1 2 3 4 5	LEWIS BRISBOIS BISGAARD & SMITH LI MALISSA HATHAWAY McKEITH, SB# 1129 E-Mail: mckeith@lbbslaw.com JOSEPH SALAZAR, JR. SB# 169551 E-Mail: salazar@lbbslaw.com JACQUELINE MITTELSTADT, SB#172188 E-Mail: mittelstadt@lbbslaw.com KIMBERLY A. HUANGFU, SB# 252241 E-mail: huangfu@lbbslaw.com 221 North Figueroa Street, Suite 1200				
6 7	Los Angeles, California 90012 Telephone: 213.250.1800 Facsimile: 213.250.7900				
8	Attorneys for ANAVERDE LLC				
9	SUPERIOR COURT OF TH	IE STATE OF CALIFORNIA			
10	COUNTY OF	SANTA CLARA			
11 12	ANTELOPE VALLEY GROUNDWATER CASES:	Judicial Council Coordination Proceeding No. 4408			
13	Included Actions:	Santa Clara Case No. 1-05-CV-049053 Assigned to the Honorable Jack Komar			
14 15	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co. Superior Court of California County of Los Angeles, Case No. BC325201	ANAVERDE LLC'S PHASE 2 SECON AMENDED EXHIBIT LIST			
16 17 18	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				
19 20 21 22 23	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 353840, RIC 344436, RIC 344668	Phase 2 Trial: October 6, 2008 Location: LASC, Dept. 1 Time: 9:00 a.m.			
24252627					

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Attached hereto is ANAVERDE LLC'S Second Amended Exhibit List submitted for trial.

	Exhibit	Offered		Description	Legal	Date	Date Adn
	#	By			Grounds for	Offr'd	etheral (Selection) School (Selection)
		School and the	10 10 10 10	Committee of the commit	Objections	Lagrander (1985)	
	II-3000	Co- Defendant		Grant Deed, Doc. No. 2007-0331457, County of			
	~~~			San Bernardino, June 1, 2007, 3:12 p.m.			
-	II-3001	Co- Defendant		Photograph of Anaverde Creek Looking West.			
	II-3002	Co-		Photograph of Anaverde			<b>1</b>
		Defendant		Wetlands Looking West to Well 4 Fenced Area at	†    -		
	II-3003	Co-		Edge of Property. Photograph of Weltands			
		Defendant		West to Powerline on Ritter Ranch			
	П-3004	Co- Defendant		Photograph of Two Large Culvert Pipes Looking South Across Wetlands			
	II-3005	Co- Defendant		Photograph of Anaverde Wetlands Looking Toward SW Main Drainage at Sewer Access Road			
	II-3006	Co- Defendant	·	Photograph of Anaverde Wetlands Looking West to Main Drainage at Sewer Access Road.			
1 -	II-3007	Co- Defendant		Photograph of Anaverde Wetlands Looking West to NW at Sewer Access Road.		The state of the s	
	II-3008	Co- Defendant		Photograph of Anaverde Wetlands Looking Toward Old City Ranch Trees and Well URS-01 With Generator.			M.A.LONG

484	2-0284-5955.11.	No Objection; Admissibility Stipulated
	(Relevancy, Personal Knowledge,	- · · · · · · · · · · · · · · · · · · ·
2.	Irrelevant (§ 210)	Authenticity) (§ 1400, Identity)
3.	Hearsay (§ 1200)	7. Unduly Time Consuming, Prejudicial,
		Confusing,
4. 5. 6.	Best Evidence (§ 1500)	or Misleading (§ 352)
5.	Inadmissible Opinion (§ 800)	8. Subsequent Repair (§ 1151)
6.	Insufficient Foundation (§ 403)	9. Other (Specify)
	ν,	· · · · · · · · · · · · · · · · · · ·

4817-9393-7155.1

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1	Exhibit #	Offered By		Description	Legal Grounds	Date Offr'd	Date Admit
