

# **EXHIBIT H**

June 19, 2009

***Via Email & U.S. Mail***

[mike@mclachlanlaw.com](mailto:mike@mclachlanlaw.com)

Michael D. McLachlan, Esq.  
Law Offices of Michael D. McLachlan  
523 West Sixty Street, Suite 215  
Los Angeles, CA 90014

[dan@danolearylaw.com](mailto:dan@danolearylaw.com)

Daniel M. O'Leary  
Law Offices of Daniel M. O'Leary  
523 West Sixth Street, Suite 215  
Los Angeles, CA 90014

**Re: *Antelope Valley Groundwater Cases*  
Case No. 1-05-CV-049053; JCC No. 4408  
Motion to Disqualify Counsel**

**Executive Summary**

You have moved to disqualify our law firm on the grounds that there is a conflict of interest between our clients. Your allegation of a conflict of interest comes from your find that two of our public entity clients filed a complaint against four of our mutual water company clients. This suggestion is factually inaccurate.

As demonstrated in more detail below, *all* eight of our clients have been sued by Los Angeles County Waterworks District No. 40 ("District No. 40"). Our public entity clients have not named any of our mutual water company clients as defendants/cross-defendants in any complaint or cross-complaint. Instead, your confusion appears to arise from erroneously titled answers filed on behalf of four of our mutual water clients. We ask you to confirm the information in this correspondence and then withdraw your motion.

**Procedural History**

As you know, our offices only represent water purveyors in this case. Our public water purveyors are: Littlerock Creek Irrigation District, Palm Ranch Irrigation District, Desert Lake Community Services District and North Edwards Water District. Our private water purveyor clients are: Llano Del-Rio Water Company,

Llano Mutual Water Company, Big Rock Mutual Water Company, and Little Baldy Water Company.

There are two separate and distinct operative pleadings in this matter: (1) the original complaint filed by Los Angeles County Water Works District No. 40; and (2) the cross-complaint filed by District 40 on behalf of the "Public Water Suppliers." Our clients are *all* defendants to the complaint filed by District 40. None of our clients are cross-defendants in the Public Water Suppliers' cross-complaint.

### **Complaint of County Water Works District No. 40**

The first parties we represented in this case were Littlerock Creek Irrigation District and Palm Ranch Irrigation. These parties were named as defendants in a lawsuit brought by District No. 40 in its complaint filed on December 1, 2004. On May 22, 2006, District No. 40 filed a Doe Amendment to its original complaint, which named two more of our public entity defendants: Desert Lake Community Services District and North Edwards Water District.

Thereafter, on April 4, 2007, District 40 filed Doe Amendments to include our four private water company clients. Shortly thereafter, our private water company clients filed separate answers to District 40's Cross-Complaint. (These were entitled, "Answer of [name] to First Amended Cross-Complaint of Public Water Suppliers for Declaratory and Injunctive Relief and Adjudication of Water Rights.") However, it appears these captions are in error. In fact, these were not answers filed to the cross-complaint filed by the Public Water Suppliers' generally – as the cross-complaint was never directed to these parties – but, instead, answers to District 40's separate complaint.

### **Cross-Complaint of Public Water Suppliers**

Some time prior to 2006, the court suggested at a status conference that a "master pleading" could be filed on behalf of all "public water suppliers." On January 18, 2006, the County of Los Angeles filed a cross-complaint on behalf of the "Public Water Suppliers" naming various individual parties. (This cross-complaint included two of our clients as cross-complainants.) None of the parties named as cross-defendants in this cross-complaint are represented by our offices.

