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Attorney for Cross-Complainants
SHELDON R. BLUM, Trustee For
The SHELDON R. BLUM TRUST: &
SHELDON R. BLUM, Individually

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES - CENTRAL DISTRICT

Coordinated Proceedings
Special Title {Rule 1550 (b)}

) Judicial Council Coordination
) Proceeding No. 4408

**ANTELOPE VALLEY GROUNDWATER
CASES**

) Santa Clara Case No. 1-05-CV-049053
) Assigned to Hon. Jack Komar

Included Actions:

) **JOINT STIPULATION OF SHELDON R. BLUM
) TRUSTEE FOR THE SHELDON R. BLUM
) TRUST; & SHELDON R. BLUM, INDIVIDUALLY,
) AND WM. BOLTHOUSE FARMS, INC., &
) BOLTHOUSE PROPERTIES, LLC, TO SEVER
) CROSS-COMPLAINT FROM THE ANTELOPE
) VALLEY GROUNDWATER CASES; & ORDER
) THEREON**

Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
Los Angeles County Superior Court
Case No. BC 325 201

) Judge: Hon. Jack Komar
) Cross-Complaint Filed: 12/20/07
) Trial Date: None Set

Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
Kern County Superior Court
Case No. S-1500-CV-254-348
Wm. Bolthouse Farms, Inc., v. City of
Lancaster; Diamond Farming Co. v. City of
Lancaster; Diamond Farming Co. v. City of
Palmdale Water District.

Riverside County Superior Court
Consolidated Action Nos. RIC 344 840,
RIC 344 436, RIC 344 668

And Related Cross Actions

SHELDON R. BLUM, TRUSTEE For The
SHELDON R. BLUM TRUST, and SHELDON
R. BLUM, Individually,

Cross-Complainants,

vs.

WM. BOLTHOUSE FARMS, INC., a Michigan
Corporation; BOLTHOUSE PROPERTIES, LLC,
a California Limited Company; and DOES 1
through 200, inclusive.

Cross-Defendants

Cross-Complainants SHELDON R. BLUM, TRUSTEE For The SHELDON R. BLUM
TRUST, and SHELDON R. BLUM, Individually, (hereinafter referred collectively as "Cross-
Complainants"), and Cross-Defendants WM. BOLTHOUSE FARMS, INC., and BOLTHOUSE
PROPERTIES, LLC., (hereinafter referred to as Cross-Defendants), hereby enter into the
following stipulation:

WHEREAS Cross-Complainants and Cross-Defendants are parties to the coordinated
Antelope Valley Groundwater Cases, Judicial Council Coordination Proceedings No. 4408, Case
No. 1-05-CV-049053.

WHEREAS on December 20, 2007, Cross-Complainants filed a Cross-Complaint against
Cross-Defendants, alleging Eight Cases of Action arising out of a Lease Agreement, bearing
efiled Document No. 1088. On January 18, 2008, Cross-Defendants filed a Joint Answer to the
Cross-Complaint asserting Twenty-Four Affirmative Defenses, bearing efiled Document No. 1151.

WHEREAS on July 17, 2008, Cross-Complainants filed a Demand For Jury Trial, bearing
efiled Document No. 1577.

WHEREAS on August 4, 2008, Cross-Complainants and Cross-Defendants participated in an Ex Parte teleconference with the Honorable Jack Komar wherein the parties agreed that severance of the Cross-Complaint could be effectuated by a joint stipulation.

WHEREAS during the teleconference with Judge Komar on August 4, 2008, Judge Komar further ordered that the severed Cross-Complaint of Cross-Complainants would remain in his court for all purposes.

ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED THAT the Cross-Complaint of Cross-Complainants and Joint Answer to the Cross-Complaint of Cross-Defendants shall be severed from the Antelope Valley Groundwater Cases.

THAT the Cross-Complaint shall thereafter be assigned for all purposes to Judge Komar in Department 1 of the Los Angeles County Superior Court under a new case number to be set by the court, and that Cross-Complainants' request for a Jury Trial shall be preserved.

THAT upon execution of the Order the Cross-Complaint shall be referred to as a Complaint, that Cross-Complainants shall be referred to as Plaintiffs, and that Cross-Defendants shall be referred to as Defendants for all purposes in said action.

