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ORANGE COUNTY | LOS ANGELES | RIVERSIDE | CENTRAL VALLEY

February 26, 2016

VIA MESSENGER SERVICE

Civil Appeals Unit Los Angeles Superior Court 111 N. Hill St., Rm 111A Los Angeles, CA 90012

Re:

Case No: JCCP4408 (1-05-CV-049053)

Case Name: Antelope Valley Groundwater Cases

Notice of Appeal Date: February 19, 2016

Party: Phelan Piñon Hills Community Services District

Dear Clerk:

We received a letter from you dated February 22, 2016 wherein it stated that we must file a proof of service to comply with CRC rule 8.100(e) requiring mail notification of the filing of the notice of appeal to the parties. A true and correct copy of this letter is attached hereto as Exhibit 1.

After receiving the letter yesterday I called and spoke with Justin, the Supervisor of the Civil Appeals Unit. I explained that there was an Order for electronic service in this case as indicated on the Proof of Service attached to our Notice of Appeal. Justin stated that we need to submit a copy of this Order to avoid a notice of default from the Superior Court. September 16, 2005 the Honorable Judge Komar issued an Order Setting Case Management Conference which sets forth the hearing to approve the Stipulation and [Proposed] Order re Electronic Filing and Service and Electronic Filing and Service Order. A true and correct copy of the Order Setting Case Management Conference, along with its corresponding attachments, is attached hereto as Exhibit 2. A Minute Order was issued for the September 27, 2005 CMC which states on page 2, "The Court ordered that Electronic Filing and Service be mandatory for this matter." A true and correct copy of the September 27, 2005 Minute Order is attached hereto as Exhibit 3. On October 27, 2005 the Honorable Jack Komar issued a Clarification Order which states on page 2, lines 7-9: "... all papers filed in the coordinated actions above are to be filed in the Los Angeles Superior Court, with electronic service and electronic posting to be completed concurrently through http://www.scefiling.org." (Emphasis added.) A true and correct copy of the Clarification Order is attached hereto as Exhibit 4.

Per the Court's Orders above, we electronically posted our Notice of Appeal through Once the document is posted through this service provider an http://www.scefiling.org. Electronic Proof of Service is generated. A true and correct copy of the Proof of Service -Electronic Proof of Service by Andy Jamieson of Glotrans is attached hereto as Exhibit 5. Civil Appeals Unit February 26, 2016 Page 2

The third page of the Proof of Service indicates the document submitted on Friday, February 19, 2016 at 1:56 p.m. was Phelan Piñon Hills Community Services District's Notice of Appeal. An Electronic Service Notice is also generated indicating all of the parties in this case who received electronic service of the Notice of Appeal, which indicates a service date of 02/19/2016 at 2:13 p.m. A true and correct copy of the Electronic Service Notice is attached hereto as Exhibit 6.

Please contact me at (949) 250-5404 to let me know if this is sufficient proof that electronic service in this case of the Notice of Appeal is in fact proper and will avoid a notice of default from the Superior Court in this case. Thank you.

Very truly yours,

ALESHIRE & WYNDER, LLP

Linda M. Yarvis Secretary

:lmy

Enclosures:

Exh 1 - Letter dated February 22, 2016 from Civil Appeals Unit, LASC

Exh 2 - Order Setting Case Management Conference dated September 16, 2005

Exh 3 – Minute Order dated September 27, 2005 Exh 4 – Clarification Order dated October 27, 2005

Exh 5 – Proof of Service - Electronic Proof of Service dated February 19, 2016

Exh 6 – Electronic Service Notice dated February 19, 2016

EXHIBIT 1



SHERRI R. CARTER EXECUTIVE OFFICER / CLERK

CIVIL APPEALS UNIT
111 NORTH HILL STREET, RM 111A
LOS ANGELES, CA 90012-3014
TELEPHONE: (213) 830 - 0822
FAX: (213) 626 - 6651
E-mail: civilappeals@lacourt.ora

Superior Court of California County of Los Angeles

February 22, 2016

JUNE S. AILIN ALESHIRE & WYNDER, LLP 18881 VIN KARMAN AVE., STE. 1700 IRVINE, CA 92612

Dear Sir/Madam:

The Civil Appeals Unit is in receipt of the appeal filed below without a proof of service.

CASE NUMBER:

JCCP4408 (1-05-CV-049053)

CASE NAME:

ANTELOPE VALLEY GROUNDWATER CASES

NOTICE OF APPEAL DATE:

FEBRUARY 19, 2016

Pursuant to California Rules of Court rule 8.100(e), we are required to mail notification of the filing of the notice of appeal to the parties.

You must file your proof of service within five (5) days of the date of this letter, either in person or via fax with the Civil Appeals Unit to the address and fax number provided in the letterhead. The proof of service must comply with California Rules of Court, rule 8.25. Failure to file a proof of service will result in a notice of default from Superior Court. Mailing addresses of the parties served are needed

If you have any questions, please contact the deputy clerk named below.