Subsequently, on July 13, 2007, and again on June 9, 2009, District No. 40 filed Roe Amendments to the Public Water Suppliers' cross-complaint, naming a large number of additional parties. We represent none of these *Roe* defendants. In sum, the Roe Amendments to the "form complaint" filed on behalf of the "Public Water Suppliers," *never named our clients as defendants.*

For your convenience, we have attached copies of the Doe Amendments directed to our private water purveyor clients. As you can see by reference to these documents, the Doe Amendments were made on behalf of Los Angeles County and Rosamond to their original complaint. District No. 40's original complaint included "*Does* 1 through 25,000." Our clients were added to this complaint as *Does* 200, 204, 205 and 207. (Conversely, the Public Water Suppliers cross-complaint has defendants identified as "*Roes* 1 through 100,000.") You will also notice the summons attached is the original summons issued in connection with the County's original complaint. As you can see from this document, it comes from the County of Los Angeles on behalf of its own separate complaint and was not filed by my clients on their behalf. Therefore, your suggestion my clients sued each other is simply inaccurate.

#### **Request To Withdraw Disqualification Motion**

As you can see there is no valid basis for your disqualification motion. Please be advised our offices will be filing a Notice of Errata to change the captions of answers filed by our private water purveyor clients. We expect that based on this information, you will withdraw your motion to disqualify.

Please give me a call if you need clarification regarding any of the information contained herein.

Very truly yours,

LEMIEUX & O'NEILL



W. Keith Lemieux

KL:km  
Enclosures

**AMENDED SUMMONS ON ORIGINAL COMPLAINT  
(CITACION JUDICIAL)**

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):**

DIAMOND FARMING COMPANY; BOLTHOUSE PROPERTIES, INC.; CITY OF LANCASTER; CITY OF LOS ANGELES; CITY OF PALMDALE; LITTLEROCK CREEK IRRIGATION DISTRICT; PALMDALE WATER DISTRICT; (See Attached Additional Parties Form)

**YOU ARE BEING SUED BY PLAINTIFF:**

**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association.

*Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted puede usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.courtinfo.ca.gov/selfhelp/espanol/](http://www.courtinfo.ca.gov/selfhelp/espanol/)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia. Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.courtinfo.ca.gov/selfhelp/espanol/](http://www.courtinfo.ca.gov/selfhelp/espanol/)) o poniéndose en contacto con la corte o el colegio de abogados locales.*

The name and address of the court is:  
(El nombre y dirección de la corte es):

Santa Clara County Superior Court  
161 North First Street  
San Jose, California 95113-1090

CASE NUMBER.  
(Número del Caso)  
105 CV 049053

Los Angeles County Superior  
Court Case No. BC325201

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante o del demandante que no tiene abogado, es):

Jeffrey V. Dunn - Eric L. Garner, Esq.  
Best Best & Krieger LLP  
5 Park Plaza, Suite 1500  
Irvine, California 92614

(949) 263-2600 (949) 260-0972

**KIRI TORRE**  
Chief Executive Officer  
Superior Court of CA, County of Santa Clara

DATE:

(Fecha)

**Oct 19, 2005**

Clerk, by  
(Secretario)

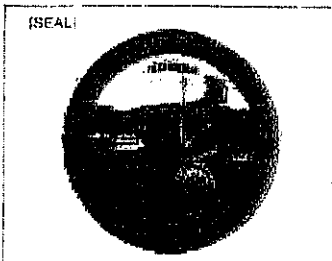
C. Sakai

Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

**NOTICE TO THE PERSON SERVED: You are served**



1. ☐ as an individual defendant.
2. ☒ as the person sued under the fictitious name of (specify): **Del 200**
3. ☒ on behalf of (specify): **Big Rock Mutual Water Company**  
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)  
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)  
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)  
☐ other (specify)
4. ☐ by personal delivery on (date).

SHORT TITLE: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 vs.  
DIAMOND FARMING COMPANY; et al.