THAT upon execution of the Order severing the Cross-Complaint, Cross-Complainants and Cross-Defendants shall not be obligated to serve or otherwise give notice to the remaining parties in the Antelope Valley Groundwater Cases of correspondence, discovery, pleadings or other related documents, hearing or dates thereafter occurring in the severed Cross-Complaint.

1 **THAT** upon execution of the Order severing the Cross-Complaint, Cross-Complainants
2 and Cross-Defendants shall thereafter not be obligated to file and/or serve papers electronically,
3 but rather, may file all required documents in the manner regularly required by the *Code of Civil*
4 *Procedure, California Rules of Court* and/or the *Los Angeles County Superior Court Local Rules*.

5 **THAT** notwithstanding this Joint Stipulation to Sever The Cross-Complaint from the
6 Antelope Valley Groundwater Cases, Cross-Complainants and Cross-Defendants shall continue
7 to remain as parties to the Antelope Valley Groundwater Cases, ^{AND EACH WILL (RZ)(SRB)} with reference to prosecuting
8 and/or defending ^{RESPECTIVE (RZ)(SRB)} their groundwater rights.
9

10 **THAT** the hearing on Cross-Defendants' Motion to Sever currently set for hearing on
11 September 5, 2008, is hereby vacated as the Motion is deemed moot by the execution of this
12 Stipulation and Order attached hereto.

13 Dated: August 21, 2008

LAW OFFICES OF SHELDON R. BLUM

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16 By: 

Sheldon R. Blum, Esq.
Attorneys For SHELDON R. BLUM, Trustee
For The SHELDON R. BLUM TRUST, and
SHELDON R. BLUM, Individually

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19 Dated: August 26th, 2008

CLIFFORD & BROWN

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22 By: 

Richard G. Zimmer, Esq.
T. Mark Smith, Esq.
Jeremy J. Schroeder, Esq.
Attorneys For WM. BOLTHOUSE FARMS, INC.
and BOLTHOUSE PROPERTIES, LLC.

ORDER

IT IS SO ORDERED:

THAT the Cross-Complaint of Cross-Complainants and Joint Answer of Cross-Defendants shall be severed from the Antelope Valley Groundwater Cases.

THAT the Cross-Complaint shall thereafter be assigned for all purposes to Judge Komar in Department 1 of the Los Angeles County Superior Court under a new case number to be set by the court, and that Cross-Complainants' request for a Jury Trial shall be preserved.

THAT upon execution of the Order the Cross-Complaint shall be referred to as a Complaint, that Cross-Complainants shall be referred to as Plaintiffs, and that Cross-Defendants shall be referred to as Defendants for all purposes in said action.


THAT upon execution of the Order severing the Cross-Complaint, Cross-Complainants and Cross-Defendants shall not be obligated to serve or otherwise give notice to the remaining parties in the Antelope Valley Groundwater Cases of correspondence, discovery, pleadings or other related documents, hearing or dates thereafter occurring in the severed Cross-Complaint.

THAT upon execution of the Order severing the Cross-Complaint, Cross-Complainants and Cross-Defendants shall thereafter not be obligated to file and/or serve papers electronically, but rather, may file all required documents in the manner regularly required by the *Code of Civil Procedure, California Rules of Court* and/or the *Los Angeles County Superior Court Local Rules*.

THAT notwithstanding this Joint Stipulation to Sever The Cross-Complaint from the Antelope Valley Groundwater Cases, Cross-Complainants and Cross-Defendants shall continue to remain as parties to the Antelope Valley Groundwater Cases ~~with reference to prosecuting~~ ^{AMP EACH WILL (PZ)(SRD)} and/or defend ~~no~~ ^{RESPECTIVE (PZ)(SRD)} their groundwater rights.

1 **THAT** the hearing on Cross-Defendants' Motion to Sever, currently set for hearing on
2 September 5, 2008, is hereby vacated as the Motion is deemed moot by the execution of this
3 Stipulation and Order.

4 Dated: **SEP 02 2008**

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7 HONORABLE JACK KOMAR
8 JUDGE OF THE SUPERIOR COURT
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