

WAYNE K. LEMIEUX (SBN 43501)
W. KEITH LEMIEUX (SBN 161850)
LEMIEUX & O'NEILL
2393 Townsgate Road, Suite 201
Westlake Village, California 91361
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Attorneys for Defendants

LITTLEROCK CREEK IRRIGATION DISTRICT, PALM RANCH IRRIGATION DISTRICT,
NORTH EDWARDS WATER DISTRICT, DESERT LAKE COMMUNITY SERVICES DISTRICT,
LLANO DEL-RIO WATER CO., LLANO MUTUAL WATER CO., BIG ROCK MUTUAL WATER
CO., and LITTLE BALDY WATER CO.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT

Coordinated Proceeding
Special Title (Rule 1550(b))

ANTELOPE VALLEY GROUNDWATER
CASES

Included Actions:

Los Angeles County Waterworks District No. 40
v. Diamond Farming Co. Los Angeles County
Superior Court Case No. BC 325201;

Los Angeles County Waterworks District No. 40
v. Diamond Farming Co., Kern County Superior
Court, Case No. S-1500-CV-234348;

Wm. Bolthouse Farms, Inc. v. City of Lancaster,
Diamond Farming Co. v. City of Lancaster v.
Palmdale Water District, Riverside County
Superior Court, Consolidated Actions, Case Nos.
RIC 353840, RIC 344436, RIC 344668

AND RELATED CROSS-ACTIONS

) **Judicial Council Coordination No. 4408**

)
) Santa Clara Case No. 1-05-CV-049053
) Assigned to the Honorable Jack Komar – Dept. 17
)

) **DECLARATION OF WAYNE LEMIEUX IN**
) **SUPPORT OF REQUEST FOR EXTENSION**
) **OF DEADLINE FOR PRODUCTION OF**
) **DECLARATIONS IN OPPOSITION TO**
) **MOTION FOR DISQUALIFICATION**

) **DATE: August 17, 2009**
) **TIME: 9:00 A.M.**
) **DEPT: Los Angeles, Department 1**

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I, Wayne K. Lemieux, declare as follows:

1. I am a partner at Lemieux & O'Neill, counsel of record for Desert Lake Community Services District, North Edwards Water District, Palm Ranch Irrigation District, Littlerock Creek Irrigation District, Llano Del-Rio Water Company, Little Baldy Water District, Llano Mutual Water Company, and Big Rock Mutual Water Company in this case.

2. I have personal knowledge of the facts set forth herein, and if called to testify, I could and would competently testify thereto.

3. At the initial hearing on the motion for disqualification, counsel for the above-referenced parties indicated that additional time may be needed to schedule board meetings and consider the proposed declarations in closed session. The court indicated this may be raised on August 17, 2009.

4. Several of Lemieux & O'Neill's clients have not had sufficient time to schedule a closed session meeting of their respective boards to consider the proposed declarations in opposition to motion for disqualification. The following clients will discuss this matter at their next board meetings, but request an additional thirty (30) days to produce declarations in opposition to the motion for disqualification: Llano Del-Rio Water Company, Little Baldy Water District, Llano Mutual Water Company, and Big Rock Mutual Water Company.

5. General Manager of Littlerock Creek Irrigation District has been in Montana for several weeks on a pre-scheduled vacation. He was reached on his vacation, and has indicated that he will execute the declaration when he returns during the week of August 17, 2009.

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

Executed on August 13, 2009, at Westlake Village, California.

/s/

WAYNE K. LEMIEUX

PROOF OF SERVICE

STATE OF CALIFORNIA,)
) ss.
COUNTY OF VENTURA)

I am employed in the County of Ventura, State of California. I am over the age of 18 and not a party to the within action. My business address is 2393 Townsgate Road, Suite 201, Westlake Village, California 91361.

On **August 14, 2009**, I posted the following document(s) to the website <http://www.scefiling.org>, a dedicated link to the Antelope Valley Groundwater Cases:

DECLARATION OF WAYNE LEMIEUX IN SUPPORT OF REQUEST FOR EXTENSION OF DEADLINE FOR PRODUCTION OF DECLARATIONS IN OPPOSITION TO MOTION FOR DISQUALIFICATION

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

Executed on August 14, 2009, in Westlake Village, California.

