Michael Duane Davis, SBN 093678 Marlene L. Allen-Hammarlund, SBN 126418 2 Derek R. Hoffman, SBN 285784 GRESHAM SAVAGE NOLAN & TILDEN, PC 3 3750 University Avenue, Suite 250 Riverside, CA 92501-3335 4 (951) 684-2171 Telephone: Facsimile: (951) 684-2150 5 Attorneys for Cross-Defendants/Cross-Complainants, 6 El Dorado Mutual Water Co., Landale Mutual Water Co., Shadow Acres Mutual Water Co., Sunnyside Farms Mutual Water Co., West Side Park Mutual 7 Water Co., and White Fence Farms Mutual Water Co., 8 Inc., [Six of the 16 Mutual Water Companies that Comprise A. V. United Mutual Group] 9 SUPERIOR COURT OF THE STATE OF CALIFORNIA 10 IN AND FOR THE COUNTY OF LOS ANGELES 11 12 Judicial Council Coordination 13 Coordination Proceeding Proceeding No. 4408 Special Title (Rule 1550(b)) 14 Santa Clara Case No. 1-05-CV-049053 ANTELOPE VALLEY GROUNDWATER) 15 Assigned to the Honorable Jack Komar **CASES** Department 17C **Including Actions:** 16 AMENDED EXHIBIT LIST (AND **EXHIBITS) FOR PHASE 5 TRIAL** Los Angeles County Waterworks District 17 SUBMITTED ON BEHALF OF THE No. 40 v. Diamond Farming Co. Superior Court of California, County of Los WEST SIDE PARK MUTUAL WATER 18 COMPANY, A MEMBER OF THE Angeles, Case No. BC 325 201 19 ANTELOPÉ VALLEY UNITED MUTUAL **Los Angeles County Waterworks District** GROUP 20 No. 40 v. Diamond Farming Co. Superior Court of California, County of Kern, Case No. S-1500-CV-254-348 Trial Date: February 10, 2014 21 9:00 A.M. Time: 22 Wm. Bolthouse Farms, Inc. v. City of **TBD** Dept.: Hon. Jack Komar Judge: Lancaster Diamond Farming Co. v. City of Lancaster 23 Diamond Farming Co. v. Palmdale Water 24 Dist. Superior Court of California, County of 25 Riverside, consolidated actions, Case Nos. RIC 353 840, RIC 344 436, RIC 344 668 26 AND RELATED ACTIONS.

GRESHAM | SAVAGE
ATTORNEYS AT LAW 28
3750 UNIVERSITY AVE.
STE. 250
RIVERSIDE, CA 92501-3335
(951) 684-2171

Hammarlund, and Derek R. Hoffman, of GRESHAM SAVAGE NOLAN & TILDEN, PC,

Cross-Defendant / Cross-Complainant WEST SIDE PARK MUTUAL WATER

submits this Amended Exhibit List, with exhibits, with respect to the Phase 5 Trial.

6	
7	

EXHIBIT NO.	NAME OF DOCUMENT	PRODUCED IN DISCOVERY
5-West Side Park-1	May 7, 2010 email and attached letter	Supplemental Production Of Documents Of
	from AVEK providing summary of	Cross-Defendants / Cross-Complainants, El Dorado Mutual Water Co. And Westside Park Mutual Water Co., And Production Of
	AVEK purchases from 1976 – 2009.	Documents Of Cross-Defendants / Cross-Complainants, Landale Mutual Water Company, Shadow Acres Mutual Water Company, Sunnyside Farms Mutual Water Company, And White Fence Farms Mutual Water Company [Six Of The 16 Mutual Water Companies That Comprise A. V. United Mutual Group] In Response To Antelope Valley-East Kern Water Agency's First Request For Production Of Documents for Phase V Trial, being submitted under penalty of perjury and filed by posting on January 24, 2014.
5-West Side Park-2	West Side Park Mutual Water	Response I.3.a.i. of Responses to December
	Company Annual Notices of	12, 2012 Discovery Order for Phase 4 Trial, submitted under penalty of perjury and filed by posting on December 21, 2012.
	Groundwater Extraction and Diversion	and med by posting on December 21, 2012.
	for years 2001 – 2004.	
5-West Side Park-3	West Side Park Summary of water	Response I.3.a.i. of Responses to December
	pumped and AVEK purchases for	12, 2012 Discovery Order for Phase 4 Trial, submitted under penalty of perjury and filed by posting on December 21, 2012.
	2011 and 2012.	
5-West Side Park-4	West Side Park Mutual Water	Response I.3.a.i. of First Supplemental
	Company Annual Notices of	Responses to December 12, 2012 Discovery Order for Phase 4 Trial, submitted under penalty of perjury and filed by posting on January 30, 2013.
	Groundwater Extraction and Diversion	
	for Years 2007 – 2010 for WSP.	

