **Return Flows:** Six (6) of the members of the **A. V. UNITED MUTUAL GROUP**  
18 have made claims to return flows. Those members are: El Dorado, Landale, Shadow Acres,  
19 Sunnyside, West Wide Park and White Fence Farms. It is currently the intention of these six  
20 mutual water companies to participate in the Phase 5 Trial for the limited purpose of  
21 establishing their return flow rights. However, all of the members of the **A. V. UNITED**

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1 **MUTUAL GROUP** reserve their right to participate in the Phase 5 Trial on any issue that arises  
2 through discovery or otherwise that would affect their rights or place them at risk on this issue.  
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4 DATED: October 15, 2013

Respectfully submitted,

5 GRESHAM SAVAGE NOLAN & TIDEN, PC  
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7  
8 By: 

MICHAEL DUANE DAVIS, ESQ.

MARLENE L. ALLEN-HAMMARLUND, ESQ.

DEREK R. HOFFMAN, ESQ.

Attorneys for CROSS-DEFENDANT / CROSS-  
COMPLAINANT, A. V. UNITED MUTUAL GROUP  
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**PROOF OF SERVICE**  
**STATE OF CALIFORNIA, COUNTY OF RIVERSIDE**

Re: *ANTELOPE VALLEY GROUNDWATER CASES*  
Los Angeles County Superior Court Judicial Council Coordinated  
Proceedings No. 4408; Santa Clara County Superior Court Case No. 1-05-CV-049053

I am employed in the County of Riverside, State of California. I am over the age of 18 years and not a party to the within action; my business address is: 3750 University Avenue, Suite 250, Riverside, CA 92501-3335.

On October 15, 2013, I served the foregoing document(s) described as **CROSS-DEFENDANT/CROSS-COMPLAINANT, A.V. UNITED MUTUAL GROUP'S NOTICE OF INTENTION REGARDING PARTICIPATION IN PHASE 5 TRIAL** on the interested parties in this action in the following manner:

( X ) **BY ELECTRONIC SERVICE** – I posted the document(s) listed above to the Santa Clara County Superior Court website, <http://www.scefilings.org>, in the action of the Antelope Valley Groundwater Cases,

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

Executed on October 15, 2013, at Riverside, California.

  
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DINA M. SNIDER