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8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF LOS ANGELES
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11 **ANTELOPE VALLEY GROUNDWATER**
12 **CASES**

13 Included Consolidated Actions:

14 Los Angeles County Waterworks District No.
15 40 v. Diamond Farming Co.
16 Superior Court of California
County of Los Angeles, Case No. BC 325 201

17 Los Angeles County Waterworks District No.
18 40 v. Diamond Farming Co.
19 Superior Court of California, County of Kern,
Case No. S-1500-CV-254-348

20 Wm. Bolthouse Farms, Inc. v. City of Lancaster
21 Diamond Farming Co. v. City of Lancaster
22 Diamond Farming Co. v. Palmdale Water Dist.
23 Superior Court of California, County of
Riverside, consolidated actions, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668

24 Rebecca Lee Willis v. Los Angeles County
25 Waterworks District No. 40
26 Superior Court of California, County of Los
Angeles, Case No. BC 364 553

27 Richard A. Wood v. Los Angeles County
28 Waterworks District No. 40
Superior Court of California, County of Los

Judicial Council Coordination
Proceeding No. 4408

Lead Case No. BC 325 201

**ORDER AFTER PRE-TRIAL
CONFERENCE HELD ON
DECEMBER 15, 2010**

Hearing Date(s): December 15, 2010
Time: 9:00 a.m.
Location: Department 1, LASC

Judge: Honorable Jack Komar

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3 A Pre-Trial Conference was noticed and heard on December 15, 2010 at 9:00 a.m. in
4 Department 1 of the Los Angeles County Superior Court, the Honorable Jack Komar presiding.
5 Counsel who appeared in person and by telephone are listed in the clerk's minutes.

6 The Court heard and ruled upon the following motions *In Limine*. The Court made the
7 following Orders:

- 8 1. Motion by Willis Class for approval of Class Notice. The motion is granted in a
9 separate detailed order. The "suggestion" by counsel for a party not a party to the
10 settlement that class members be provided a separate, second opportunity to opt out
11 of the proposed settlement is denied for the reasons stated on the record at the time
12 of the hearing.
- 13 2. Motion *In Limine* by Bolthouse Properties to preclude expert witnesses from
14 testifying to hearsay statements made by other experts is denied without prejudice
15 for the reasons stated on the record at the hearing on the motion.
- 16 3. Motion *In Limine* Number One by Antelope Valley Ground Water Association
17 counsel to have the court in advance of trial define safe yield and overdraft and to
18 exclude evidence during trial inconsistent with the definitions is denied as not being
19 a proper Motion *in Limine* for the reasons stated on the record by the court at the
20 time of hearing the motion. Motion *In Limine* Number Two by Antelope Valley
21 Ground Water Association requesting that the court make a finding that whatever the
22 court finds as a "safe Yield" is subject to future redetermination is denied as not
23 being a proper Motion *in Limine* for the reasons stated on the record at the time of
24 the hearing. Antelope Valley Ground Water Association Motion Number Three for a
25 finding that " overdraft" is not necessary to a finding of a need for a physical
26 solution is denied as not being a proper motion *In limine* and for the reasons stated
27 on the record at the time of the hearing. Motion *In Limine* Number Four by Antelope
28 Valley Ground Water Association seeking to limit testimony concerning ground

1 subsidence is ordered off calendar as having been untimely filed. It may be re-
2 noticed as a Motion in *Limine* to be heard on January 4, 2011.

3 4. The Motion by the Federal Government amend the Dr. June Oberdorfer expert
4 declaration is off calendar and may be re-noticed for hearing as a motion in *limine* to
5 be heard on January 4, 2011.

6 5. All responses to Motions in *Limine* which are to be heard on January 4, 2011 must
7 be filed and posted for service no later than December 29, 2011 at 12:00 p.m.

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9 SO ORDERED.

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11 Dated: December 23, 2010

12 /s/ Jack Komar
13 Honorable Jack Komar
14 Judge of the Superior Court
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