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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 11 **COUNTY OF LOS ANGELES**

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

14 **ANTELOPE VALLEY**
 15 **GROUNDWATER CASES**

16 Included Actions:

17 Los Angeles County Waterworks District
 18 No. 40 v. Diamond Farming Co.
 19 Superior Court of California
 20 County of Los Angeles, Case No. BC
 21 325201

22 Los Angeles County Waterworks District
 23 No. 40 v. Diamond Farming Co.
 24 Superior Court of California, County of
 25 Kern, Case No. S-1500-CV 254348

26 Wm. Bolthouse Farms, Inc. v. City of
 27 Lancaster Diamond Farming Co. v. City of
 28 Lancaster Diamond Farming Co. v. Palmdale
 Water Dist. Superior Court of California,
 County of Riverside, consolidated actions,
 Case Nos. RIC 353840, RIC 344436, RIC
 344668

Judicial Council Coordination Proceeding
 No. 4408

SC Case No. 105CV 049053
 Assigned to Hon. Jack Komar

TRIAL SETTING CONFERENCE
STATEMENT OF GERTRUDE J. VAN
DAM, DELMAR D. VAN DAM, CRAIG
VAN DAM, GARY VAN DAM, AND WDS
CALIFORNIA II, LLC

DATE: November 9, 2012
TIME: 9:00 a.m.
DEPT: 1

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 GERTRUDE J. VAN DAM, DELMAR D. VAN DAM, CRAIG VAN DAM and GARY
3 VAN DAM (collectively "VAN DAMS"), and WDS CALIFORNIA II, LLC, hereby join in the
4 Trial Setting Conference Statement filed by U.S. Borax on November 5, 2012 and join, in part,
5 in the Case Management Statement and Request for Jury Trial on Prescription Claims filed by
6 Bolthouse Properties, LLC and Wm. Bolthouse Farms, Inc. filed on November 3, 2012.

7 Bolthouse's statement accurately characterizes the remaining issues that the Court must
8 resolve. It is not possible to resolve all of these issues in a two week trial in February. U.S.
9 Borax recommends an option for proceeding to determine the issues related to return flows that
10 would be feasible and very useful for moving the case closer to settlement.

11 It is recommended that if the parties have not reached agreement on the scope of
12 discovery and prescriptive claims prior to November 9, 2012, the Court set a briefing schedule to
13 determine the appropriate time frame for discovery so that discovery can move forward and a
14 trial on the prescriptive claims can commence within a reasonable time.

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16 Dated: November 5, 2012

THE LAW OFFICES OF YOUNG WOOLDRIDGE, LLP

17
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19 By: 

SCOTT K. KUNEV, Esq., Attorneys for Gertrude J.
20 Van Dam, Delmar D. Van Dam, Craig Van Dam, Gary
21 Van Dam, and WDS California II, LLC
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF KERN

I, ERIN L. LINDSEY, declare: I am and was at the times of the service hereunder mentioned, over the age of eighteen (18) years, and not a party to the within cause. My business address is The Law Offices of Young Wooldridge LLP, 1800 30th Street, Fourth Floor, Bakersfield, CA 93301.

On November 5, 2012, I caused the foregoing document(s) entitled as: **TRIAL SETTING CONFERENCE STATEMENT OF GERTRUDE J. VAN DAM, DELMAR D. VAN DAM, CRAIG VAN DAM, GARY VAN DAM, and WDS CALIFORNIA II, LLC** to be served on the parties via the following service:

 X (BY POSTING) I posted the document listed above to the Santa Clara Superior Court website regarding the Antelope Valley Groundwater matter pursuant to the Court's Clarification Order. Electronic service posting completed through www.scefiling.org.

 X (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 5, 2012, at Bakersfield, California.


ERIN L. LINDSEY