CASE NUMBER  
105 CV 049053 & BC325201

INSTRUCTIONS FOR USE

- 3 This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.  
3 If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party):

☐ Plaintiff ☒ Defendant ☐ Cross-Complainant ☐ Cross-Defendant

PALM RANCH IRRIGATION DISTRICT;  
QUARTZ HILL WATER DISTRICT;  
EDWARDS AIR FORCE BASE, CALIFORNIA (DOE 2);  
UNITED STATES DEPARTMENT OF THE AIR FORCE (DOE 3);  
DOES 4 through 25,000, inclusive

NAME, ADDRESS, AND TELEPHONE NUMBER OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER	Reserved for Clerk's File Stamp
Jeffrey V. Dunn Stefanie D. Hedlund, SBN 239787 Best Best & Krieger LLP 5 Park Plaza, Suite 1500 Irvine, California 92614		131926	
ATTORNEY FOR (Name): L.A. County Waterworks Dist. 40 & Rosamond CSD			
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>			
COURTHOUSE ADDRESS: 111 North Hill Street Los Angeles, California 90012			
PLAINTIFF: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40; et.al.			
DEFENDANT: DIAMOND FARMING COMPANY; et.al.			
<b>AMENDMENT TO COMPLAINT</b> (Fictitious /Incorrect Name)			CASE NUMBER: 4408

☒ **FICTITIOUS NAME (No order required)**


Upon the filing of the complaint, the plaintiff, being ignorant of the true name of the defendant and having designated the defendant in the complaint by the fictitious name of:

FICTITIOUS NAME
Doe 200

and having discovered the true name of the defendant to be:

TRUE NAME
Big Rock Mutual Water Company

amends the complaint by substituting the true name for the fictitious name wherever it appears in the complaint.

DATE	TYPE OR PRINT NAME	SIGNATURE OF ATTORNEY
April 4, 2007	Stefanie D. Hedlund	

☐ **INCORRECT NAME (Order required)**

The plaintiff, having designated a defendant in the complaint by the incorrect name of:

INCORRECT NAME

and having discovered the true name of the defendant to be:

TRUE NAME

amends the complaint by substituting the true name for the incorrect name wherever it appears in the complaint.

DATE	TYPE OR PRINT NAME	SIGNATURE OF ATTORNEY

**ORDER**

THE COURT ORDERS the amendment approved and filed.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Judicial Officer

**PROOF OF SERVICE**

I, Kerry V. Keefe, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger LLP, 5 Park Plaza, Suite 1500, Irvine, California 92614. On April 5, 2007, I served the within document(s):

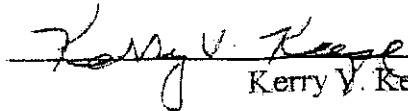
**AMENDMENT TO COMPLAINT (Big Rock Mutual Water Company)**

- ☒ by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Irvine, California addressed as set forth below.
- ☐ by causing personal delivery by ASAP Corporate Services of the document(s) listed above to the person(s) at the address(es) set forth below.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- ☐ I caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by Federal Express following the firm's ordinary business practices.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on April 5, 2007, at Irvine, California.

  
Kerry V. Keefe



NAME, ADDRESS, AND TELEPHONE NUMBER OF ATTORNEY OR PARTY WITHOUT ATTORNEY:		STATE BAR NUMBER:	Reserved for Clerk's File Stamp
Jeffrey V. Dunn Stefanie D. Hedlund, SBN 239787 Best, Best & Krieger LLP 5 Park Plaza, Suite 1500 Irvine, California 92614		131926	
ATTORNEY FOR (Name): L.A. County Waterworks Dist. 40 & Rosemead CSD			
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>			
COURTHOUSE ADDRESS: 111 North Hill Street Los Angeles, California 90012			
PLAINTIFF: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40; et al.			
DEFENDANT: DIAMOND FARMING COMPANY; et al.			
<b>AMENDMENT TO COMPLAINT</b> (Fictitious/Incorrect Name)			CASE NUMBER: 4408

☒ **FICTITIOUS NAME (No order required)**


Upon the filing of the complaint, the plaintiff, being ignorant of the true name of the defendant and having designated the defendant in the complaint by the fictitious name of:

FICTITIOUS NAME  
Doe 204

and having discovered the true name of the defendant to be:

TRUE NAME  
Little Baldy Water Company

amends the complaint by substituting the true name for the fictitious name wherever it appears in the complaint.