SHERRI R. CARTER, Executive Officer/Clerk

F GARCIA

, Deputy Clerk

EXHIBIT 2

KIRI TORRE

Superior Executive Outber/Clork

Superior Physics Sonta Clara

BY

ROWENA A. WALKER DEPUTY

SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA CLARA

Coordination Proceeding Special Title (Rule 1550(b))

ANTELOPE VALLEY GROUNDWATER CASES

Included Actions:

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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

Judicial Council Coordination Proceeding No. 4408

Case No.: 1-05-CV-049053

ORDER SETTING CASE MANAGEMENT CONFERENCE

2728

Antelope Valley Groundwater Litigation (JCCP 4408)
Santa Clara County Superior Court, Case No. 1-05-CV-049053
Order Setting Case Management Conference

TO ALL PARTIES AND THEIR COUNSEL OF RECORD: A Case Management Conference has been set for Tuesday, September 27, 2005 at 11:00 a.m. in Department 17C, for the purpose of approving the Stipulation and [Proposed] Order re Electronic Filing and Service and Electronic Filing and Service Order. SO ORDERED. Dated: September 16, 2005 Hon. Jack Komar Judge of the Superior Court

SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA CLARA

11 Coordination Proceeding Special Title (Rule 1550(b)) 12 13 ANTELOPE VALLEY GROUNDWATER 14 CASES 15 Included Actions: 16 Los Angeles County Waterworks District No. 17 40 v. Diamond Farming Co. Superior Court of California County of Los Angeles, Case No. BC 325 201 19 Los Angeles County Waterworks District No. 20 40 v. Diamond Farming Co. Superior Court of California, County of Kern, 21 Case No. S-1500-CV-254-348 22 Wm. Bolthouse Farms, Inc. v. City of Lancaster 23 Diamond Farming Co. v. City of Lancaster Diamond Farming Co. v. Palmdale Water Dist. 24 Superior Court of California, County of Riverside, consolidated actions, Case Nos. 25 RIC 353 840, RIC 344 436, RIC 344 668 26 27

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Judicial Council Coordination Proceeding No. 4408

Case No.: 1-05-CV-049053

STIPULATION AND ORDER RE: ELECTRONIC FILING AND SERVICE

Antelope Valley Groundwater Litigation (JCCP 4408) Santa Clara County Superior Court, Case No. 1-05-CV-049053 Stipulation and Order re: Electronic Filing and Service

1	The parties in the above-entitled action (the "Action"), through their undersigned					
2	counsel of record, hereby stipulate to subject the Action to the Court's electronic filing and					
3	service system and to be bound by the Electronic Filing and Service Order attached hereto.					
4	Counsel have read the Electronic Filing Service Order and familiarized themselves with the					
5	provisions of the California Code of Civil Pr	rocedure, California Rules of Court, and the Santa				
6	Clara Superior Court Local Rules governing	electronic filing.				
7	[Signature Pages to be attached.]					
8	SO ORDERED.					
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10	Dated: September, 2005					
11		Hon. Jack Komar Judge of the Superior Court				
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Antelope Valley Groundwater Litigation (JCCP 4408) Santa Clara County Superior Court, Case No. 1-05-CV-049053 Stipulation and Order re: Electronic Filing and Service

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Antelope Valley Groundwater Litigation (JCCP 4408)
Santa Clara County Superior Court, Case No. 1-05-CV-049053
Stipulation and Order re: Electronic Filing and Service

SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA CLARA

11 Coordination Proceeding Special Title (Rule 1550(b)) 12 13 ANTELOPE VALLEY GROUNDWATER 14 CASES 15 Included Actions: 16 Los Angeles County Waterworks District No. 17 40 v. Diamond Farming Co. Superior Court of California 18 County of Los Angeles, Case No. BC 325 201 19 Los Angeles County Waterworks District No. 20 40 v. Diamond Farming Co. Superior Court of California, County of Kern, 21 Case No. S-1500-CV-254-348 22 Wm. Bolthouse Farms, Inc. v. City of Lancaster 23 Diamond Farming Co. v. City of Lancaster Diamond Farming Co. v. Palmdale Water Dist. 24 Superior Court of California, County of Riverside, consolidated actions, Case Nos. 25 RIC 353 840, RIC 344 436, RIC 344 668 26

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Judicial Council Coordination Proceeding No. 4408

Case No.: 1-05-CV-049053

ELECTRONIC FILING AND SERVICE ORDER

Antelope Valley Groundwater Litigation (JCCP 4408) Santa Clara County Superior Court, Case No. 1-05-CV-049053 Electronic Filing and Service Order

The Court hereby designates the above action an Electronic Filing (E-Filing) case, as described and governed by this Order. All parties to the above case consent to the entry of this Order and agree to be bound by its provision.

I. GENERAL

A. APPLICABILITY OF OTHER RULES AND ORDERS

Except to the extent modified by this Order, approved stipulation or other order of the court, all California Rules of Civil Procedure, Local Rules, and orders of the court shall continue to apply to cases which are subject to electronic filing. Electronic filing is subject to the provisions of California Rules of Court 2050-2060, as those Rules may be amended from time to time.

B. <u>SELECTION OF CASES</u>

All matters classified by the court as Complex Litigation may be designated for voluntary e-filing by stipulation. A matter classified as provisionally complex pursuant to Rule of Court 1800(c) must be filed electronically until exempted. A matter designated by a party as complex pursuant to Rule of Court 1810 or 1811 need not be electronically filed until such time as the court enters a classification order pursuant to Rule of Court 1812.

