

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES**

Coordination Proceeding
Special Title (Rule 1550(b))

ANTELOPE VALLEY GROUNDWATER CASES

Included Actions:

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

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

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 353 840, RIC 344 436, RIC 344 668

Willis v. Los Angeles County Waterworks District No. 40, Superior Court of California, County of Los Angeles, Case No. BC 364 553

Wood v. Los Angeles County Waterworks District No. 40, Superior Court of California, County of Los Angeles, Case No. BC 391869

Wood v. A.V. Materials, Inc., et al., Superior Court of California, County of Los Angeles, Case No. BC 509546

Wood v. County of Los Angeles, Superior Court of California, County of Los Angeles, Case No. BS 143790 [ADD-ON PETITION IS PENDING]

Judicial Council Coordination
Proceeding No. 4408

For Court's Use Only:
Santa Clara County Case No.
1-05-CV-049053
(for E-Posting/E-Service
Purposes Only)

Date/Time: Friday, October 25, 2013

9:00 am

Antelope Valley Groundwater Cases (JCCP 4408)
Los Angeles County Superior Court, Case No. BC 325 201
October 25, 2013 (9:00 am) / Hon. Jack Komar

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Location: Superior Court of California
County of **SANTA CLARA**

Department 11
Downtown Court House
191 N. 1st Street
San Jose, CA 95113

Present: Hon. Jack Komar, Judge
Stephanie Estes, Reporter

Rowena Walker, Clerk (SC)
_____, Court Attendant (LA)
_____, C.A. Deputy Sheriff (SC)

MINUTE ORDER:

EX PARTE APPLICATION BY THE WOOD PLAINTIFFS FOR ORDER REGARDING SOUTHERN CALIFORNIA EDISON'S PRODUCTION OF ELECTRICAL RECORDS FOR CERTAIN CLASS MEMBERS WHO ARE PARTICIPATING IN THE ANALYSIS BEING CONDUCTED BY THE COURT-APPOINTED EXPERT - Heard and granted; order now signed.

EX PARTE APPLICATION BY THE WOOD PLAINTIFFS TO MODIFY THE SMALL PUMPER CLASS LIST TO BOTH ADD AND REMOVE CERTAIN PEOPLE FROM THE LIST - Heard and granted; order now signed.

MOTION BY WOOD PLAINTIFFS FOR PRELIMINARY APPROVAL OF PARTIAL CLASS ACTION SETTLEMENT - Heard and argued; preliminary approval of the partial Wood Class Action settlement is granted and set for Final Fairness Hearing on **December 11, 2013 at 9am** in Superior Court of California, County of Santa Clara, Department TBD. The issue of "limiting liability to parties" is reserved for the Final Fairness Hearing. Moving papers for the Final Fairness Hearing are due by November 15, 2013; oppositions are due by November 26, 2013; replies are due by December 4, 2013. Order now signed.

MOTION BY UNITED STATES OF AMERICA TO STAY PROCEEDINGS IN LIGHT OF LAPSE OF APPROPRIATIONS (continued from October 16, 2013) - Off calendar; moot.

Other Issues:

The Court amends the Case Management Order for Phase 5 and Phase 6 Trials (posted online on October 23, 2013) as follows: (A) on page 3, Motions for summary judgment (Phase 5) hearing date is changed from January 10, 2014 to January 27, 2014 at 9am; location TBD; (B) on page 4, line 18 "October 4, 2013" changed to "November 4, 2013."

Amended Proposed Discovery Order for Phase 5 Trial filed by Attorney Robert Kuhs – the Court ordered parties to meet and confer, and set the matter for hearing *after* November 18, 2013.

The Court clarified that all return flows will be part of Phase 5.

The Court sets the hearing date(s) for AGWA's motions, including, but not limited to: (1) Motion for Judgment on the Pleadings; (2) Motion in Limine for an Order Establishing the Evidentiary Standard for Notice for Proof of Prescription by the Public Water Purveyors; (3) Motion in Limine for an Order Establishing the Necessity of the Public Water Purveyors Proving the Elements of Prescription as to Each Landowner; and (4) Motion for Order Setting Matter for Jury Trial as follows: **April 1, 2014 at 9am; Dept TBD.**

PARTIES/ATTORNEYS OF RECORD:

Present in person:

Michael McLachlan – Wood Plaintiffs
Thomas Bunn – Palmdale Water District
Douglas Evertz – Rosamond Community Services District
Wesley Miliband – Phelan Pinon Hills Community Services District
Steven Orr – City of Palmdale
Wayne Lemieux – Little Baldy Mutual Water Company, et al.
Jeffrey Dunn – Los Angeles County Waterworks District No. 40
Warren Wellen – Los Angeles County Waterworks District No. 40
Sheldon Blum – Blum Trust
Noah Golden-Krasner – State of California, et al.
William Sloan – U.S. Borax
William Brunick – Antelope Valley East-Kern Water Agency

See attached CourtCall list for counsel appearing telephonically.

REPORTER:

This matter was reported by Stephanie Estes, CSR #12452. Phone number 408-481-3555. Email: sestest@scscourt.org.

EVENT CALENDAR:

The Court advises that it will be unavailable from October 26, 2013, up to and including, November 18, 2013.

February 10, 2014 Old Dept 1, Los Angeles	9am	Trial, Phase 5 (return flows, federal reserve rights)
August 4, 2014 Old Dept 1, Los Angeles	9am	Trial, Phase 6 (prescription + remaining issues)