/s/

KATHI MIERS

SERVICE LIST

Antelope Valley Groundwater Cases: Case No. 1: 05-CV-049053

	Eduardo Angeles, Esq. MANAGING CITY ATTORNEY 1 World Way Los Angeles, CA 90009	Attorneys for City of Los Angeles-Airport Div. Tel: 310/646-3260; Fax: 310/646-9617 Eangeles@lawa.org
	Richard M. Brown, Esq. Department of Water & Power 111 North Hope St. P. O. Box 111 Los Angeles, CA 90012	Attorneys for Dept. Of Water & Power Tel: 213/367-4598; Fax: 213/367-4588 Richard.Brown@ladwp.com
	William Brunick, Esq. and Stephen Kennedy, Esq. BRUNICK, McELHANEY & BECKETT 1839 Commercenter West San Bernardino, CA 92408	Attorneys for Antelope Valley East Kern Water Agency Tel: 909/889-8301; Fax: 090/388-1889 bbrunick@bbmblaw.com
	Daniel P. Brunton, Esq. LATHAM & WATKINS 600 W. Broadway, Suite 1800 San Diego, CA 92101	Attorneys for High Desert Investment, LLC Tel: (619) 236-1234; Fax: (619) 696-7419 daniel.brunton@lw.com
	Thomas Bunn, Esq. LAGERLOF, SENEAL, BRADLEY, GOSNEY & KRUSE 301 North Lake Ave., 10 th Floor Pasadena, CA 91101-4108	Attorneys for Palmdale Water District Tel: 626/793-9400; Fax: 626/793-6900 TomBunn@lagerlof.com
	Marvin G. Burns, Esq. Marvin G. Burns, A Law Corporation 9107 Wilshire Blvd., Suite 800 Beverly Hills, CA 90210-5533	Attorneys for George Stevens, Jr., & George C. Stevens, Jr., Trust Tel: 310/278-6500; Fax: 310/203-9608 MBurns@lurie-zepeda.com
	Edward J. Casey, Esq. Tammy L. Jones, Esq. ALSTON & BIRD, LLP 333 So. Hope St., 16 th Floor Los Angeles, CA 90071	Attorneys for Palmdale Hills Property LLC; enXco Development Corp. (Roe 452) Tel: 213/576-1000; Fax: 213/576-1100 ECasey@alstonl.com Tammy.jones@alston.com
	Julie A. Conboy, Deputy City Attorney Department of Water and Power 111 North Hope Street P.O. Box 111	Attorneys for Department of Water & Power Tel: 213/367-4513; Fax: 213/241-1409 Julie.Conboy@ladwp.com

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**DECLARATION OF WAYNE LEMIEUX IN SUPPORT OF REQUEST FOR EXTENSION OF
DEADLINE FOR DECLARATIONS IN OPPOSITION TO MOTION FOR DISQUALIFICATION**

1	Los Angeles, CA 90012	
2	Michael Duane Davis, Esq. GRESHAM SAVAGE NOLAN & TILDEN, APC 3750 University Avenue, Suite 250 Riverside, CA 92501-3335	Attorneys for XD Richard Landfield (5/23/07) Tel: 951/684-2171; Fax: 951/ 684-2150 Michael.davis@greshamsavage.com
5	Wm. Matthew Ditzhazy, Esq. CITY OF PALMDALE – Legal Dept. 38300 North Sierra Hwy. Palmdale, CA 93550	Attorney for City of Palmdale Tel: 661/267-5108; Fax: 661/267-5178 mditzhazy@cityofpalmdale.com
8	Robert E. Dougherty, Esq. COVINGTON & CROWE, LLP 1131 W. 6 th St., #300 Ontario, CA 91762	Attorneys for A. V. United Mutual Group; White Fence Farms Mutual Water Co., Inc. Tel: 909/983-9393; Fax: 909/391-6762 Rdougherty@covcrowe.com
11	Jeff Dunn, Esq. BEST, BEST & KRIEGER 5 Park Plaza, Suite 1500 Irvine, CA 92614	Attorneys for Los Angeles County Waterworks District No. 40 and Rosamond Community Tel: 949/263-2600; Fax: 949/260-0972 Jeffrey.dunn@bbklaw.com
13	Douglas J. Evertz, Esq. LUCE, FORWARD, HAMILTON & SCRIPPS 2050 Main St., Suite 600 Irvine, CA 92614	Attorney for City of Lancaster Tel: 949/732-3716; Fax: 949/732-3739 Devertz@luce.com
16	Michael T. Fife, Esq. Stephanie Osler Hastings, Esq. Bradley J. Herrema, Esq. BROWNSTEIN, HYATT, FARBER, SCHRECK, LLP 21 East Carrillo Street Santa Barbara, CA 93101	Attorney for Eugene B. Nebeker on behalf of Nebeker Ranch, Inc., Bob Jones on behalf of R&M Ranch, Inc., Forrest G. Godde and Steve Godde, Gailen Kyle on behalf of Kyle & Kyle Ranch, Inc., and John Calandri on behalf of Calandri/ Sonrise Farms, collectively known as the Antelope Valley Groundwater Association ("AGWA"); SPC Del Sur Ranch LLC; Healy Enterprises, Inc. Tel: 805/963-7000; Fax: 805/965-4333 Mfife@bhfs.com ; bherrema@bhfs.com
23	Eric L. Garner, Esq. BEST, BEST & KRIEGER 3750 University Ave., Suite 400 P. O. Box 1028 Riverside, CA 92602-1028	Attorneys for Los Angeles County Waterworks District No. 40 and Rosamond Community Services District Tel: 951/686-1450; Fax: 951/686-3083 Eric.garner@bbklaw.com
26	Janet Goldsmith, Esq. KRONICK, MOSKOWITZ, TIEDMANN & GIRARD	Attorneys for City of Los Angeles Tel: 916/321-4500; Fax: 916/321-4555 jgoldsmith@KMTG.com

