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8 Attorneys for WDS California II, LLC, Gertrude J. Van Dam,  
 9 Delmar D. Van Dam, Craig Van Dam, and Gary Van Dam

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

**OBJECTIONS OF WDS CALIFORNIA II,  
 LLC, GERTRUDE J. VAN DAM,  
 DELMAR D. VAN DAM, CRAIG VAN  
 DAM AND GARY VAN DAM TO  
 PUBLIC WATER SUPPLIER'S NOTICE  
 OF TAKING DEPOSITIONS WITH  
 REQUESTS FOR PRODUCTION OF  
 DOCUMENTS**

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that GERTRUDE J. VAN DAM, DELMAR D. VAN DAM,  
3 CRAIG VAN DAM and GARY VAN DAM (collectively "VAN DAMS"), and WDS  
4 CALIFORNIA II, LLC, ("WDS") hereby object to the Public Water Suppliers Notice of  
5 Deposition With Request For Production of Documents ("Notice") filed on January 7, 2013 on  
6 the grounds that the Notice fails to comply with, the California Code of Civil Procedure, the  
7 December 12, 2012 Case Management Order For Phase 4 Trial ("Order"), and the requirements  
8 of statutory and Constitutional due process in that the Notice directs the scheduling of over one  
9 hundred thirty (130) depositions with the required production of documents commencing  
10 January 10-31, 2013, which requests provide insufficient and reasonable time to investigate,  
11 conduct discovery and prepare the necessary response essential to protection of valuable land  
12 and water rights at issue in the Antelope Adjudication.

13 Specifically, the VAN DAMS and WDS object to the Notice on the following grounds:

14 1. All those grounds stated in the separate objections to the Notice filed by Diamond  
15 Farming Company, Inc., Crystal Organic Farming, LLC, Grimmway Enterprises, Inc., LAPIS  
16 Land Company, LLC and Bolthouse Properties, LLC's and Wm. Bolthouse Farms, Inc.;

17 2. The Requests for Production are unduly burdensome, oppressive and unreasonable  
18 in that the requests are not reasonably calculated to lead to discovery of admissible evidence to the  
19 extent the requests duplicate the information requested in the Court's Order;

20 3. The documents and other related information sought in Request for Production 2 is  
21 overly broad, vague, ambiguous, and therefore is uncertain as to the scope of the request with  
22 regard to the phrase "all DOCUMENTS THAT relate to YOUR current pumping.". In light of the  
23 extremely limited time constraints required by the Notice it is unreasonable and unduly oppressive  
24 to require the VAN DAMS and WDS to complete the necessary investigation for such a multiple  
25 and broad request within the few days prior to the deposition;

26 4. The documents and other related information sought in Request for Production  
27 Numbers 3, 5, 7, 9, 11, 13, 14 and 18 is not relevant to the subject matter of the Phase 4 trial and is  
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1 not reasonably calculated to lead to discovery of admissible evidence. The Order provides in  
2 Paragraph 2 that, “The Phase 4 trial will address the issue of current groundwater production of all  
3 parties for the calendar year 2011 and January 1 through November 30, 2012.” In the Requests  
4 referenced above in the Public Water Suppliers Notice requires the production of documents and  
5 related information concerning groundwater production for years other than 2011 and 2012, and  
6 has failed to establish how such information is relevant to the issues to be litigated during the  
7 Phase 4 trial;

8           5.       The documents and other related information sought in Request for Production  
9 Numbers 13 and 14 requests the production of documents existing in the public domain and which  
10 is equally and readily available and accessible to the Public Water Suppliers;

11           6.       The documents and other related information sought in Request for Production  
12 Number 18 unreasonably requests the production of documents and related information which is  
13 not relevant and is not reasonably calculated to lead to discovery of admissible evidence insofar as  
14 it pertains to pumping of groundwater by unrelated parties that are not included in the claims of  
15 the VAN DAMS and WDS;

16           7.       The scheduling of an excess of one hundred thirty (130) percipient and expert  
17 depositions within the timeframe of fifteen (15) business days in conjunction with the production  
18 of eighteen (18) separate requests for documents is patently unreasonable and constitutes a  
19 substantial violation of statutory and Constitutional due process in that such a process provides  
20 insufficient notice, reasonable time to investigate, conduct discovery and prepare the necessary  
21 response essential to protection of valuable land and water rights at issue in the litigation.

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The Law Offices Of

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Dated: January 09, 2013

LAW OFFICES OF YOUNG WOOLDRIDGE, LLP

By: 

SCOTT K. KUNEY, Attorneys for GERTRUDE J.  
VAN DAM, DELMAR D. VAN DAM, CRAIG VAN  
DAM, GARY VAN DAM and WDS CALIFORNIA II,  
LLC

**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 1800 30th Street, Fourth Floor, Bakersfield, CA 93301.

On January 10, 2013, I caused the below listed document(s) entitled as: **OBJECTIONS OF WDS CALIFORNIA II, LLC, GERTRUDE J. VAN DAM, DELMAR D. VAN DAM, CRAIG VAN DAM AND GARY VAN DAM TO PUBLIC WATER SUPPLIER'S NOTICE OF TAKING DEPOSITIONS WITH REQUESTS FOR PRODUCTION OF DOCUMENTS** 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.scefilings.org](http://www.scefilings.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 January 10, 2013, at Bakersfield, California.

  
ERIN L. LINDSEY