C. ELECTRONIC FILING SERVICE PROVIDER

Pursuant to Rule 2055(a)(1) the Court has contracted with Glotrans to establish an electronic filing system for the Court. The Website address is http://www.scefiling.org. The Court's Website will be maintained, and the tasks required of the Website will be conducted by the Court's outside Website Vendor:

Andy Jamieson Glotrans 2915 McClure St., Oakland, CA 94609 Telephone: 510-208-4775

D. <u>DEFINITIONS</u>

The following terms in this Order shall be defined as follows pursuant to California Rules of Court, Rule 2050:

- 1. E-File Electronic transmission to a court of a document in electronic form. The Court will utilize a third party vendor. An E-File consists of either an E-Document, an E-Image, or both. Upon completion of an E-File to the Vendor's system, an email receipt is issued to the sender acknowledging receipt by the Vendor system.
- 2. E-Service Electronic transmission of a document to a party's electronic notification address for the purpose of effecting service. The Court will utilize a third party vendor. Once the Vendor has served all recipients, the Vendor submits a proof of service to the Court on behalf of the filer.
- 3. E-Document A document is a pleading, a paper, a declaration, an exhibit, or another filing submitted by a party or by an agent of a party on the party's behalf. All pleadings and other documents which are filed electronically with the Court will be filed in Portable Document Format (PDF). If a pleading or document is filed electronically in a format other than PDF, it will be rejected by the Vendor as defective.
- 4. E-Image An electronic file of a document that has been scanned or converted to a graphical or image format. All pleadings or other documents that are captured as scanned images from paper and then filed electronically with the Court will be scanned at a resolution of between 200 and 400 dpi (dots per inch) and converted to PDF. Once converted, the complete contents of the pleading or other document must be viewable in a PDF reader without assistance of the reader's zoom feature.
- 5. Electronic Endorsement An electronic stamp applied to a document that is filed electronically that shows the endorsement by the Court.

II. REGISTRATION AND ACCESS

A. OBLIGATION TO REGISTER

At least one attorney of record for each party in the matter designated for electronic filing must promptly register with Glotrans. Glotrans will assign to the user a confidential login and password to the system. Additional authorized users may be added at any time.

B. <u>OBLIGATION TO KEEP INFORMATION CURRENT</u>

A party whose electronic notification address changes while the action or proceeding is pending must promptly file a notice of change of address with the court electronically and must serve this notice on all other parties or their attorneys of record.

III. ELECTRONIC FILING OF PLEADINGS AND OTHER DOCUMENTS.

As of the filing of the initial complaint, except as expressly provided herein, or as expressly authorized by the Court, all pleadings, motions, memoranda of law, declarations, orders, or other documents filed in the above-entitled case shall be filed electronically through the system.

A. SUBSEQUENT PLEADINGS

The clerk will not accept or file any pleadings or instruments in paper form. Parties must E-File a document either:

- 1. Through the Vendor's system from the filing attorney's office; or
- 2. By mailing or faxing all documents and attachments to Vendor. Vendor shall then convert said documents and attachment to electronic form, file them with the Court, and serve designated parties as provided herein. Parties choosing to file through the Vendor shall be charged fees reflecting Vendor's then-current published rates for filing and service in this manner.

B. <u>FORMAT</u>

All electronically filed and served pleadings must, to the extent practicable, be formatted in accordance with the applicable rules governing formatting of paper pleadings. The electronic document title of each pleading or other document, must include:

(a) Party or parties filing/serving the document,

- (b) Nature of the document,
- (c) Party or parties against whom relief, if any, is sought, and
- (d) Nature of the relief sought

(e.g., Defendant ABC Corporation's Motion for Summary Judgment)

C. MAINTENANCE OF ORIGINAL DOCUMENTS

An original of all documents filed electronically, including original signatures, must be maintained by the party filing the document pursuant to California Rules of Court Rule 2057.

D. <u>COMPLETION OF FILING</u>

Electronic transmission of a document consistent with the procedures adopted by the court will, upon the complete receipt of the same by the Clerk and together with the receipt of acceptance by the court, transmitted from the Vendor, constitute filing of the document for all purposes of the Code of Civil Procedure and the Rules of Court, and will constitute entry of that document onto the docket maintained by the Clerk.

E. FILING DEADLINES

Filing documents electronically does not alter any filing deadlines. All electronic transmissions of documents must be completed (i.e., received completely by the Clerk's Office) prior to 5:00 Pacific Time in order to be considered timely filed that day. Where a specific time deadline is set by court order or stipulation, the electronic filing must be completed by that time. Any document filed after 5:00 p.m. (Pacific Time) on a day when the court is open for business will be deemed to have been filed on the next court day. Vendor is hereby appointed the agent of the Clerk of the Superior Court as to the electronic filing, receipt, service, and/or retrieval of any pleading or document in E-File. Upon filing of a document the Vendor will issue a confirmation that the document has been filed.

F. SYSTEM OR USER FILING ERRORS

If it is shown that the electronic filing is not filed with the court because of (1) an error in the transmission of the document to the Vendor which was unknown to the sending

party, or (2) a failure to process the electronic filing when received by the Vendor, the court may enter an order permitting the document to be filed nunc pro tunc.

