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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA**

**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

Judicial Council Coordination Proceeding No.
4408

Santa Clara Case No. 1-05-CV-049053
Assigned to The Honorable Jack Komar

**CASE MANAGEMENT CONFERENCE
STATEMENT**

Date: December 2, 2005
Time: 10:00 a.m.
Dept: 17

At the September 27, 2005 Case Management Conference, the Court Ordered plaintiff Los Angeles County Waterworks to begin naming landowners to this lawsuit. Plaintiff has complied with

1 this Order and landowners are now being brought in to the case in a phased manner beginning with
2 the largest landowners in the Valley.

3 As anticipated, AGWA is composed of a large number of these initial landowners. AGWA
4 continues to believe that plaintiff's timely naming of landowner defendants will help to move this
5 case forward in an orderly manner. However, the Court can be of additional assistance in this
6 process by providing a further Order which extends the deadline for the filing of responsive
7 pleadings by these landowners. This extension should be to an unspecified date in the future when it
8 will be more appropriate for such responsive pleadings to be received. LA County is prevented from
9 consenting to this without Court authorization by Rule 201.7(d), which limits the parties' ability to
10 stipulate without leave of Court to one 15-day extension beyond the 30-day time period prescribed
11 for filing responses after service of the complaints.
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14 There are at least two reasons why such an Order would be appropriate at this time.

15 First, Edwards Airforce Base has been named as a party to the lawsuit, raising the prospect
16 that the case will be removed to federal court. Such removal may affect the responses available or
17 appropriate to the landowner defendants. It may also render any pleadings filed with the current
18 Court moot. The deadline for the filing of responsive pleadings should, at the very least, be extended
19 until the question of whether the case will be removed to federal court has been resolved.
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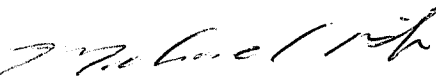
21 Second, the landowners are currently organizing themselves into groups in order to more
22 efficiently participate in this case. For example, many parties have contacted AGWA and are
23 currently in the process of being added to our group. It will be to the advantage of all parties to allow
24 the landowners defendants to organize in an orderly manner. This process can only be confused if
25 these groups must also begin filing responsive briefs before fully organizing. The Court is already
26 faced with a Demurrer and a Motion to Strike filed by two of the previously named landowner
27 defendants. If an extension of time is not granted, then the Court will be faced with a multitude of
28

1 such pleadings filed by disparate parties who may have otherwise organized into coherent groups
2 had they been given adequate time. This process will then be repeated each time a new group of
3 landowners is named by the plaintiff.

4 For these two reasons, the Court should provide an open extension of time in which the
5 landowner defendants are required to file responsive pleadings. When the time is appropriate for the
6 filing of responses, the Court can provide a response schedule and all of the landowner defendants
7 can provide their responses at the same time to be addressed by the Court in an organized manner.
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12 Dated: November 28, 2005

HATCH & PARENT, A LAW CORPORATION

13
14 By: 

15 MICHAEL T. FIFE
16 BRADLEY J. HERREMA
17 ATTORNEYS FOR AGWA
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA

I am employed in the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action; my business address is: 21 E. Carrillo Street, Santa Barbara, California 93101.

On November 28, 2005, I served the foregoing document described as:

CASE MANAGEMENT CONFERENCE STATEMENT

on the interested parties in this action.

X By sending an electronic copy to the party's e-mail address listed on the attached service list at 11 p.m. a.m. on March, 2005. This electronic transmission was reported as complete and without error. November 28

- by U.S. Mail to the three courts listed on the attached service list. I am readily familiar with the firm's practice of collection and processing correspondence on the same day with postage thereon fully prepaid at Santa Barbara, California, in the ordinary course of business.

- (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

- (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed at Santa Barbara, California, on November 28, 2005.

Angelina Faria
TYPE OR PRINT NAME

Angelina Faria
SIGNATURE

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