

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES**

Coordination Proceeding  
Special Title (Rule 1550(b))

**ANTELOPE VALLEY GROUNDWATER CASES**

Included 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

*Willis v. Los Angeles County Waterworks District No. 40*, Superior Court of California, County of Los Angeles, Case No. BC 364 553

*Wood v. Los Angeles County Waterworks District No. 40*, Superior Court of California, County of Los Angeles, Case No. BC 391869

*Wood v. A.V. Materials, Inc., et al.*, Superior Court of California, County of Los Angeles, Case No. BC 509546

*Wood v. County of Los Angeles*, Superior Court of California, County of Los Angeles, Case No. BS 143790 [ADD-ON PETITION IS PENDING]

Judicial Council Coordination  
Proceeding No. 4408

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

Date/Time: Friday, September 5, 2014

9:00 AM

Location: [CourtCall]

Superior Court of California  
County of Santa Clara

*Antelope Valley Groundwater Cases (JCCP 4408)*  
*Los Angeles County Superior Court, Case No. BC 325 201*  
*September 5, 2014 (9:00AM) / Hon. Jack Komar*

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Present: Hon. Jack Komar, Judge  
\_\_\_\_\_, Reporter

Rowena Walker, Clerk (SC)  
\_\_\_\_\_, Court Attendant (LA)  
\_\_\_\_\_, C.A. Deputy Sheriff (SC)

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MINUTE ORDER:

**Status Conference: Global Settlement and Issue of Wood Class Attorneys' Fees**

Attorneys Jeffrey Dunn (LACWD No. 40) and Richard Zimmer (Bolthouse Properties LLC) reported that global settlement has not yet been reached, but negotiations continue.

The Court confirmed that the October 10, 2014 deadline for settlement submissions remains set, after which the Court will set a hearing on approval. If no settlement agreement is filed for approval, the Court will activate the trial schedule and set appropriate dates for the same.

The Court ordered the parties to further meet and confer on September 9, 2014 at 11:00 a.m. at the Los Angeles office of Best, Best & Krieger, LLP, for the purpose of reaching a resolution of how the attorneys' fees issue may be structured.

A further status conference is set for September 26, 2014 at 10:00 a.m. in Department 20 (Old Court House), Superior Court of California, County of Santa Clara, 161 N. 1<sup>st</sup> Street, San Jose, California 95113.

**Ex Parte Application by the Wood Class for Order Compelling Defendants to Pay Court-Appointed Expert Invoices**

The Court directed Attorney Michael McLachlan (Wood Class) to file a noticed motion on this issue.

**Ex Parte Application by the Wood Class for Order Modifying Class List**

Attorney Dunn (LACWD No. 40) objects to this application. The Court directed Attorney McLachlan (Wood Class) to file a noticed motion on this issue.

**Phelan Piñon Hills Community Services District ("PPH")**

In the minute order from August 29, 2014, the minutes noted that PPH would be bringing a motion in limine on the issue of surplus. The minute order is now corrected to reflect that, at the hearing on August 29, 2014, it was Attorney Jeffrey Dunn, counsel for LACWD No. 40, who expressed an interest in filing a motion in limine against PPH regarding the issue of surplus as it relates to PPH's 2<sup>nd</sup> cause of action. Given Mr. Dunn's comments and that PPH would not seek to exclude what it seeks to establish (surplus), PPH will not be bringing such a motion, although it may bring other motions in limine for hearing on September 26, 2014.

**Other**

The Court will be unavailable from September 10, 2014 through September 21, 2014.

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**PARTIES/ATTORNEYS OF RECORD:**

See attached CourtCall List.

**REPORTER:**

Not Reported

**EVENT CALENDAR:**

September 9, 2014	No Time	Due Date for Notice of Intent to Participate. Due Date for Disclosure of Percipient Witnesses with a summary statement of anticipated testimony and Designation of Experts.
September 22, 2014	No Time	Due Date for PPH updated statement
September 25, 2014	No Time	Due Date for responses to PPH updated statement
September 26, 2014 Department 20 161 N. 1 <sup>st</sup> Street San Jose, CA 95113	10am	Status Conference – (PPH issues; global settlement; Wood Class Attorneys’ Fees issue); motions in limine; Motion by Charles Tapia and the Nellie Tapia Family Trust to Set Aside Default in Cross-Complaint and Request for Sanctions
October 7, 2014 Location TBD	9am	Hearing related to Phelan Piñon Hills Community Services District (3 days)
October 10, 2014 Location TBD	No Time	Due Date for Settlement Submission, after which the Court will set a hearing date
December 2014	TBD	Hearing on Blum Trust motion for summary judgment – date/time/location TBD

**MATTERS OFF CALENDAR AND CONTINUED UNTIL FURTHER ORDER OF THE COURT:**

April 4, 2014	9am	Ex Parte Application by the United States to continue briefing schedule on the Federal Reserve Right Claim (currently: closing brief due April 2, 2014; opposition brief due April 22, 2014; reply brief due 5/1/14; stands submitted as of 5/1/14.
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Ex Parte Application by the Public Water Suppliers  
to Extend Date to Respond to Phase 6 Discovery  
Order

~~April 7, 2014~~ 9am  
Dept 41, Room 417, 4<sup>th</sup> Fl.  
Los Angeles

AGWA's Motions, including, but not limited to:  
(1) Motion for Judgment on the Pleadings;  
(2) Motion in Limine for an Order Establishing the  
Evidentiary Standard for Notice for Proof of  
Prescription by the Public Water Purveyors; (3)  
Motion in Limine for an Order Establishing the  
Necessity of the Public Water Purveyors Proving the  
Elements of Prescription as to Each Landowner; and  
(4) Motion for Order Setting Matter for Jury Trial

Joinders to the above motion by the Bolthouse  
Entities

(Continued) Trial, Phase 5 (return flows, federal  
reserve rights); Wm. Bolthouse Farms, Inc.'s  
Motion for Non-Suit on the Federal Reserve Right  
Claim

~~August 4, 2014~~ 9am  
Old Dept 1, Los Angeles

Trial, Phase 6 (prescription + remaining issues)