G. DOCKET

The record of filings and entries generated by the courts case management system for each case will constitute the docket.

IV. ELECTRONIC SUMMONS

On electronic filing of a complaint, a petition, or another document that must be served with a summons, the party must e-file the summons together with the document. The Court will then endorse the summons with an image of the Court's seal and the assigned case number. The party must then serve the summons. Personal service of the printed form of an electronic document has the same legal effect as personal service of an original summons [Rule of Court 2059(f)]. After the summons is served, the party must e-file the summons again with the proof of service. The Court will then endorse the summons.

V. ELECTRONIC SERVICE OF PLEADINGS AND OTHER DOCUMENTS

All parties must make service upon other parties electronically through the E-File system. Parties, or their designated counsel, will receive all documents E-Filed and E-Served upon them via access to the Vendor's system. The exception to this general order is a Motion for Determination of Good Faith Settlement. Said motions must be served pursuant to Code of Civil Procedure section 877.6 (a)(2) unless otherwise ordered by the Court.

A. EFFECT OF ELECTRONIC SERVICE

The electronic service of a pleading or other document will be considered as valid and effective service on all participants and will have the same legal effect as an original paper document.

B. <u>SERVICE OF ELECTRONICALLY FILED DOCUMENTS</u>

The Vendor will provide electronic service for all documents requiring service, including those which are not filed with the court, as provided in Rule of Court 2060.

Delivery of e-service documents through the Vendor to other registered users will be considered as valid and effective service and will have the same legal effect as an original paper document. Recipients of e-service documents will access their documents through the Vendor.

C. <u>SYSTEM OR USER SERVICE ERRORS</u>

If electronic service on a party does not occur because of (1) an error in the transmission of the document to a party which error was unknown to the serving party or Vendor, (2) a failure to process the electronic filing for service when received by the Vendor, or (3) the party was erroneously excluded from the service list, the party to be served, in the absence of extraordinary circumstances, will be entitled to an order extending the date for any response or the period within which any right, duty or other act must be performed.

VI. CONVENTIONAL FILING OF DOCUMENTS

Parties otherwise subject to an electronic filing order may be excused from filing a particular document electronically if it is not available in electronic format and it is not feasible for the filer to convert it to electronic format by scanning it to PDF. Such a document may be manually filed with the Clerk of Court and served upon the parties in accordance with the applicable provisions of the Code of Civil Procedure and the Rules of Court for filing and service of non-electronic documents. Parties manually filing a document must file electronically a Notice of Manual Filing setting forth the reason(s) why the component cannot be filed electronically.

A. <u>DOCUMENTS FILED UNDER SEAL</u>

A motion to file documents under seal must be filed and served electronically. However, documents lodged with the court conditionally under seal, as provided in Rule of Court 243.2(d), must be submitted in paper form, pending hearing on a motion to seal.

B. EXHIBITS AND REAL OBJECTS

Exhibits to declarations that are real objects, i.e., construction materials, core samples, etc. or other documents, i.e., plans, manuals, etc. which otherwise cannot be comprehensively viewed in an electronic format must be filed and served conventionally, in paper form.

C. LODGMENTS

Documents attached to a Notice of Lodgment must be lodged and served conventionally in paper form. However, the actual document entitled "Notice of Lodgment" must be filed electronically.

VII. COLLECTION OF FEES

A. COURT FEES

Statutory filing fees must be paid to Glotrans for electronic transfer to the Santa Clara Superior Court's bank account system. Parties must pay said filing fees to Glotrans by credit card at the time of the electronic filing of documents.

B. <u>VENDOR FEES</u>

Fees charged by Vendor to parties or attorneys for access to and electronic transmission of documents are solely the property of Vendor and are in addition to any charges associated with statutory filing fees of the Superior Court.

VIII. SERVICE OF ELECTRONIC FILING ORDER ON NEW PARTIES

Any litigant filing a complaint or adding a party to a case by filing of an amended complaint, cross-complaint, complaint in intervention, interpleader or other initiating document must serve this Electronic Filing Order at the same time the pleading is served.

IX. ELECTRONIC FILING AND SERVICE OF ORDERS AND OTHER PAPERS

The Court will issue, file, and serve notices, orders, and other documents electronically, subject to the provisions of this Order. No paper service will be made by the court.

X. PUBLIC ACCESS AND PRIVACY

A. PERSONAL IDENTIFIERS

Except as provided in Rules of Court 2070 through 2076, an electronically filed document is a public document at the time it is filed unless it is sealed under rule 243.2(b) or made confidential by law. [See Rule of Court 2054(d)]. In order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties must refrain from including, or must redact where inclusion is necessary, the following personal data identifiers from all pleadings and other papers filed with the court, including exhibits thereto, whether filed electronically or in paper, unless otherwise ordered by the court.

- (a) Social Security numbers. If an individual's social security number must be included in a pleading or other paper, only the last four digits of that number may be used.
- (b) Names of minor children. If the involvement of a minor child must be mentioned, only the initials of that child may be used.
- (c) **Dates of birth.** If an individual's date of birth must be included in a pleading or other paper, only the year may be used.
- (d) **Financial account numbers.** If financial account numbers are relevant, only the last four digits of these numbers may be used.

