

**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: Wednesday, October 16, 2013

10:00 a.m.

Location: Superior Court of California

**Room 222**

*Antelope Valley Groundwater Cases (JCCP 4408)*  
*Los Angeles County Superior Court, Case No. BC 325 201*  
*October 16, 2013 (10:00 am) / Hon. Jack Komar*

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Present: Hon. Jack Komar, Judge  
Khowoonsun Chong, CSR #12907

Rowena Walker, Clerk (SC)  
Michael Rivera, Clerk (LA)  
\_\_\_\_\_, Court Attendant (LA)  
\_\_\_\_\_, C.A. Deputy Sheriff (SC)

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**MINUTE ORDER:**

**Petition by LACWD No. 40 for Add-On Case (BS143790)** – heard and denied;  
Attorney Dunn to prepare the order.

**Motion by LACWD No. 40 to Stay Add-On Case (BS143790) Pending a  
Determination on the Petition for Add-On Case** – denied, as moot; based on the  
denial of the petition to add on case (see above).

**Motion by United States of America to Stay Proceedings in light of lapse of  
appropriations** – heard and continued to October 25, 2013.

**CASE MANAGEMENT CONFERENCE**

The purpose of today's case management conference is to finalize the Case Management Orders for Phase 5 and Phase 6 and to set 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.

The Court discussed with counsel the various alternatives to the case management orders for phases 5 and 6 of trial, and issued the following deadlines:

Deadline to file Notice of Intention to Participate in Phase 5 Trial is extended to October 25, 2013.

Moving papers on motions for summary judgment due by November 13, 2013; oppositions thereto due by December 27, 2013; replies due by January 3, 2014. The hearing on motions for summary judgment shall be set for January 10, 2014 at 9am; location to be determined.

The parties will comply with the Court's previous August 14, 2013 Order by October 25, 2013.

The Court notes that Phase 6 trial scheduling is subject to modification.

The setting of 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 --- continued to October 25, 2013.

The Court requests that Attorney McLachlan submit the proposed order after today's hearing on the case management conference, in Word format, to Rowena Walker at Superior Court of California, County of Santa Clara.

The hearings on October 25, 2013 will be heard in Superior Court of California, County of Santa Clara, **Department 11**, 191 N. 1<sup>st</sup> Street, San Jose, California, 95113.

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**PARTIES/ATTORNEYS OF RECORD:**

As indicated on the attached Personal Appearance and CourtCall List.

**REPORTER:**

This matter was reported by Khwoonsun Chong, CSR #12907.

**EVENT CALENDAR:**

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

October 25, 2013 Dept 11, San Jose	9am	Various law & motion
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)