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1	400 Capitol Mall, 27 th Floor Sacramento, CA 95814-4417	
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3	Jeffrey A. Green, Esq. Grimmway Farms Legal Dept. P. O. Box 81498 Bakersfield, CA 93380-1498	Attorneys for Grimmway Farms Tel: 661/845-5275; Fax: 661/845-5202 jgreen@grimmway.com
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5	Bob H. Joyce, Esq. LEBEAU-THELEN P. O. Box 12092 Bakersfield, CA 93389-2092	Attorneys for Diamond Farming Co.; Crystal Organic Farms, LLC Tel: 661/325-8962; Fax: 661/325-1127 bjoyce@lebeauthelen.com
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8	Alan Kia, In Pro Per d/b/a Gateway Triangle Properties 5225 Wilshire Boulevard, Suite 1000 Los Angeles, CA 90036-4354	In Pro Per for Gateway Triangle Properties Tel: (323) 934-5000
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11	William C. Kuhs, Esq. KUHS, PARKER & STANTON P. O. Box 2205 Bakersfield, CA 93301	Attorneys for Tejon Ranchcorp (4/28/08) Tel: 661/322-4004; Fax: 661/322-2906 wckuhs@lightspeed.net
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14	Scott K. Kuney, Esq. YOUNG WOOLDRIDGE 1800 30 TH Street, 4 th Floor Bakersfield, CA 93301	Attorneys for Gertrude J. Van Dam and Delmar D. Van Dam Tel: 661/327-9661; Fax: 661/327-0720 skuney@youngwooldridge.com
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17	James L. Markman, Esq. RICHARDS, WATSON & GERSHON P. O. Box 1059 Brea, CA 92822-1059	Attorneys for City of Palmdale Tel: 714/990-0901; Fax: 714/990-6230 jmarkman@rwglaw.com
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19	Dale Murad, Esq. AFLSA/JACE 1501 Wilson Blvd., Suite 629 Arlington, VA 22209-2403	Attorneys for U. S. Department of the Air Force – Edwards Air Force Base Tel: 703/696-9166; Fax: 703/696-9184 [no email]
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22	Steven R. Orr, Esq. RICHARDS, WATSON & GERSHON 355 S. Grand Ave., 40 th Floor Los Angeles, CA 90071-3101	Attorneys for City of Palmdale Tel: 213/626-8484; Fax: 213/626-0078 Sorr@rwglaw.com
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25	Jeffrey Robbins, Esq. STRADLING YOCCA CARLSON & RAUTH 660 Newport Center Drive, Suite 1600 Newport Beach, CA 92660	Attorneys of City of Lancaster Tel: 949/737-4720 Fax: 916/823-6720 JRobbins@sycr.com
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27	LC-PR/Pldg/Declaration.wkl.EXT.Decs.doc - 6 -	