B. PRIVILEGED OR CONFIDENTIAL INFORMATION

No party may intentionally include within pleadings, nor attach as exhibits, any other matter that the party knows to be properly subject to a claim of privilege or confidentiality.

C. FILING OF SENSITIVE DOCUMENTS

A party wishing to file a document containing the personal data identifiers listed above, or material known to be subject to a claim of privilege, must file an unredacted document under seal as provided herein. The party must file a redacted copy for the public file.

D. RESPONSIBILITY FOR REDACTION

The responsibility for redacting personal identifiers and privileged or confidential information rests solely with counsel and the parties. The Clerk will not review each pleading or other paper for compliance. The court may impose sanctions for violation of these requirements.

XI. SIGNATURES [RULE OF COURT 2057]

A. <u>DOCUMENTS UNDER PENALTY OF PERJURY</u>

When a document to be filed electronically requires a signature under penalty of perjury, the document is deemed signed by the declarant if, before filing, the declarant has signed a printed form of the document. By electronically filing the document, the electronic filer indicates that he or she has complied with this requirement and that the original, signed document is available for review and copying at the request of the court or any part. At any time after the document is filed, any other party may serve a demand for production of the original signed document.

B. <u>DOCUMENTS NOT UNDER PENALTY OF PERJURY</u>

If a document does not require a signature under penalty of perjury, the document is deemed signed by the party submitting it if the document is filed electronically.

C. DOCUMENTS REQUIRING SIGNATURES OF OPPOSING PARTIES

When a document to be filed electronically, such as a stipulation, requires the signature of opposing parties, the following procedure applies: (1) The party filing the document must obtain the signatures of all parties on a printed form of the document; (2) The party filing the document must maintain the original, signed document and must make it available for review and copying; (3) By electronically filing the document, the electronic filer indicates that all parties have signed the document and that the filer has the signed original in his or her possession.

1	XII.	HARD COPY DOCUMENTS
2		The Court will maintain the hard copy file as the official case record. Filers will be
3		required to provide two hard copies of documents electronically filed within three cour
4		days of the electronic filing endorsement.
5		SO ORDERED.
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7	Dated:	
. 8		Hon. Jack Komar Judge of the Superior Court
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Antelope Valley Groundwater Litigation (JCCP 4408) Santa Clara County Superior Court, Case No. 1-05-CV-049053 Electronic Filing and Service Order

' '

EXHIBIT 3

SUPERIOR COURT OF CALIFORNIA **COUNTY OF SANTA CLARA**

191 NORTH FIRST STREET DOWNTOWN COURTHOUSE-CIVIL DIVISION SAN JOSE, CA 95113 (408) 882-2100

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

Judicial Council Coordination Proceeding No. 4408

Case No. 1-05-CV-049053

Date/Time:

Tuesday, September 27, 2005 (11:00 a.m.) Department 17C

Present:

Hon. Jack Komar, Judge

Heather Gorley, Reporter

vena Walker, Clerk Ron Karrle, Deputy

MINUTE ORDER AFTER PROCEEDINGS RE:

Appearances in person, in order:

- Bob H. Joyce, for Diamond Farming Company;
- Richard G. Zimmer, for Wm. Bolthouse Farms, Inc.;
- Henry S. Weinstock, for Tejon Ranch;

Antelope Valley Groundwater Cases (JCCP 4408) Santa Clara County Superior Court, Case No. 1-05-CV-049053 Tuesday, September 27, 2005 (11am) Dept. 17C

- Janet Goldsmith, for City of Los Angeles;
- Fred A. Fudacz, for Tejon Ranch;
- Christopher M. Sanders, for Los Angeles County Sanitation Districts;
- Robert J. Saperstein, for AGWA;
- Thomas Bunn, for Palmdale Water District and Quartz Hill District;
- Wayne K. Lemieux, for Littlerock Creek Irrigation District and Palm Ranch Irrigation District;
- Frederick W. Pfaeffle, for Los Angeles County Waterworks District No. 40;
- Jeffrey V. Dunn, for Los Angeles County Waterworks District No. 40;
- Eric L. Garner, for Los Angeles County Waterworks District No. 40;
- James L. Markman, for City of Palmdale;
- Tilden Kim, for City of Palmdale.

Appearance via CourtCall, in order:

- Michael T. Fife, for AGWA;
- Jeffrey T. Robbins, for City of Lancaster;
- John Tootle; for Antelope Valley Water Company and California Water Service Company.

The matter was called and heard. The Court advised all counsel present that future hearings may be held in the Los Angeles County Superior Court.

The Court ordered that Electronic Filing and Service be mandatory for this matter. As to the (1) Stipulation & Proposed Order re Electronic Filing and Service, and (2) Electronic Filing and Service Order, the Court ordered all parties to review these two documents, if they have not already done so, and to submit any specific modifications or requests to the Court as soon as possible or otherwise sign the stipulation as an acknowledgement of the rules, processes and procedures to be followed with regard to electronic filing. The Court ordered that final versions of the two documents or signatures thereto, be completed within 5 days.