GRESHAM SAVAGE ATTORNEYS AT LAW 28 3750 UNIVERSITY AVE. STE. 250 RIVERSIDE, CA 92501-3335 (951) 684-2171

-2-

1	5-West Side Park-5	West Side Park Mutual Water	Response I.3.a.i. of First Supplemental
2		Company Annual Property Tax Bill,	Responses to December 12, 2012 Discovery Order for Phase 4 Trial, submitted under penalty of perjury and filed by posting on January 30, 2013.
3		2012.	
4	5-West Side Park-6	West Side Park Mutual Water	Response I.3.a.i. of First Supplemental
5		Company – Report to DWR –	Responses to December 12, 2012 Discovery Order for Phase 4 Trial, submitted under penalty of perjury and filed by posting on
6		Summary Spreadsheet of Groundwater	January 30, 2013.
7		Pumped and AVEK Water Purchased.	
8	5-West Side Park-7	West Side Park Mutual Water	Response III.1. of First Supplemental Responses to December 12, 2012 Discovery
9		Company – AVEK Water Agency	Order for Phase 4 Trial, submitted under penalty of perjury and filed by posting on
10		monthly sales invoices and	January 30, 2013.
1		bacteriological tests for various	
12		months in years 1999 – 2007.	
13	5-West Side Park-8	Agreement to Provide Interim Water	Production Of Documents In Response To Antelope Valley-East Kern Water Agency's
14	w.1998(s);	Service to West Side Park Mutual	First Request For Production Of Documents Propounded To Cross-
15		Water Company Service Area Located	Defendants / Cross-Complainants, El Dorado Mutual Water Co. And Westside
16		in Section 16, T 6 N, R 12 W,	Park Mutual Water Co. [Two Of The 16 Mutual Water Companies That Comprise A.
17		S.B.B.& M., dated April 3, 1980,	V. United Mutual Group] for Phase V trial, submitted under penalty of perjury and filed by posting on December 23, 2013.
18		between Palmdale Water District,	by posting on December 23, 2013.
19		Antelope Valley-East Kern Water	
20		Agency, and West Side Park Mutual	
21		Water Company.	
22	5-West Side Park-9	Letter dated November 17, 1993, from	Production Of Documents In Response To Antelope Valley-East Kern Water Agency's
23		Harold M. Fones, General Manager at	First Request For Production Of Documents Propounded To Cross-
24		Palmdale Water District, to the Board	Defendants / Cross-Complainants, El Dorado Mutual Water Co. And Westside
25		of Directors of the Palmdale Water	Park Mutual Water Co. [Two Of The 16 Mutual Water Companies That Comprise A.
26		District, regarding Westside Park and	V. United Mutual Group] for Phase V trial, submitted under penalty of perjury and filed by posting on December 23, 2013.
27		El Dorado Mutual Water Company.	by posting on December 23, 2013.

GRESHAM | SAVAGE ATTORNEYS AT LAW 28 3750 UNIVERSITY AVE. STE. 250 RIVERSIDE, CA 92501-3335 (951) 684-2171

1	5-West Side Park-10	Antelope Valley United Mutual	Submitted under penalty of perjury and filed by posting on December 21, 2012.
2		Group's Responses to December 12,	fried by posting on December 21, 2012.
3		2012 Discovery Order for Phase 4	
4		Trial, submitted under penalty of	
5		perjury and filed by posting on	
6		December 21, 2012.	
7	5-West Side Park-11	Antelope Valley United Mutual	Submitted under penalty of perjury and filed by posting on January 30, 2013.
8		Group, Specifically Westside Park	fried by posting on randary 30, 2013.
9		Mutual Water Company's, First	
10		Supplemental Responses to December	
11		12, 2012 Discovery Order for Phase 4	
12		Trial, submitted under penalty of	
13		perjury and filed by posting on	
14		January 30, 2013.	
15	5-West Side Park-12	Responses To Antelope Valley-East	Submitted under penalty of perjury and filed by posting on December 6, 2013 in
16		Kern Water Agency's First Set Of	response to AVEK's discovery requests for Phase V Trial.
17		Special Interrogatories Propounded To	
18		Cross-Defendants / Cross-	
19		Complainants, Eldorado Mutual Water	
20		Co., Landale Mutual Water Co.,	
21		Shadow Acres Mutual Water Co.,	
22		Sunnyside Farms Mutual Water Co.,	
23		Westside Park Mutual Water Co., And	
24		White Fence Farms Mutual Water Co.,	
25		Inc., [Six Of The 16 Mutual Water	
26		Companies That Comprise A. V.	
27	Approximate to the state of the	United Mutual Group].	

