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Attorneys for Cross-complainants

LITTLEROCK CREEK IRRIGATION DISTRICT, PALM RANCH IRRIGATION DISTRICT, and  
Defendants NORTH EDWARDS WATER DISTRICT, DESERT LAKE COMMUNITY SERVICES  
DISTRICT, LLANO DEL RIO WATER CO., LLANO MUTUAL WATER CO., BIG ROCK MUTUAL  
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. 12

**[PROPOSED] ORDER GRANTING EX  
PARTE APPLICATION FOR  
CONTINUANCE OF HEARING ON MOTION  
FOR ATTORNEYS' FEES AND COSTS AND  
THE DEADLINE ON THE OPPOSITION  
THERETO**

DATE: February 24, 2016  
TIME: 9:00 a.m.

TELEPHONIC APPEARANCE

1           **PLEASE TAKE NOTICE** that LITTLEROCK CREEK IRRIGATION DISTRICT, PALM  
2 RANCH IRRIGATION DISTRICT, NORTH EDWARDS WATER DISTRICT, and DESERT LAKE  
3 COMMUNITY SERVICES DISTRICT (“Small Districts”) appeared ex parte on February 24, 2016 at  
4 9:00 a.m. in Department 12 of the above referenced court at 191 North First Street San Jose, CA 95113 for  
5 a continuance of the hearing on the Wood Class motion for attorneys’ fees and costs and a continuance of  
6 the deadline for filing and serving the Opposition to the Wood Class motion for attorneys’ fees. Such  
7 appearance was telephonic through courtcall.com. The request was heard on shortened notice pursuant to  
8 Cal. Rules of Court, Rule 3.1200, et seq. because the court-ordered opposition deadline is March 1, 2016.

9           Small Districts’ ex parte application sought a 60-day continuance of the March 21, 2016 hearing  
10 on the Wood Class’ motion for attorneys’ fees and costs, and a 60-day continuance of the March 1, 2016  
11 deadline on filing Opposition papers in response to such motion, or such other continuance as the court  
12 deemed appropriate.

13           Small Districts demonstrated good cause of the requested continuances, namely Small Districts’  
14 declaration of Christine Carson indicating a need for additional time to respond to voluminous moving  
15 papers, and obtain witness declarations. In addition, the Motion for Attorneys’ Fees has been filed against  
16 eight parties, and Small Districts demonstrated they need additional time to coordinate party declarations  
17 and counsel Oppositions in order to prepare a meaningful response.

18           Continuances may be granted in the court's discretion on a proper showing of good cause. The  
19 Court may consider whether the interests of justice are best served by a continuance, and, may consider  
20 any other fact or circumstance relevant to a fair determination of the motion. “The trial judge must exercise  
21 his discretion with due regard to all interests involved, and the refusal of a continuance which has the  
22 practical effect of denying the applicant a fair hearing is reversible error.” (*In re Marriage of Hoffmeister*  
23 (1984) 161 Cal. App.3d 1163, 1169.) Trial courts are encouraged to “accommodate” counsel in granting  
24 continuances whenever it is not “impractical” to do so. (*Pham v. Thi Nguven* (1997) 54 Cal.App.4th 11,  
25 16.) A continuance should be granted if failure to allow the continuance would probably or possibly  
26 prejudice the party seeking the continuance by depriving that party of the opportunity to fully and fairly

1 present its case. (*Cadle Co. v. WorldWide Hospitality Furniture* (2006) 144 Cal.App.4th 504, 513-515; In  
2 re: Dolly A. (1986) 177 Cal.App.3d 195, 199, 201; Cohen v. Herbert (1960) 186 Cal.App.2d 488, 494.)

3 Accordingly,

4 IT IS ORDERED that Oppositions to the Wood Class Motion for Attorneys' Fees and Costs shall  
5 be filed and served on or before \_\_\_\_\_, 2016. The hearing on the Wood Class Motion for  
6 Attorneys' Fees and Costs is continued to \_\_\_\_\_, 2016.

7 IT IS SO ORDERED.

8  
9 DATED: \_\_\_\_\_

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11 \_\_\_\_\_  
12 HON. JUDGE KOMAR,  
13 JUDGE OF SUPERIOR COURT  
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1 STATE OF CALIFORNIA, )  
2 ) ss.  
3 COUNTY OF VENTURA )

4 I am employed in the County of Ventura, State of California. I am over the age of 18 and not a  
5 party to the within action. My business address is 4165 E. Thousand Oaks Blvd., Suite 350, Westlake  
6 Village, California 91362.

7 On **February 23, 2016**, I posted the attached document(s) to the website <http://www.scefiling.org>,  
8 a dedicated link to the Antelope Valley Groundwater Cases, and upon which the parties have agreed this  
9 posting constitutes service.

10 By electronically serving through <http://www.scefiling.org>, and addressed to all parties appearing  
11 on the <http://www.scefiling.org> electronic service list, the file transmission was reported as complete and  
12 a copy of the <http://www.scefiling.org> Filing/Service Receipt will be maintained with a copy of the  
13 document in our office.

14 I am readily familiar with the business practice for collection and processing of pleadings and  
15 discovery for electronic service with <http://www.scefiling.org>, and that the pleadings and discovery shall  
16 be electronically served this same day in the ordinary course of business.

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

19 Executed on February 23, 2016, in Westlake Village, California.

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Kathi Miers