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1	Christopher M. Sanders, Esq. EILLISON, SCHNEIDER & HARRIS	Attorneys for County Sanitation Districts Nos. 14 and 20 of Los Angeles County
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7	Loretta Slaton, Esq. Law Office of Loretta Slaton	Attorneys for Air Trust Singapore Limited
8	2294 Via Puerta, Suite O	Tel: 949/587-2832; Fax: 949/855-1959
9	Laguna Hills, CA 92653	Lslaton81@aol.com
10	Jon A. Slezak, Esq. IVERSON, YOAKUM, PAPIANO & HATCH	Attorneys for City of Los Angeles, Dept. of Airports
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13	William Sloan, Esq. MORRISON & FOERSTER LLP	Attorneys for U. S. Borax, Inc.
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16	John S. Tootle, Esq. CALIFORNIA WATER SERVICE COMPANY	Attorneys for California Water Service Company; Antelope Valley Water Company
17	2632 West 237 th Street	Tel: 310/257-1488 x 322; Fax: 310/325-5658
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19	Bradley T. Weeks, Esq. CHARLTON WEEKS LLP	Attorneys for Quartz Hill Water District (8/08)
20	1007 W. Avenue M-14, Suite A	Tel: 661/265-0969; Fax: 661/265-1650
21	Palmdale, CA 93551	brad@charltonweeks.com
22	Richard G. Zimmer, Esq. CLIFFORD & BROWN	Attorneys for Wm Bolthouse Farms, Inc.
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24	Bakersfield, CA 93301-5230	rzimmer@clifford-brownlaw.com
25	AG and DOJ:	
26	Michael Crow, Esq. Office of the California Attorney General	Parties: State of California; Santa Monica Mountains Conservancy; 50 th District Agricultural Association
27	1300 "I" Street	Tel: 916/327-7856; Fax: 916/327-2319
28	Sacramento, CA 95814	Michael.Crow@doj.ca.gov

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2	Lee Leininger, Esq. U.S. Department of Justice Environmental & Natural Resources Section 1961 Stout St., Suite 800 Denver, CO 80294	Parties: United States of America Tel: 303/844-1364; Fax: 303/844-1350 Lee.leininger@usdoj.gov
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5	Michael Lane Moore, Esq. Office of Los Angeles County Counsel 500 W. Temple Street Los Angeles, CA 90012	Attorneys for L. A. County Waterworks District No. 40 & Rosamond Community Services Dist. Tel: 213/974-8407; Fax: 213/687-7337 mmoore@counsel.lacounty.gov
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8	Debra W. Yang, United States Attorney United States Attorney's Office, Central District of CA 300 North Los Angeles St., Rm 7516, Fed. Bldg. Los Angeles, CA 90012	Tel: 213/894-2474; Fax: 213/894-2380 [no email]
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11	Robert J. Spagnoletti, Esq. Attorney General for the District of Columbia 441 Fourth St., NW, 6 th Floor South Washington, DC 20001	Tel: 202/727-6248 Fax: 202/ [no email]
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14	Robert S. McDonnell, Esq. Attorney General of Virginia 900 East Main Street Richmond, VA 23219	Tel: 804/786-2071; Fax: 804/786-1991 mail@oag.state.va.us
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17	Court Personnel:	
18	Presiding Judge of the Superior Court of California, County of Los Angeles 111 N. Hill Street Los Angeles, CA 90012-3014	CRC Rules 1501(17) and 1540: Coordination Trial Judge
19		
20	Honorable Jack Komar Santa Clara County Superior Court 191 North First Street, Dept. 17C San Jose, CA 95113	By Mail Tel: 508/882-2286; Fax: 408/882-2293 rwalker@scscourt.org
21		
22		
23	Superior Court of California County of Los Angeles Stanley Mosk Courthouse—Dept. 1, Rm 534 111 North Hill Street Los Angeles, CA 90012	Original Document(s) to be filed at this location.
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26	*Chair, Judicial Council of California Administrative Office of the Courts Attn: Appellate & Trial Court Judicial Services	CRC Rule 1511: *Serve only when required to be transmitted to Judicial Council.
27	LC-PR/Pldg/Declaration.wkl.EXT.Decs.doc	

**DECLARATION OF WAYNE LEMIEUX IN SUPPORT OF REQUEST FOR EXTENSION OF
DEADLINE FOR DECLARATIONS IN OPPOSITION TO MOTION FOR DISQUALIFICATION**

(Civil Case Coordination)
455 Golden Gate Avenue
San Francisco, CA 94102-3688

PROOF OF SERVICE

STATE OF CALIFORNIA,)
) ss.
COUNTY OF VENTURA)

I am employed in the County of Ventura, State of California. I am over the age of 18 and not a party to the within action. My business address is 2393 Townsgate Road, Suite 201, Westlake Village, California 91361.

On __, 2009, I posted the following document(s) to the website <http://www.scefiling.org>, a dedicated link to the Antelope Valley Groundwater Cases:

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

Executed on __, 2009, in Westlake Village, California.

/s/

KATHI MIERS