DATE April 4, 2007	TYPE OR PRINT NAME Stefanie D. Hedlund	SIGNATURE OF ATTORNEY 
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☐ **INCORRECT NAME (Order required)**

The plaintiff, having designated a defendant in the complaint by the incorrect name of:

INCORRECT NAME

and having discovered the true name of the defendant to be:

TRUE NAME

amends the complaint by substituting the true name for the incorrect name wherever it appears in the complaint.

DATE	TYPE OR PRINT NAME	SIGNATURE OF ATTORNEY

**ORDER**

THE COURT ORDERS the amendment approved and filed.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Judicial Officer

**PROOF OF SERVICE**

I, Kerry V. Keefe, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger LLP, 5 Park Plaza, Suite 1500, Irvine, California 92614. On April 5, 2007, I served the within document(s):

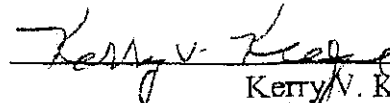
**AMENDMENT TO COMPLAINT (Little Baldy Water Company)**

- ☒ by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Irvine, California addressed as set forth below.
- ☐ by causing personal delivery by ASAP Corporate Services of the document(s) listed above to the person(s) at the address(es) set forth below.
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I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on April 5, 2007, at Irvine, California.

  
Kerry V. Keefe

**AMENDED SUMMONS ON ORIGINAL COMPLAINT**  
**(CITACION JUDICIAL)**

FOR COURT USE ONLY  
 (SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:**

**(AVISO AL DEMANDADO):**

DIAMOND FARMING COMPANY; BOLTHOUSE PROPERTIES, INC.; CITY OF LANCASTER; CITY OF LOS ANGELES; CITY OF PALMDALE; LITTLEROCK CREEK IRRIGATION DISTRICT; PALMDALE WATER DISTRICT; (See Attached Additional Parties Form)

**YOU ARE BEING SUED BY PLAINTIFF:**

**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

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 (El nombre y dirección de la corte es):

Santa Clara County Superior Court  
 161 North First Street  
 San Jose, California 95113-1090

CASE NUMBER.  
 (Número del Caso)  
 105 CV 049053

Los Angeles County Superior  
 Court Case No. BC325201

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Jeffrey V. Dunn - Eric L. Garner, Esq.

(949) 263-2600

(949) 260-0972

Best Best & Krieger LLP

5 Park Plaza, Suite 1500

Irvine, California 92614

DATE:

(Fecha)

**Oct 19, 2005**

Clerk, by

(Secretario)

C. Sakai

Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons. (POS-010)).

**NOTICE TO THE PERSON SERVED: You are served**

1. ☐ as an individual defendant.

2. ☒ as the person sued under the fictitious name of (specify): **Del 2005**

3. ☒ on behalf of (specify): **Llano Del Rio Water Company**

under: ☐ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☐ other (specify):

4. ☐ by personal delivery on (date):

☐ CCP 416.60 (minor)

☐ CCP 416.70 (conservatee)

☐ CCP 416.90 (authorized person)

SHORT TITLE: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 vs.  
DIAMOND FARMING COMPANY; et al.

CASE NUMBER  
105 CV 049053 & BC325201

INSTRUCTIONS FOR USE

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List additional parties (Check only one box. Use a separate page for each type of party):

☐ Plaintiff ☒ Defendant ☐ Cross-Complainant ☐ Cross-Defendant

PALM RANCH IRRIGATION DISTRICT;  
QUARTZ HILL WATER DISTRICT;  
EDWARDS AIR FORCE BASE, CALIFORNIA (DOE 2);  
UNITED STATES DEPARTMENT OF THE AIR FORCE (DOE 3);  
DOES 4 through 25,000, inclusive