The issue of Edwards Air Force Base was discussed. The scope of the basin remains a contested issue. Mr. Dunn advised the Court that a total of approximately 6,100 parties have been identified. The protocol for service and for the filing of any additional cross-complaints was discussed. The Court ordered that Edwards Air Force Base be served within the next 20 days (by October 17, 2005); all other parties are ordered served within the next 30 days (by October 27, 2005). Mr. Dunn confirmed that service will be completed on or before said dates. All cross-complaints are ordered to be filed within the next 30 days (by October 27, 2005) and promptly served; the Court will permit parties to reserve service until after the order re electronic filing is entered.

The Court orders all demurrers previously filed in the individual included actions be withdrawn and refiled under the coordinated caption. For all parties that have already been served with the complaint(s), responsive pleadings are due within 30 days (by October 27, 2005); the hearing date on any demurrers will be coordinated by the Complex Civil Litigation Coordinator.

A Further Case Management Conference was set for <u>Friday</u>, <u>December 2</u>, <u>2005 at 10:00 a.m.</u>, <u>location</u> <u>to be determined</u>; the Court will provide notice by mail.

As stated in the record.

PARTIES/ATTORNEYS OF RECORD: SEE ATTACHED REPORT FROM UCS ***END***

Superior Court Of California Santa Clara County

09/30/05

Case Number: 1-05-CV-049053 99UN

Date Filed: 09/02/05 Status: Open/Active Judge Assigned: Jack Komar

ANTELOPE VALLEY GROUNDWATER LITIGATION (JCCP 4408)

CASE HISTORY

INVOLVED PARTIES

Type	Num Name	(Last, First, Mid, Title)	Disposed	Entered	ICWA ResW	User	r ID
SNT		cial Council Of California Coordination Unit		09/21/05		RAW	RAW
		Golden Gate Avenue					
	San	Francisco, CA 94102-3688					
PLT	001 Los	Angeles County Waterworks District No. 40		09/15/05		LW	WAS
		: 42230 Raymond G. Fortner		05, 20, 40		RAW	
	necorney	County Counsel - Los Angeles				14111	14
		500 West Temple Street					
		Los Angeles, CA 90012					
		(213) 974-1901					
		145742 Frederick W. Pfaeffle				RAW	RAW
		County Counsel - Los Angeles					141
		500 West Temple Street					
		Los Angeles, CA 90012					
		(213) 974-1901					
		131926 Jeffrey V. Dunn				RAW	RAW
		Best Best & Krieger LLP					
		Post Office Box 1028					
		Riverside, CA 92502					
		(909)686-1450					
		130665 Eric L. Garner				RAW	RAW
		Best Best & Krieger - Riverside					
		One Sansome St., Suite 1400					
		San Francisco, CA 94104-4431					
		(415) 362-2853					
PLT		ond Farming Company		09/16/05		RAW	RAW
	Attorney	: 84607 Bob H. Joyce				RAW	RAW
		Lebeau Thelen Lampe Et Al					
		5001 East Commercenter					
		Suite 300					
		Bakersfield, CA 93389-2092					

(661)325-8962

TAbe	Num Name (Last, First, Mid, Title)		Disposed	Entered ICWA	. kesw user II
PLT	003 William Bolthouse Farms, Inc. Attorney: 107263 Ritchie G. Zimmer Clifford & Brown 1430 Truxtun Avenue Suite 900 Bakersfield, CA 93301-5230 (805)322-6023			09/16/05	RAW RAI
	162370 Thomas M. Smith Clifford & Brown 1430 Truxtun Avenue Suite 900 Bakersfield, CA 93301-5230 (805)322-6023				RAW RAN
INP	001 Antelope Valley Groundwater Agreement As Attorney: 203025 Michael T. Fife Hatch & Parent 21 East Carrillo St Santa Barbara, CA 93101 (805)963-7000	ssociation (AGWA)	C01000 C02100 0	09/22/05	RAW RAV
DEF	001 City Of Lancaster Attorney: 123066 Douglas J. Evertz Stradling Yocca Carlson & Rauth 660 Newport Center Drive Suite 1600 Newport Beach, CA 92660-6422 (949)725-4000			09/15/05	LW RAW RAW RAW
DEF	002 City Of Palmdale Attorney: 117914 William M. Ditzhazy City Attorney's Office-Palmdale 38300 North Sierra Hwy Palmdale, CA 93550 (805) 267-5108			09/16/05	RAW RAW RAW RAW
	43536 James L. Markman Richards Watson & Gershon Post Office Box 1059 Brea, CA 92822-1059 (714)990-0901				RAW RAW
DEF	003 Antelope Valley Water Company Attorney: 181822 John Tootle California Water Service Company 3625 Del Amo Blvd. Suite 350 Torrance, CA 90503 (310)257-1488			09/21/05	RAW RAW RAW RAW

