

ALESHIRE & WYNDER, LLP
DAVID J. ALESHIRE, Bar No. 65022
WILLIAM W. WYNDER, Bar No. 84753
WESLEY A. MILIBAND, Bar No. 241283
18881 Von Karman Avenue, Suite 1700
Irvine, CA 92612
Telephone: (949) 223-1170
Facsimile: (949) 223-1180
daleshire@awattorneys.com
wwynder@awattorneys.com
wmiliband@awattorneys.com

Attorneys for Defendant and Cross-Complainant,
Phelan Piñon Hills Community Services District

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES - CENTRAL DISTRICT

Coordination Proceeding
Special Title (Rule 1550(b))

**ANTELOPE VALLEY
GROUNDWATER CASES**

Included Actions:

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

*Los Angeles County Waterworks District
No. 40 v.*
Diamond Farming Co., et al.
Kern County Superior Court, 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.*
Riverside County Superior Court,
Consolidated Action, Case Nos. RIC 353
840, RIC 344 436, RIC 344 668

AND RELATED CROSS-ACTIONS

) Judicial Council Coordination Proceeding
) No. 4408

) (For Filing Purposes Only: Santa Clara
) County Case No.: 1-05-CV-049053)

) Assigned for All Purposes To:
) Judge: Hon. Jack Komar

) (Filing Fees Exempt, Per Gov't Code § 6103)

) **[PROPOSED] ORDER DENYING**
) **MOTION IN LIMINE NO. 2 BY**
) **BOLTHOUSE PROPERTIES, LLC AND**
) **WM. BOLTHOUSE FARMS, INC.**

) **Phase Five Trial:**

) Date: February 10, 2014
) Time: 9:00 a.m.
) Dept.: Room 222 (Old Dept. 1)

) (Phase Six Trial Date: August 4, 2014)

1 Bolthouse Properties, LLC and Wm. Bolthouse Farms, Inc.'s Motion in Limine No. 2
2 objecting to the introduction of evidence on unsupported legal theory came on for hearing in Room
3 222 (Old Department 1) of this Court on February 10, 2014, at 9:00 a.m. Appearances were as
4 stated in the record. The Court, having considered the motion and supporting papers, all responsive
5 and reply papers, the arguments of counsel, and good cause appearing,

6 IT IS HEREBY ORDERED:

7 Bolthouse Properties, LLC and Wm. Bolthouse Farms, Inc.'s Motion in Limine No. 2 is
8 DENIED.

9
10 Dated: _____, 2014

11
12 _____
Judge of the Superior Court
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 February 24, 2014, I served the within document(s) described as **[PROPOSED] ORDER DENYING MOTION IN LIMINE NO. 2 BY BOLTHOUSE PROPERTIES, LLC AND WM. BOLTHOUSE FARMS, INC.** 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 February 24, 2014, 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)