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Phelan Piñon Hills Community Services District
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9 **SUPERIOR COURT OF CALIFORNIA**

10 **COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

11
12 Coordination Proceeding) Judicial Council Coordination Proceeding
Special Title (Rule 1550(b))) No. 4408
13)
14 **ANTELOPE VALLEY**) (For Filing Purposes Only: Santa Clara
GROUNDWATER CASES) County Case No.: 1-05-CV-049053)
15 Included Actions:) Assigned for All Purposes To:
Judge: Hon. Jack Komar
16 *Los Angeles County Waterworks District*)
No. 40 v.) (Filing Fees Exempt, Per Gov't Code § 6103)
17 *Diamond Farming Co., et al.*)
Los Angeles County Superior Court, Case) **DECLARATIONS OF SETTLING**
18 *No. BC 325 201*) **DEFENDANTS TO WOOD CLASS**
) **PARTIAL CLASS SETTLEMENT IN**
19 *Los Angeles County Waterworks District*) **SUPPORT OF WOOD CLASS MOTION**
No. 40 v.) **FOR FINAL APPROVAL OF PARTIAL**
20 *Diamond Farming Co., et al.*) **CLASS SETTLEMENT**
Kern County Superior Court, Case No.)
21 *S-1500-CV-254-348*)
22)
23 *Wm. Bolthouse Farms, Inc. v. City of*)
Lancaster) Hearing Date: December 11, 2013
24 *Diamond Farming Co. v. City of Lancaster*) Phase Five Trial Date: February 10, 2014
Diamond Farming Co. v. Palmdale Water) Phase Six Trial Date: August 4, 2014
25 *Dist.*)
Riverside County Superior Court,)
26 *Consolidated Action, Case Nos. RIC 353*)
840, RIC 344 436, RIC 344 668)
27 **AND RELATED CROSS-ACTIONS**)
28

1 **PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT**

2 I, Wesley A. Miliband, declare:

3 1. I am a partner with the law firm of Aleshire & Wynder, LLP, attorney of record for
4 Phelan Piñon Hills Community Services District ("PPHCSD") in this action. I have personal
5 knowledge of each fact stated in this declaration, and if called as a witness, I could and would
6 competently testify thereto.

7 2. PPHCSD, Palmdale Water District, Rosamond Community Services District, and
8 City of Lancaster ("Settling Defendants") have entered into a settlement agreement with the Wood
9 Class, for which the Court granted preliminary approval of on October 25, 2013 and for which the
10 Court is set to determine final approval of on December 11, 2013 ("Settlement Agreement").

11 3. I did not negotiate with the Wood Class (including its legal counsel) about the Wood
12 Class' attorneys' fees or costs that are included within the Settlement Agreement until and after I
13 came to agreement with the Wood Class on the substantive terms of the Settlement Agreement that
14 do not relate to payment of the Wood Class' attorneys' fees and costs.

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct. Executed this 3rd day of December, 2013, at Irvine, California.

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19 Wesley A. Miliband
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21 **PALMDALE WATER DISTRICT**

22 I, Thomas Bunn, III, declare:

23 1. I am a partner with the law firm of Lagerlof, Senecal, Gosney & Kruse, LLP,
24 attorney of record for Palmdale Water District ("PWD") in this action. I have personal knowledge
25 of each fact stated in this declaration, and if called as a witness, I could and would competently
26 testify thereto.

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2. Phelan Piñon Hills Community Services District, PWD, Rosamond Community Services District, and City of Lancaster (“Settling Defendants”) have entered into a settlement agreement with the Wood Class, for which the Court granted preliminary approval of on October 25, 2013 and for which the Court is set to determine final approval of on December 11, 2013 (“Settlement Agreement”).

3. I did not negotiate with the Wood Class (including its legal counsel) about the Wood Class' attorneys' fees or costs that are included within the Settlement Agreement until and after I came to agreement with the Wood Class on the substantive terms of the Settlement Agreement that do not relate to payment of the Wood Class' attorneys' fees and costs.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 3rd day of December, 2013, at Pasadena, California.

Thomas L. Bane III

Thomas Bunn, III

ROSAMOND COMMUNITY SERVICES DISTRICT AND CITY OF LANCASTER

I, Douglas J. Evertz, declare:

1. I am a partner with the law firm of Murphy & Evertz, LLP, attorney of record for Rosamond Community Services District ("RCSD") and City of Lancaster ("Lancaster") in this action. I have personal knowledge of each fact stated in this declaration, and if called as a witness, I could and would competently testify thereto.

2. Phelan Piñon Hills Community Services District, Palmdale Water District, RCSD, and Lancaster (“Settling Defendants”) have entered into a settlement agreement with the Wood Class, for which the Court granted preliminary approval of on October 25, 2013 and for which the Court is set to determine final approval of on December 11, 2013 (“Settlement Agreement”).

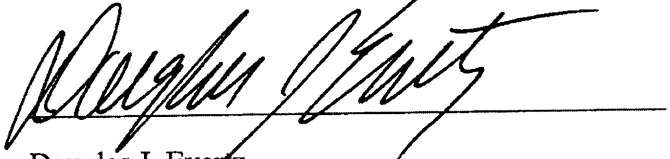
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1 3. I did not negotiate with the Wood Class (including its legal counsel) about the Wood
2 Class' attorneys' fees or costs that are included within the Settlement Agreement until and after I
3 came to agreement with the Wood Class on the substantive terms of the Settlement Agreement that
4 do not relate to payment of the Wood Class' attorneys' fees and costs.

5 I declare under penalty of perjury under the laws of the State of California that the
6 foregoing is true and correct. Executed this 3rd day of December, 2013, at Costa Mesa, California.

7
8 
9 Douglas J. Evertz

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11
12 Respectfully submitted,

ALESHIRE & WYNDER, LLP

13 Dated: December 3, 2013

14
15 By: 

16 Wesley A. Miliband
17 Attorneys for Cross-Defendant and
18 Cross-Complainant,
19 Phelan Piñon Hills Community
20 Services District
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PROOF OF SERVICE

I, Linda Yarvis,

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 18881 Von Karman Avenue, Suite 1700, Irvine, CA 92612.

On December 4, 2013, I served the within document(s) described as **DECLARATIONS OF SETTling DEFENDANTS TO WOOD CLASS PARTIAL CLASS SETTLEMENT IN SUPPORT OF WOOD CLASS MOTION FOR FINAL APPROVAL OF PARTIAL CLASS SETTLEMENT** as follows:

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

☐ (BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope addressed as set forth above. I placed each such envelope for collection and mailing following ordinary business practices. I am readily familiar with this Firm's practice for collection and processing of correspondence for mailing. Under that practice, the correspondence would be deposited with the United States Postal Service on that same day, with postage thereon fully prepaid at Irvine, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (BY OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained by Overnight Express, an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document(s) in a sealed envelope or package designated by the express service carrier, addressed as set forth above, with fees for overnight delivery paid or provided for.

Executed on December 4, 2013, at Irvine, California.

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

Linda Yarvis
(Type or print name)

(Signature)