

**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, December 11, 2013

9:00 am

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

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

Present: Hon. Jack Komar, Judge
Melissa Crawford, Reporter

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

MINUTE ORDER:

The outstanding discovery issues between AVEK and Quartz Hill Water District were resolved; the Discovery Conference set for today is taken off calendar.

FINAL FAIRNESS HEARING/WOOD PLAINTIFFS PARTIAL CLASS ACTION

SETTLEMENT – The settlement between the Wood Plaintiffs and the Settling Defendants, comprised of the City of Lancaster, Palmdale Water District, Phelan Piñon Hill Community Services District, and Rosamond Community Services District was preliminarily approved on October 25, 2013 and came on for Final Fairness Hearing today. There were no class members present who opposed the settlement. The matter was heard and argued. The Court approved the Wood Plaintiffs' Partial Class Action Settlement with the Settling Defendants subject to a final determination on the issue of attorneys' fees and costs and approval of the proposed judgment.

[Proposed] Discovery Order for Phase 6 Trial, prepared by Attorney Kuhs – matter was heard and argued, and continued to January 7, 2014 at 10am for further hearing.

The Stipulation posted online on December 11, 2013, between the Bolthouse parties and Phelan Piñon Hill Community Services District, to Extend the Date for Supplemental Expert Witness Designation for Phase 5 Trial is between the two parties and the Court will not sign the Order.

On or about September 6, 2013, Attorney Michael McLachlan submitted to the Court, for *in camera* review, invoices from Cardno/Entrix dated July 23, 2013 and August 13, 2013. No objections have been made by any party, to date, and the Court thereby approved said invoices.

PARTIES/ATTORNEYS OF RECORD:

Present in person:

Michael McLachlan – Wood Plaintiffs

Thomas Bunn – Palmdale Water District

Douglas Evertz – City of Lancaster; Rosamond Community Services District

Christopher Sanders – County Sanitation District Nos. 14 & 20 of Los Angeles County

William Brunick – Antelope Valley East-Kern Water Agency (AVEK)

Steven Orr – City of Palmdale

Jeffrey Dunn – Los Angeles County Waterworks District No. 40

See attached CourtCall list for counsel appearing telephonically.

REPORTER:

This matter was reported by Melissa Crawford, CSR #12288. Phone number 408-882-2185. Email: mcrawford@scscourt.org.

EVENT CALENDAR:

The Court advises that it will be unavailable from December 12, 2013, up to and including, December 19, 2013.

January 7, 2014 Old Dept 1, Los Angeles	10am	Motion by Wood Plaintiffs for Approval of Award of Attorneys' Fees and Costs; Motion by Wood Settling Defendants for Determination of Good Faith Settlement; Motion by Wood Class Settling Defendants to be Relieved of All Court Orders for Payment of Court-Appointed Expert Fees and Costs; Approval of Proposed Discovery Order No. 6, as Prepared by Attorney Robert Kuhs
January 27, 2014 Old Dept 1, Los Angeles	9am	Motion by Antelope Valley-East Kern Water Agency for Summary Adjudication of All Causes of Action Relating to Ownership of Return Flows; Motion by AGWA for Summary Adjudication
February 10, 2014 Old Dept 1, Los Angeles	9am	Trial, Phase 5 (return flows, federal reserve rights)
April 1, 2014 Old Dept 1, Los Angeles	9am	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
August 4, 2014 Old Dept 1, Los Angeles	9am	Trial, Phase 6 (prescription + remaining issues)