Туре	Num Name(Last,First,Mid,Title)	Disposed		A ResW User ID
DEF	004 Palmdale Water District		09/21/05	RAW RAW
	Attorney: 89502 Thomas Bunn			RAW RAW
	Lagerlof Senecal Bradley & Swift			
	301 N. Lake Avenue			
	10th Floor			
	Pasadena, CA 91101-4107			
	(626) 793-9400			
DEF	005 Quartz Hill Water District		09/21/05	RAW RAW
	Attorney: 89502 Thomas Bunn			RAW RAW
	Lagerlof Senecal Bradley & Swift			
	301 N. Lake Avenue			
	10th Floor			
	Pasadena, CA 91101-4107			
	(626) 793-9400			
DEF	006 Rosamond Community Service District		09/21/05	RAW RAW
	Attorney: 131926 Jeffrey V. Dunn			RAW RAW
	Best Best & Krieger LLP			
	Post Office Box 1028			
	Riverside, CA 92502			
	(909)686-1450			
DEF	007 Mojave Public Utility District		09/21/05	RAW RAW
	Attorney: 42645 William D. Palmer			RAW RAW
	Robinson Palmer & Logan			
	3434 Truxtun Avenue			
	Suite 150			
	Bakersfield, CA 93301			
	(661) 323-8277			
DEF	008 Tejon Ranchcorp		09/21/05	RAW RAW
	Attorney: 89765 Henry S. Weinstock			RAW RAW
	Weinstock Manion Reisman Et Al			
	445 South Figueroa St.			
	31st Floor			
	Los Angeles, CA 90071			
	(213)612-7839			
	50546 Frederic A. Fudacz			RAW RAW
	Nossaman Guthner Knox & Elliott			
	445 North Figueroa Street			
	31st Floor			
	Los Angeles, CA 90071-1602 (213)612-7800			
DDC	and the of the breaks		0.0 (0.0) : -	
DEF	009 City Of Los Angeles		09/21/05	RAW RAW
	Attorney: 65959 Janet K. Goldsmith			RAW RAW
	Kronick Moskovitz Et Al			
	400 Capitol Mall			
	27th Floor			
	Sacramento, CA 95814-4416			

(916)321-4500

Туре	Num Name(Last, First, Mid, Title)	Disposed	Entered ICWA	
DEF	010 Little Rock Creek Irrigation District		09/21/05	RAW RAW
	Attorney: 43501 Wayne K. Lemieux			RAW RAW
	Lemieux & O'Neill			
	2393 Townsgate Road			
	Suite 201			
	Westlake Village, CA 91361			
	(805) 495-4770			
DEF	011 Palm Ranch Irrigation District		09/21/05	RAW RAW
	Attorney: 43501 Wayne K. Lemieux			RAW RAW
	Lemieux & O'Neill			
	2393 Townsgate Road			
	Suite 201			
	Westlake Village, CA 91361			
	(805) 495-4770			
DEF	012 Los Angeles County Waterworks District No. 37		09/21/05	RAW RAW
	Attorney: 131926 Jeffrey V. Dunn			RAW RAW
	Best Best & Krieger LLP			
	Post Office Box 1028			
	Riverside, CA 92502			
	(909)686-1450			
DEF	013 City Of Los Angeles - Department Of Airports		09/21/05	RAW RAW
	Attorney: 152298 Eduardo A. Angeles			RAW RAW
	Los Angeles World Airports			
	1 World Way			
	P.O. Box 92216			
	Los Angeles, CA 90009-2216			
	(310)646-3326			
DEF	014 Antelope Valley Groundwater Agreement Association (AGWA)		09/29/05	RAW RAW
	Attorney: 203025 Michael T. Fife			RAW RAW
	Hatch & Parent			
	21 East Carrillo St			
	Santa Barbara, CA 93101			
	(805) 963-7000			
	166051 Robert J. Saperstein			RAW RAW
	Hatch & Parent			
	21 East Carrillo St			
	Santa Barbara, CA 93101			
	(805) 963-7000			
	AKA Eugene B. Nebeker			
	AKA Robert A. Jones .			
	AKA Forrest G. Godde			
	AKA Gailen W. Kyle			
	AKA John A. Calandri			
DEF	015 Los Angeles County Sanitation Districts		09/29/05	RAW RAW

RAW RAW

Attorney: 195990 Christopher M. Sanders

Ellison Schneider & Harris

2015 H Street

Sacramento, CA 95814-3109

(916)447-2166

CASE STATUS RECORD

StartDate	EndDate	CSHComments	User	r ID
09/15/05		Case Filed - OA	LW	LW
09/29/05		Served	RAW	RAW

EXHIBIT 4

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OCT 2 7 2005

KIRI TORRE
Chief Executive Officer/Clerk
Superior Control CA Certify of Santa Clara
BY DEPUTY
ROWENA WALKER

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES

Judicial Council Coordination Proceeding No. 4408

ANTELOPE VALLEY GROUNDWATER CASES

Included Actions:

Coordination Proceeding

Special Title (Rule 1550(b))

40 v. Diamond Farming Co.

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.

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. 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 **CLARIFICATION ORDER**

Antelope Valley Groundwater Litigation (JCCP 4408) Los Angeles County Superior Court Clarification Order

All hearings will be held at the following location:

Superior Court of California
County of Los Angeles
Stanley Mosk Courthouse – Department 1, Room 534
111 North Hill Street
Los Angeles, CA 90012

The Electronic Filing and Service Order, issued on September 27, 2005, is amended as follows: all papers filed in the coordinated actions above are to filed in the Los Angeles County Superior Court, with electronic service and electronic posting to be completed concurrently through http://www.scefiling.org. The Court will issue the Electronic Posting Instructions within thirty days from the date of service of this Clarification Order.

The Clerk of the Santa Clara County Superior Court shall transmit the originals of all papers previously filed in Santa Clara County Superior Court to the Los Angeles County Superior Court. The Clerk of the Los Angeles County Superior Court shall file the documents nunc pro tunc in each included action.

