Gerald L. Larsen, SBN 158468 1 LARSEN & RISLEY 3200 Park Center Drive, Suite 720 2 Costa Mesa, California 92626 3 (714) 540-1770 (714) 540-1020 Fax 4 5 Attorneys for Defendants, Angelo and Dolores M. Cassara, Trustees of Angelo and Dolores M. Cassara Marital Trust, 6 and Florence Cernicky, Trustee of Cernicky Trust 7 SUPERIOR COURT OF THE STATE OF CALIFORNIA 8 9 COUNTY OF LOS ANGELES, CENTRAL BRANCH 10 11 ANTELOPE VALLEY) For filing purposes only: Santa Clara County Case No. 1-05-CV-049053 **GROUNDWATER CASES** 12 Assigned to The Honorable Jack Komar Included Actions: Los Angeles County Waterworks District 13 CONFERENCE No. 40 v. Diamond Farming Co., Superior) TRIAL SETTING STATEMENT OF DEFENDANTS ANGELO Court of California, County of Los Angeles, Case No. BC 325201; 14 DOLORES CASSARA, AND Μ. TRUSTEES OF ANGELO AND 15 CASSARA MARITAL Los Angeles County Waterworks District DOLORES M. TRUST, AND FLORENCE CERNICKY, No. 40 v. Diamond Farming Co., Superior 16 TRUSTÉE OF CERNICKY TRUST Court of California, County of Kern, Case No. S-1500-CV-254-348; 17 Wm. Bolthouse Farms, Inc. v. City of 18 Lancaster, Diamond Farming Co. v. City of Lancaster, Diamond Farming Co. v.) Palmdale Water dist., Superior Court of 19 California, County of Riverside, Case Nos. 20 RIC 353 840, RIC 344 436, RIC 344 668 21 22 Defendants, ANGELO and DOLORES M. CASSARA, Trustees of ANGELO AND 23 DOLORES M. CASSARA MARITAL TRUST and FLORENCE CERNICKY, Trustee of 24 CERNICKY TRUST hereby submit this Trial Setting Conference Statement for the Trial 25 Setting Conference to be held on July 9, 2012 at 9:00 a.m. in Department 1 of the Stanley 26 Mosk Courthouse located at 111 North Hill Street, Los Angeles, CA 90012. 27 /// 28

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NEXT PHASE OF TRIAL

ANGELO and DOLORES M. CASSARA, Trustees of ANGELO AND DOLORES M. CASSARA MARITAL TRUST and FLORENCE CERNICKY, Trustee of CERNICKY TRUST have reviewed the trial setting conference statements of the parties filed to date and agree that additional time is needed to allow the parties to complete the mediation process with Justice Robie. A further trial setting conference/case management conference could be held shortly after the September 11, 2012 mediation session with Justice Robie.

Assuming the parties are able to reach agreement on the proposed Judgment and Physical Solution, ANGELO and DOLORES M. CASSARA, Trustees of ANGELO AND DOLORES M. CASSARA MARITAL TRUST and FLORENCE CERNICKY, Trustee of CERNICKY TRUST support a streamlined evidentiary hearing to allow the parties to introduce facts and evidence needed for the Court to decide whether to enter the proposed Judgment and Physical Solution. If the parties are unable to reach agreement, all legal and factual issues must be established and determined before proceeding with the evidentiary hearing.

Dated: 7~ 5, 2012

LARSEN & RISLEY

Attorneys for Defendants, Angelo and Dolores M. Cassara, Trustees of Angelo and Dolores M. Cassara Marital Trust, and Florence Cernicky, Trustee of Cernicky Trust