2					for Objections		
3	П-3009	Co-		Photograph of Anaverde			
4		Defendant		Sewer Access Road Looking Northerly From			
5				Bend at Aqueduct – City Ranch Area by Trees.			***************************************
6	II-3010	Co-		Photograph of Anaverde	· ·		
7		Defendant		Access Road on S. Side of Aqueduct Looking S., SE	•		
8	TY 2011			to Edge of Phase 1.			
9	II-3011	Co- Defendant		Photograph of Anaverde Creek Undercrossing for			
10				Access Road Looking W. SW.	,		
11	II-3012	Co- Defendant		Photograph of Anaverde Access Road Looking			:
12				South to Graded Foothill Areas.			
13	II-3013	Co- Defendant		Photograph of Anaverde Creek Undercrossing for			
14		Berendant		Designed Road from			
15				Aqueduct and Sewer Alignment Looking S. to			
16	II-3014	Co-		SW. to Graded Areas. Photograph of Anaverde			
17		Defendant		Looking S. to SW. Acros Wetlands to Two	S		·
18				Unidentified Wells at Edg of Wetland Site Grading			
19	II-3015	Co-		Background. Photograph of Anaverde			
20	11-3013	Defendant		Wetlands Looking From			
21				Temporary Access Road Design Road Out Toward			
22	II-3016	Co-		Well 4 From Aqueduct. Photograph of Anaverde			
23		Defendant		Property w/ Gentleman in Foreground.	1		
24							
25	4842-0284-595			No Objecti	on; Admissibility Stip	ulated	
26	2. Irreleva	ncy, Personal Ki int (§ 210)	nowledge,		nticity) (§ 1400, Iden		
27		(§ 1200)		Confu	y Time Consuming, P sing, sleading (§ 352)	rejuuiciai,	
28	5. Inadmis	sible Opinion (	§ 800)	8. Subse	quent Repair (§ 1151 (Specify)	)	
ļ	4817-9393-715	5.1		3			

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1 2	Exhibit #	Offered By		Description	Legal Grounds for	Date Offrid	Date Admit
ر ا				en en et alle en	Objections		
3	П-3017	Co-		Technical Memorandum,			
4		Defendant		Ground-Water Basin and			
5				Subbasin Boundaries, Antelope Valley Ground-			
<b>ا</b>				Water Basin, Luhdorff and			
6				Scalmanini, January 2002			
7	П-3018	Co-		with Attachment, Plate 1.  Anaverde LLC's First Set			
	H-3018	Defendant		of Requests for Production	,		
8				of Documents Propounded			
9				on Each Public Water			
1				Supplier Listed on Exhibit	·		
)	II-3019	Co-		Anaverde LLC's First Set			ATT TV
ı		Defendant		of Request for Admissions			
1				Propounded on Each Public			
2				Water Supplier Listed on Exhibit 1.			
;	II-3020	Co-		Anaverde LLC's First Set			
١		Defendant		of Special Interrogatories			
1				Propounded on Each Public			
				Water Supplier Listed on Exhibit 1.			
١	II-3021	Co-		Curriculum Vitae of Dr.			<u> </u>
		Defendant		John Lambie.			
	II-3022	Co-	7/16/2008	Project Area Map,		<b>*************************************</b>	-1411"
		Defendant	Anaverde Development,				
				Palmdale, CA Figure 1 Summit Envirosolutions.			
	II-3023	Co-	7/16/2008	Project Area Map,			ton.
l		Defendant		Anaverde Development,			
				Palmdale, CA Figure 1			
l	II-3024	Co-	7/16/2008	Summit Envirosolutions.  Annual Mean Precipitation,			
l	11-3024	Defendant	7/10/2006	Anaverde Development,			
l				Palmdale, CA			
				Figure 2			
	II-3025	Co-		Summit Envirosolutions.  Anaverde LLC's First Set			
	11-3023	Defendant		of Contention			
,	4842-0284-595 (Relevis	5.11. ancy, Personal K	nowledge	No Objection; A	dmissibility Stip	ulated	
	2. Irreleva	ant (§ 210)	mowiedge,	Authenticit	y) (§ 1400, Iden	tity)	
	3. Hearsa	y (§ 1200)	<u> </u>	7. Unduly Tir Confusing,	ne Consuming, P	rejudicial,	
7		vidence (§ 1500		or Misleadi		~~~	
3		ssible Opinion ( cient Foundation		8. Subsequent 9. Other (Spe	Repair (§ 1151)		
	o. msum(	sem roundation	. (§ <del>4</del> 05)	9. Other (Spe	цу <i>ј</i>		

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Exhibit #	Offered By	Description	Legal Grounds for Objections	Date Offr'd	Date Ac
		and the state of t	Onjections		4 5 5 6
		Interrogatories Propounded on Each Public Water			
		Supplier Listed on Exhibit 1.			
