

1 ROBERT E. DOUGHERTY [SBN 41317]
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4 **ATTORNEYS AT LAW**
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(SPACE BELOW FOR FILING STAMP ONLY)

8 Attorneys for White Fence Farms Mutual Water Co. Inc., El Dorado Mutual Water Co., West
9 Side Park Mutual Water Co., Shadow Acres Mutual Water Co., Antelope Park Mutual Water
10 Co., Averydale Mutual Water Co., Sundale Mutual Water Co., Evergreen Mutual Water Co.,
11 Aqua J Mutual Water Co., Bleich Flat Mutual Water Co., Colorado Mutual Water Co.,
12 Sunnyside Farms Mutual Water Co., Land Projects Mutual Water Co., Tierra Bonita Mutual
13 Water Co. and Landale Mutual Water Co.; **collectively known as A.V. United Mutual Group**

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

15 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

16 **ANTELOPE VALLEY**
17 **GROUNDWATER CASES**

Judicial Council Coordination Proceeding
No. 4408

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

Santa Clara Case No. 1-05-CV-049053
Assigned to The Honorable Jack Komar

23 Los Angeles County Waterworks District
24 No. 40 v. Diamond Farming Co., Superior
25 Court of California, County of Kern, Case
26 No.: S-1500-CV-254-348;

DECLARATION OF TANYA D. S. HEHIR
RE: ROBERT E. DOUGHERTY'S
UNAVAILABILITY FOR MAY 6, 2009
HEARING

27 Wm. Bolthouse Farms, Inc. v. City of
28 Lancaster, Diamond Farming Co. v. City of
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case Nos.:
RIC 353 840, RIC 344 436, RIC 344 668

DATE: May 6, 2009
TIME: 9:00 a.m.
DEPT: 17C - Santa Clara County Superior
Court

Rebecca Lee Willis v. Los Angeles County
Waterworks District No. 40, et al.

I, TANYA D.S. HEHIR, declare:

1. I am an attorney at law, duly licensed to practice before all the courts of the State
of California, and am a senior associate in the law firm of Covington & Crowe, LLP, attorneys

1 for "A.V. United Mutual Group" which consists of the following mutual water companies: White
2 Fence Farms Mutual Water Co. Inc., El Dorado Mutual Water Co., West Side Park Mutual
3 Water Co., Shadow Acres Mutual Water Co., Antelope Park Mutual Water Co., Averydale
4 Mutual Water Co., Sundale Mutual Water Co., Evergreen Mutual Water Co., Aqua J Mutual
5 Water Co., Bleich Flat Mutual Water Co., Colorado Mutual Water Co., Sunnyside Farms Mutual
6 Water Co., Land Projects Mutual Water Co., Tierra Bonita Mutual Water Co. and Landale
7 Mutual Water Co.

8 2. I have personal knowledge of the facts set forth herein and if called upon to
9 testify, I could and would competently testify thereto.

10 3. On April 30, 2009, per the Court's Minute Order of that date, attorney Robert E.
11 Dougherty was order to appear in court via Courtcall by the presiding Judge, Hon. Jack Komar.


12 4. Unfortunately, however, Mr. Dougherty has been hospitalized since Saturday,
13 May 2, 2009, at San Antonio Community Hospital with a serious blood infection. Attached
14 hereto is a true and correct copy of correspondence received from his doctor, William Paley.

15 5. Mr. Dougherty will not be released from the hospital tomorrow and will not be
16 able to attend the court's hearing as ordered.

17 6. Therefore, due to Mr. Dougherty's illness and unavailability, I will be making the
18 Courtcall appearance tomorrow at 9:00 a.m. on behalf of Mr. Dougherty and the A.V. United
19 Mutual Group parties.

20 I declare under penalty of perjury under the laws of the State of California that the
21 foregoing is true and correct.

22 Executed this 5th day of May, 2009, at Ontario, California.

23
24 
25 TANYA D.S. HEHIR, Declarant



May 5, 2009

To Whom It May Concern:

Patient Robert Dougherty was hospitalized on May 2, 2009 to San Antonio Community Hospital and is in ICU and is expected to be in the hospital for several weeks. If you have any further questions you may call my office at (909) 987-2528

Sincerely

A handwritten signature in black ink, appearing to be "W. Paley", written over a horizontal line.

William Paley, D.O.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

I am employed in the County of San Bernardino, State of California. I am over the age of 18 and not a party to the within action; my business address is Covington & Crowe, LLP, 1131 West Sixth Street, Suite 300, Ontario, California 91762.

On May 5, 2009, I served the foregoing document described as DECLARATION OF TANYA D.S. HEHIR RE: ROBERT E. DOUGHERTY UNAVAILABLE FOR MAY 6, 2009 HEARING on the interested parties in this action:

☒ by posting the document listed above to the Santa Clara County Superior Court e-filing website under the Antelope Valley Groundwater matter pursuant to the Court's Order dated October 27, 2005.

☐ by placing ☐ the original ☐ a true copy thereof enclosed in a sealed envelope addressed as follows:

☐ BY MAIL

☐ * I deposited such envelope in the mail at Ontario, California. The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Ontario, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ BY PERSONAL SERVICE I delivered such envelope by hand to the offices of the addressee.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 5, 2009, at Ontario, California.


CAROL SANCHEZ