NAME, ADDRESS, AND TELEPHONE NUMBER OF ATTORNEY OR PARTY WITHOUT ATTORNEY Jeffrey V. Dunn Stefanie D. Hedlund, SBN 239787 Best Best & Krieger LLP 5 Park Plaza, Suite 1500 Irvine, California 92614 ATTORNEY FOR (Name): L.A. County Waterworks Dist. 40 & Rosamond CSD		STATE BAR NUMBER 131926	Reserved for Clerk's File Stamp
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>			
COURTHOUSE ADDRESS: 111 North Hill Street Los Angeles, California 90012			
PLAINTIFF: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40; et al.			
DEFENDANT: DIAMOND FARMING COMPANY; et al.			
<b>AMENDMENT TO COMPLAINT</b> (Fictitious / Incorrect Name)			CASE NUMBER: 4408

☒ **FICTITIOUS NAME (No order required)**

Upon the filing of the complaint, the plaintiff, being ignorant of the true name of the defendant and having designated the defendant in the complaint by the fictitious name of:

FICTITIOUS NAME


Doe 205

and having discovered the true name of the defendant to be:

TRUE NAME

Llano Del Rio Water Company

amends the complaint by substituting the true name for the fictitious name wherever it appears in the complaint.

DATE April 4, 2007	TYPE OR PRINT NAME Stefanie D. Hedlund	SIGNATURE OF ATTORNEY 
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☐ **INCORRECT NAME (Order required)**

The plaintiff, having designated a defendant in the complaint by the incorrect name of:

INCORRECT NAME

and having discovered the true name of the defendant to be:

TRUE NAME

amends the complaint by substituting the true name for the incorrect name wherever it appears in the complaint.

DATE	TYPE OR PRINT NAME	SIGNATURE OF ATTORNEY
------	--------------------	-----------------------

**ORDER**

THE COURT ORDERS the amendment approved and filed.

Dated

Judicial Officer

**PROOF OF SERVICE**

I, Kerry V. Keefe, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger LLP, 5 Park Plaza, Suite 1500, Irvine, California 92614. On April 5, 2007, I served the within document(s):

**AMENDMENT TO COMPLAINT (Llano Del Rio Water Company)**



by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.



by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Irvine, California addressed as set forth below.



by causing personal delivery by ASAP Corporate Services of the document(s) listed above to the person(s) at the address(es) set forth below.



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Executed on April 5, 2007, at Irvine, California.

  
Kerry V. Keefe

**AMENDED SUMMONS ON ORIGINAL COMPLAINT  
(CITACION JUDICIAL)**

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:**

**(AVISO AL DEMANDADO):**

DIAMOND FARMING COMPANY; BOLTHOUSE PROPERTIES, INC.; CITY OF LANCASTER; CITY OF LOS ANGELES; CITY OF PALMDALE; LITTLEROCK CREEK IRRIGATION DISTRICT; PALMDALE WATER DISTRICT; (See Attached Additional Parties Form)

**YOU ARE BEING SUED BY PLAINTIFF:**

**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form. If you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted puede usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.courtinfo.ca.gov/selfhelp/espanol/](http://www.courtinfo.ca.gov/selfhelp/espanol/)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia. Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.courtinfo.ca.gov/selfhelp/espanol/](http://www.courtinfo.ca.gov/selfhelp/espanol/)) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:  
(El nombre y dirección de la corte es):

Santa Clara County Superior Court  
161 North First Street  
San Jose, California 95113-1090

CASE NUMBER.  
(Número del Caso).  
105 CV 049053

Los Angeles County Superior  
Court Case No. BC325201

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
Jeffrey V. Dunn - Eric L. Garner, Esq. (949) 263-2600 (949) 260-0972

Best Best & Krieger LLP  
5 Park Plaza, Suite 1500  
Irvine, California 92614

**KIRI TORRE**  
Chief Executive Officer  
Superior Court of CA, County of Santa Clara

DATE:

(Fecha)

**Oct 19, 2005**

Clerk, by

(Secretario)

C. Sakai

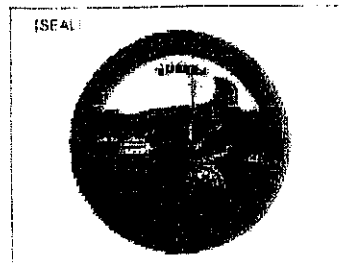
Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

**NOTICE TO THE PERSON SERVED: You are served**



1. ☐ as an individual defendant.
2. ☒ as the person sued under the fictitious name of (specify): **Doe 207**
3. ☒ on behalf of (specify): **Ulan Mutual Water Company**  
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)  
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)  
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)  
☐ other (specify):
4. ☐ by personal delivery on (date):

SHORT TITLE: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 vs.  
DIAMOND FARMING COMPANY; et al.