The Court of Appeal, Fourth Appellate District, Division Two is designated as the reviewing court with appellate and writ jurisdiction. (Code of Civ. Proc., §404.2; rule 1505(a)).

Every paper filed in a coordinated action must be accompanied by proof of submission of a copy thereof to the coordination trial judge at the following address:

Hon. Jack Komar Santa Clara County Superior Court 191 North First Street, Department 17C San Jose, CA 95113

Pursuant to rule 1511, a copy of every paper required to be transmitted to the Chair of the Judicial Council must be sent to the following address:

Chair, Judicial Council of California
Administrative Office of the Courts
Attn: Appellate and Trial Court Judicial Services
(Civil Case Coordination)
455 Golden Gate Avenue
San Francisco, CA 94102-3688

The Court held a Case Management Conference on September 27, 2005 and ordered that: Edwards Air Force Base shall be served by October 17, 2005; all other parties are ordered served by October 27, 2005; all cross-complaints shall be filed by October 27, 2005 and promptly served; the Court will permit parties to reserve service of the cross-complaints until after the order re electronic filing/service/posting is entered; all demurrers previously filed in the individual included actions shall be withdrawn and re-filed under the coordinated caption; for all parties that have already been served with the complaint(s), responsive pleadings shall be filed and served by October 27, 2005; the hearing date on any demurrers shall be coordinated by the Complex Civil Litigation Coordinator; a Further Case Management Conference was set for December 2, 2005 at 10:00 a.m., in Department 1, Room 534 of the Los Angeles County Superior Court, Stanley Mosk Courthouse, 111 North Hill Street, Los Angeles, California 90012.

Petitioner is directed to serve a copy of this order on (1) all parties to the included coordinated actions, and (2) to the Clerk of each court for filing in each included action, pursuant to rule 1540.

Dated: **OCT 2 7** 2005

Hon/Jaek Komar

Judge of the Superior Court

EXHIBIT 5

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA **ELECTRONIC FILING - WWW.SCEFILING.ORG** c/o Glotrans 1 2915 McClure Street Oakland, CA94609 TEL: (510) 208-4775 2 FAX: (510) 465-7348 EMAIL: Info@Glotrans.com 3 4 THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 5 IN AND FOR THE COUNTY OF SANTA CLARA 6 Coordination Proceeding Special Title (Rule Antelope Valley Groundwater Cases (JCCP 1550(b)) ANTELOPE VALLEY GROUNDWATER CASES 4408) (JCCP 4408) Included Actions: Los Angeles 7 County Waterworks District No. 40 Lead Case No.1-05-CV-049053 Plaintiff. Hon, Jack Komar 8 Diamond Farming Co. Superior Court of 9 California County of Los Angeles, Case No. BC 325 201 Los Angeles County Waterworks District No. 40 v. Diamond Farming Co. 10 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 12 Riverside, consolidated actions, Case Nos. RIC 353 840, RIC 344 436, RIC 344 668 13 Defendant. PROOF OF SERVICE AND RELATED ACTIONS **Electronic Proof of Service** 14 I am employed in the County of Alameda, State of California. 15 I am over the age of 18 and not a party to the within action; my business address is 2915 McClure Street, Oakland, CA 94609. 16 The documents described on page 2 of this Electronic Proof of Service were submitted via the 17 worldwide web on Fri. February 19, 2016 at 1:56 PM PST and served by electronic mail notification. I have reviewed the Court's Order Concerning Electronic Filing and Service of Pleading Documents and 18 am readily familiar with the contents of said Order. Under the terms of said Order, I certify the above-described 19 document's electronic service in the following manner: The document was electronically filed on the Court's website, http://www.scefiling.org, on Fri. February 20 19, 2016 at 1:56 PM PST 21 Upon approval of the document by the Court, an electronic mail message was transmitted to all parties on the electronic service list maintained for this case. The message identified the document and provided 22 instructions for accessing the document on the worldwide web. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and 23

1	THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA ELECTRONIC FILING SYSTEM - WWW.SCEFILING.ORG
2	Electronic Proof of Service Page 2
3	Document(s) submitted by June Ailin of Aleshire & Wynder, LLP on Fri. February 19, 2016 at 1:56 PM PST
	1. Ntc of Appeal/no fee: Phelan Pinon Hills Community Services District's Notice of Appeal
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EXHIBIT 6

The Superior Court of California, County of Santa Clara Hon. Jack Komar, Department 17c 191 N. First Street, San Jose, CA 95113

www.scefiling.org info@glotrans.com (510) 208-4775

Service date: 02/19/2016 2:13 PM

ELECTRONIC SERVICE NOTICE #15-5872

Case No: 1-05-CV-049053

Antelope Valley Groundwater Cases (JCCP 4408)

Document #121285:

Title:

Phelan Pinon Hills Community Services District's Notice of Appeal (Click here to view document information)

Type: Notice of Appeal, no Fee

Author: June Ailin of Aleshire & Wynder, LLP

Parties: Phelan Pinon Hills Community Services District

Service list:

Party name	Attorney/Representative Contact	Email address
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60th Street Assoc. Water System		
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Andrews, Treba	Andrews, Treba	
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