II-3026	Co- Defendant	Anaverde LLC's Form Interrogatories—General, Set No. One.			
H 2027	G.	What are the CE at any			
II-3027	Co- Defendant	Photograph of Eastern Westlands by Aqueduct Looking West to Wells			
		PW1, PW2 From Well 8.			
II-3028	Co- Defendant	Photograph of Ranch Area Trees.			
II-3029	Co- Defendant	Photograph of SW View from Aqueduct Road at			
		Anaverde.			
II-3030	Co- Defendant	Photograph of Well URS- 01 with Generator Looking NW.			
II-3031	Co- Defendant	Photograph of Well 3.			
II-3032	Co- Defendant	Photograph of Well 4 Surroundings.			
II-3033	Co- Defendant	Photograph of Well 4.			
II-3034	Co- Defendant	Photograph of Well 8.			
II-3035	Co- Defendant	1965-66, Groundwater Elevation Contour Map			
		from Site to NE of Palmdale.			
II-3036	Co- Defendant	Anaverde LLC, Form Interrogatories – General,			
		Set No. Two.			

4842-0284-5955.11.		No Objection; Admissibility Stipulated
	(Relevancy, Personal Knowledge,	·
2.	Irrelevant (§ 210)	Authenticity) (§ 1400, Identity)
3.	Hearsay (§ 1200)	7. Unduly Time Consuming, Prejudicial,
		Confusing,
4.	Best Evidence (§ 1500)	or Misleading (§ 352)
5.	Inadmissible Opinion (§ 800)	8. Subsequent Repair (§ 1151)
6.	Insufficient Foundation (§ 403)	9. Other (Specify)

4817-9393-7155.1

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4817-9393-7155.1

Insufficient Foundation (§ 403)

Exhibit Offered Legal Date Date Admit Description 1 Offrid Βv Grounds 2 for Objections 3 II-3037 Anaverde LLC, Second Set Coof Special Interrogatories Defendant 4 Propounded on Each Public Water Supplier Listed on 5 Exhibit 1. 6 II-3038 Co-Anaverde LLC, Second Set Defendant 7 of Request For Admissions Propounded on Each Public 8 Water Supplier Listed on Exhibit 1. 9 П-3039 Co-Anaverde LLC Second Set Defendant of Requests for Production **10** of Documents Propounded on Each Public Water 11 Supplier Listed on Exhibit 12 1. Photo of Anaverde West П-3040 Co-13 Defendant View from Aqueduct. 14 П-3041 Aerial Photo. Co-Defendant 15 II-3042 Anaverde Proposed New Co-Development Plan, Defendant 16 "Exhibit A" Anaverde New Phasing II-3043 Co-**17** Plan, "Exhibit B" Defendant 18 II-3044 Anaverde - Phase 1 Co-Defendant City of Palmdale, CA 19 By Sikand. II-3045 Co-Reserved. 20 Defendant II-3046 Co-Map of Catanion Anion, 21 Defendant Ca/Na. 22 II-3047 Co-Map of Catanion Anion SO4. Defendant 23 II-3048 Co-Reserved. 24 Defendant 25 4842-0284-5955.11. No Objection; Admissibility Stipulated (Relevancy, Personal Knowledge, Authenticity) (§ 1400, Identity) Irrelevant (§ 210) 26 Unduly Time Consuming, Prejudicial, Hearsay (§ 1200) Confusing, 27 Best Evidence (§ 1500) or Misleading (§ 352) Inadmissible Opinion (§ 800)

Subsequent Repair (§ 1151) Other (Specify)

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4817-9393-7155.1