GRESHAM | SAVAGE ATTORNEYS AT LAW 28 3750 UNIVERSITY AVE. STE. 250 RIVERSIDE, CA 92501-3335 (951) 684-2171

-4

1	5-West Side Park-13	Responses To Antelope Valley-East	Submitted under penalty of perjury and
2		Kern Water Agency's First Set Of	filed by posting on December 6, 2013 in response to AVEK's discovery requests for Phase V Trial.
3		Requests for Admissions Propounded	7.1400 V 7.144.
4		To Cross-Defendants / Cross-	
5		Complainants, Eldorado Mutual Water	
6		Co., Landale Mutual Water Co.,	
7		Shadow Acres Mutual Water Co.,	
8		Sunnyside Farms Mutual Water Co.,	
9		Westside Park Mutual Water Co., And	
10		White Fence Farms Mutual Water Co.,	
11		Inc., [Six Of The 16 Mutual Water	
12		Companies That Comprise A. V.	
13		United Mutual Group].	
14	5-West Side Park-14	Supplemental Responses To Antelope	Submitted under penalty of perjury and filed by posting on December 23, 2013 in response to AVEK's discovery requests for
15		Valley-East Kern Water Agency's	Phase V Trial.
16		First Set Of Special Interrogatories	
17		Propounded To Cross-Defendants /	
18		Cross-Complainants, Eldorado Mutual	
19		Water Co., Landale Mutual Water Co.,	
20		Shadow Acres Mutual Water Co.,	
21		Sunnyside Farms Mutual Water Co.,	
22		Westside Park Mutual Water Co., And	
23		White Fence Farms Mutual Water Co.,	
24		Inc., [Six Of The 16 Mutual Water	
25		Companies That Comprise A. V.	
26		United Mutual Group].	

GRESHAM | SAVAGE
ATTORNEYS AT LAW 28
3750 UNIVERSITY AVE.
STE. 250
RIVERSIDE, CA 92501-3335
(951) 684-2171

1	5-West Side Park-15	
2	5-West Side Park-16	
3	5-West Side Park-17	
4 5	5-West Side Park-18	
6	5-West Side Park-19	
7	5-West Side Park-20	
8	5-West Side Park-21	
9	5-West Side Park-22	
10	5-West Side Park-23	
11	5-West Side Park-24	
12	5-West Side Park-25	
13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 GE	DATED: February 4, 2014	By: MICHAEL DUANE DAVIS, ESQ. MARLENE L. ALLEN-HAMMARLUND, ESQ. DEREK R. HOFFMAN, ESQ. Attorneys for Cross-Defendants/Cross-Complainants, El Dorado Mutual Water Co., Landale Mutual Water Co., Shadow Acres Mutual Water Co., Sunnyside Farms Mutual Water Co., West Side Park Mutual Water Co., and White Fence Farms Mutual Water Co., Inc., [Six of the 16 Mutual Water Companies that Comprise A. V. United Mutual Group]

GRESHAM SAVA

ATTORNEYS AT LAW 28 3750 UNIVERSITY AVE. STE. 250 RIVERSIDE, CA 92501-3335 (951) 684-2171

PROOF OF SERVICE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

Re:

2

3

4

5

6

7

8

9

10

11

12

13

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 San Bernardino, State of California. I am over the age of 18 years and not a party to the within action; my business address is: 550 E. Hospitality Lane, Suite 300, San Bernardino, CA 92408.

On February 4, 2014, I served the foregoing document(s) described as

AMENDED EXHIBIT LIST (AND EXHIBITS) FOR PHASE 5 TRIAL FILED ON BEHALF OF WEST SIDE PARK WATER COMPANY

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.scefiling.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 February 4, 2014, at San Bernardino, California.

14

15

16

17

18 19

20

21

22 23

24

25

26

GRESHAM SAVAGE ATTORNEYS AT LAW 28 750 University Ave. STE, 250 RIVERSIDE, CA 92501-3335 (951) 684-2171