

**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, September 5, 2014

9:00 AM

Location: [CourtCall]

Superior Court of California
County of Santa Clara

Antelope Valley Groundwater Cases (JCCP 4408)
Los Angeles County Superior Court, Case No. BC 325 201
September 5, 2014 (9:00AM) / Hon. Jack Komar

F:\Komar\Antelope Valley\2014-09-05 MO.doc

Present: Hon. Jack Komar, Judge
_____, Reporter

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

MINUTE ORDER:

Status Conference: Global Settlement and Issue of Wood Class Attorneys' Fees

Attorneys Jeffrey Dunn (LACWD No. 40) and Richard Zimmer (Bolthouse Properties LLC) reported that global settlement has not yet been reached, but negotiations continue.

The Court confirmed that the October 10, 2014 deadline for settlement submissions remains set, after which the Court will set a hearing on approval. If no settlement agreement is filed for approval, the Court will activate the trial schedule and set appropriate dates for the same.

The Court ordered the parties to further meet and confer on September 9, 2014 at 11:00 a.m. at the Los Angeles office of Best, Best & Krieger, LLP, for the purpose of reaching a resolution of how the attorneys' fees issue may be structured.

A further status conference is set for September 26, 2014 at 10:00 a.m. in Department 20 (Old Court House), Superior Court of California, County of Santa Clara, 161 N. 1st Street, San Jose, California 95113.

Ex Parte Application by the Wood Class for Order Compelling Defendants to Pay Court-Appointed Expert Invoices

The Court directed Attorney Michael McLachlan (Wood Class) to file a noticed motion on this issue.

Ex Parte Application by the Wood Class for Order Modifying Class List

Attorney Dunn (LACWD No. 40) objects to this application. The Court directed Attorney McLachlan (Wood Class) to file a noticed motion on this issue.

Phelan Piñon Hills Community Services District ("PPH")

In the minute order from August 29, 2014, the minutes noted that PPH would be bringing a motion in limine on the issue of surplus. The minute order is now corrected to reflect that, at the hearing on August 29, 2014, it was Attorney Jeffrey Dunn, counsel for LACWD No. 40, who expressed an interest in filing a motion in limine against PPH regarding the issue of surplus as it relates to PPH's 2nd cause of action. Given Mr. Dunn's comments and that PPH would not seek to exclude what it seeks to establish (surplus), PPH will not be bringing such a motion, although it may bring other motions in limine for hearing on September 26, 2014.

Other

The Court will be unavailable from September 10, 2014 through September 21, 2014.

PARTIES/ATTORNEYS OF RECORD:

See attached CourtCall List.

REPORTER:

Not Reported

EVENT CALENDAR:

September 9, 2014	No Time	Due Date for Notice of Intent to Participate. Due Date for Disclosure of Percipient Witnesses with a summary statement of anticipated testimony and Designation of Experts.
September 22, 2014	No Time	Due Date for PPH updated statement
September 25, 2014	No Time	Due Date for responses to PPH updated statement
September 26, 2014 Department 20 161 N. 1 st Street San Jose, CA 95113	10am	Status Conference – (PPH issues; global settlement; Wood Class Attorneys’ Fees issue); motions in limine; Motion by Charles Tapia and the Nellie Tapia Family Trust to Set Aside Default in Cross-Complaint and Request for Sanctions
October 7, 2014 Location TBD	9am	Hearing related to Phelan Piñon Hills Community Services District (3 days)
October 10, 2014 Location TBD	No Time	Due Date for Settlement Submission, after which the Court will set a hearing date
December 2014	TBD	Hearing on Blum Trust motion for summary judgment – date/time/location TBD

MATTERS OFF CALENDAR AND CONTINUED UNTIL FURTHER ORDER OF THE COURT:

April 4, 2014	9am	Ex Parte Application by the United States to continue briefing schedule on the Federal Reserve Right Claim (currently: closing brief due April 2, 2014; opposition brief due April 22, 2014; reply brief due 5/1/14; stands submitted as of 5/1/14.
---------------	-----	---

Ex Parte Application by the Public Water Suppliers
to Extend Date to Respond to Phase 6 Discovery
Order

~~April 7, 2014~~ 9am
Dept 41, Room 417, 4th Fl.
Los Angeles

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

Joinders to the above motion by the Bolthouse
Entities

(Continued) Trial, Phase 5 (return flows, federal
reserve rights); Wm. Bolthouse Farms, Inc.'s
Motion for Non-Suit on the Federal Reserve Right
Claim

~~August 4, 2014~~ 9am
Old Dept 1, Los Angeles

Trial, Phase 6 (prescription + remaining issues)