CASE NUMBER  
105 CV 049053 & BC325201

INSTRUCTIONS FOR USE

- 3 This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.  
3 If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party):

☐ Plaintiff ☒ Defendant ☐ Cross-Complainant ☐ Cross-Defendant

PALM RANCH IRRIGATION DISTRICT;  
QUARTZ HILL WATER DISTRICT;  
EDWARDS AIR FORCE BASE, CALIFORNIA (DOE 2);  
UNITED STATES DEPARTMENT OF THE AIR FORCE (DOE 3);  
DOES 4 through 25,000, inclusive



NAME, ADDRESS, AND TELEPHONE NUMBER OF ATTORNEY OR PARTY WITHOUT ATTORNEY: Jeffrey V. Dunn Stefanie D. Hedlund, SBN 239787 Best Best & Krieger LLP 5 Park Plaza, Suite 1500 Irvine, California 92614 ATTORNEY FOR (Name): L.A. County Waterworks Dist. 40 & Rosamond CSD		STATE BAR NUMBER: 131926	Reserved for Clerk's File Stamp
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>			
COURTHOUSE ADDRESS: 111 North Hill Street Los Angeles, California 90012			
PLAINTIFF: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40; et al.			
DEFENDANT: DIAMOND FARMING COMPANY; et al.			
<b>AMENDMENT TO COMPLAINT</b> (Fictitious /Incorrect Name)			CASE NUMBER: 4408

☒ **FICTITIOUS NAME (No order required)**

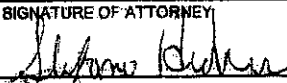
Upon the filing of the complaint, the plaintiff, being ignorant of the true name of the defendant and having designated the defendant in the complaint by the fictitious name of:

FICTITIOUS NAME  
Doe 207

and having discovered the true name of the defendant to be:

TRUE NAME  
Llano Mutual Water Company

amends the complaint by substituting the true name for the fictitious name wherever it appears in the complaint.

DATE April 4, 2007	TYPE OR PRINT NAME Stefanie D. Hedlund	SIGNATURE OF ATTORNEY 
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☐ **INCORRECT NAME (Order required)**

The plaintiff, having designated a defendant in the complaint by the incorrect name of:

INCORRECT NAME

and having discovered the true name of the defendant to be:

TRUE NAME

amends the complaint by substituting the true name for the incorrect name wherever it appears in the complaint.

DATE	TYPE OR PRINT NAME	SIGNATURE OF ATTORNEY
------	--------------------	-----------------------

**ORDER**

THE COURT ORDERS the amendment approved and filed.

Dated \_\_\_\_\_

\_\_\_\_\_  
Judicial Officer

PROOF OF SERVICE

I, Kerry V. Keefe, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger LLP, 5 Park Plaza, Suite 1500, Irvine, California 92614. On April 5, 2007, I served the within document(s):

**AMENDMENT TO COMPLAINT (Little Baldy Water Company)**



by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.



by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Irvine, California addressed as set forth below.



by causing personal delivery by ASAP Corporate Services of the document(s) listed above to the person(s) at the address(es) set forth below.



by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

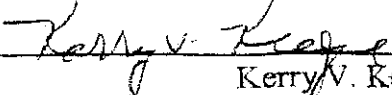


I caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by Federal Express following the firm's ordinary business practices.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on April 5, 2007, at Irvine, California.

  
Kerry V. Keefe