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8

9 **SUPERIOR COURT OF CALIFORNIA**
10 **COUNTY OF LOS ANGELES - CENTRAL DISTRICT**
11

12 Coordination Proceeding
Special Title (Rule 1550(b))
13

14 **ANTELOPE VALLEY**
GROUNDWATER CASES

15 Included Actions:

16 *Los Angeles County Waterworks District*
No. 40 v.

17 *Diamond Farming Co., et al.*
Los Angeles County Superior Court, Case
18 No. BC 325 201

19 *Los Angeles County Waterworks District*
No. 40 v.

20 *Diamond Farming Co., et al.*
Kern County Superior Court, Case No.
21 S-1500-CV-254-348

22
23 *Wm. Bolthouse Farms, Inc. v. City of*
Lancaster

24 *Diamond Farming Co. v. City of Lancaster*
Diamond Farming Co. v. Palmdale Water
25 *Dist.*

Riverside County Superior Court,
26 Consolidated Action, Case Nos. RIC 353
840, RIC 344 436, RIC 344 668
27

28 **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)
)

) **CASE MANAGEMENT STATEMENT**
) **OF PHELAN PIÑON HILLS**
) **COMMUNITY SERVICES DISTRICT**
)

) **DATE: October 12, 2011**
) **TIME: 10:00 a.m.**
)

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:

2 Phelan Piñon Hills Community Services District ("PPHCSD") hereby submits this Case
3 Management Conference Statement regarding the Case Management Conference set for October
4 12, 2011.

5 Through its Minute Order dated August 30, 2011, the Court directed the parties to identify
6 their respective positions with regard to setting the case for trial on the next phase.

7 As a preliminary matter, PPHCSD supports the ongoing mediation sessions before the
8 Honorable Justice Ronald B. Robie, as well as ongoing settlement discussions among various
9 parties. PPHCSD has been actively participating in these mediation sessions and settlement
10 meetings. If these efforts fail, however, PPHCSD will be ready to litigate in preparation for the
11 next phase of trial, and PPHCSD anticipates being ready to proceed with the next phase of trial
12 provided adequate time is afforded for preparation and the scope of issues are clearly identified for
13 the next phase of trial.

14 With regard to the scope of issues to be addressed during the next phase of trial, PPHCSD
15 supports the Court's desire for the next phase of trial to address a physical solution, including – as
16 stated by the Court during the hearing on July 11, 2011 – appointment of a watermaster or similar
17 mechanism. Specifically, PPHCSD believes the physical solution should contain various
18 components, consisting of those set forth in the Public Water Suppliers' Case Management
19 Conference statement.

20 In light of the ongoing efforts by numerous parties to resolve this matter, PPHCSD requests
21 a Case Management Conference be set approximately forty-five (45) days from now in order to
22 encourage further settlement discussions and to allow the parties to provide the Court with

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1 additional information as the Court deems appropriate based on the outcome of the Case
2 Management Conference set for October 12, 2011.

3 Dated: October 7, 2011

ALESHIRE & WYNDER, LLP
DAVID J. ALESHIRE
WILLIAM W. WYNDER
WESLEY A. MILIBAND

6 By: 

7 Wesley A. Miliband
8 Attorneys for Cross-Defendant and
9 Cross-Complainant,
10 Phelan Piñon Hills Community
11 Services District
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3 **PROOF OF SERVICE**

4 I, Marie W. Young,

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

7 On October 7, 2011, I served the within document(s) described as **CASE**
8 **MANAGEMENT STATEMENT OF PHELAN PINON HILLS COMMUNITY SERVICES**
DISTRICT as follows:

9 ☒ (ELECTRONIC SERVICE) By posting the document(s) listed above to the Santa Clara
10 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.

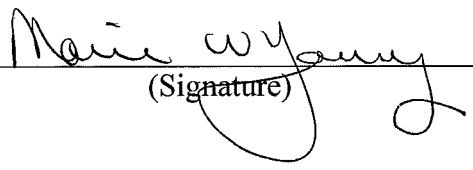
11 ☐ (BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope
12 addressed as set forth above. I placed each such envelope for collection and mailing following
ordinary business practices. I am readily familiar with this Firm's practice for collection and
13 processing of correspondence for mailing. Under that practice, the correspondence would be
deposited with the United States Postal Service on that same day, with postage thereon fully
14 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
15 than one day after date of deposit for mailing in affidavit.

16 ☐ (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
17 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,
18 with fees for overnight delivery paid or provided for.

19 Executed on October 7, 2011, at Irvine, California.

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

21
22 Marie W. Young
(Type or print name)

23 
(Signature)