Date Admit Exhibit Offered Description Legal Date 1 Offrid Grounds Βv 2 for Objections 3 II-3049 First American Title Co-4/2/2003 Defendant Company Report. 4 II-3050 Co-Problem Statement Report, 5 Defendant Antelope Valley Area of Adjudication, prepared by 6 Antelope Valley Technical Committee, June 26, 2008, 7 Figure 3.2. II-3051 Co-Problem Statement Report, 8 Antelope Valley Area of Defendant Adjudication, prepared by 9 Antelope Valley Technical Committee, June 26, 2008, 10 Figure 3.6. II-3052 Co-Anaverde Creek 11 Defendant Groundwater Basin **12** Hydrologic Review, Dr. John Lambie, Sept. 2008. 13 П-3053 Co-ALTA/ACSM Land Title Defendant Survey for Anaverde Ranch 14 and Chandar Project Palmdale, California. 15 П-3054 Co-03/00/1956 Palmdale Water District Ground Water Elevation. Defendant 16 Ground Water Contours, March 1956. **17** II-3055 Co-03/00/1988 Ground Water Contours. Defendant 18 II-3056 Co-1956-1988 Change in Ground Water 19 Defendant Levels. II-3057 Co-Well Location Map. 20 Defendant 21 II-3058 Co-Demonstrative. Defendant 22 II-3059 Co-Demonstrative. 23 Defendant II-3060 Co-Demonstrative. 24 Defendant No Objection; Admissibility Stipulated 25 4842-0284-5955.11. (Relevancy, Personal Knowledge, Authenticity) (§ 1400, Identity) Irrelevant (§ 210) 26 Unduly Time Consuming, Prejudicial, Hearsay (§ 1200) Confusing. 27 Best Evidence (§ 1500) or Misleading (§ 352) Subsequent Repair (§ 1151) Inadmissible Opinion (§ 800) 28 Insufficient Foundation (§ 403) Other (Specify)

## LEWIS BRISBOIS BISGAARD & SMITH LLP 221 NORTH FIGUEROA STREET, SUITE 1200 LOS ANGELES, CALIFORNIA 90012 TELEPHONE 213.250.1800

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Exhibit Offered Date Admit Description Legal Date Grounds Offr'd Βy for Objections II-3061 Co-Demonstrative. Defendant II-3062 Co-Demonstrative. Defendant II-3063 Co-Reserved. Defendant II-3064 Co-Reserved. Defendant II-3065 Co-Reserved. Defendant Photograph: 1949 C -II-3066 Co-Defendant 13438, 1-126. II-3067 Co-Photograph: 1949 C-13438, 1-127 Defendant II-3068 Co-Photograph: 1957 C – Defendant 22867, 264 II-3069 Co-Photograph: 1940 C-Defendant 6500, 321-29 II-3070 Co-Photograph: 1940 C -Defendant 6500, 321-30

4842	2-0284-5955.11.	No	No Objection; Admissibility Stipulated		
	(Relevancy, Personal Knowledge,				
2.	Irrelevant (§ 210)		Authenticity) (§ 1400, Identity)		
3.	Hearsay (§ 1200)	7.	Unduly Time Consuming, Prejudicial, Confusing,	3 -	
4.	Best Evidence (§ 1500)		or Misleading (§ 352)		
5.	Inadmissible Opinion (§ 800)	8.	Subsequent Repair (§ 1151)		
6.	Insufficient Foundation (§ 403)	9.	Other (Specify)		

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ANAVERDE LLC reserves the right to supplement this Second Amended Exhibit List

with documents as necessary.

DATED: October 6, 2008

Respectfully submitted,

MALISSA HATHAWAY McKEITH JOSEPH SALAZAR, JR. JACQUELINE MITTELSTADT KIMBERLY A. HUANGFU LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Kimberly Huangfu
KIMBERLY A. HUANGFU
Attorneys for ANAVERDE, LLC.

## PROOF OF SERVICE

I declare that:

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action. My business address is 221 North Figueroa Street, Suite 1200, Los Angeles, California 90012.

On October 6, 2008, 2008, I served **ANAVERDE LLC'S PHASE 2 SECOND AMENDED EXHIBIT LIST** posting the document(s) to the Santa Clara Superior Court website in regard to the Antelope Valley Groundwater matter.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct, executed on October 6, 2008, 2008.

Maritza Estrada

4841-7938-3043.1