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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

10 ANTELOPE VALLEY  
11 GROUNDWATER CASES

12 Included Actions:

13 Los Angeles County Waterworks District No. 40  
14 v. Diamond Farming Co.  
15 Superior Court of California  
16 County of Los Angeles, Case No. BC 325 201

17 Los Angeles County Waterworks District No. 40  
18 v. Diamond Farming Co.  
19 Superior Court of California, County of Kern,  
20 Case No. S-1500-CV-254-348

21 Wm. Bolthouse Farms, Inc. v. City of Lancaster  
22 Diamond Farming Co. v. City of Lancaster  
23 Diamond Farming Co. v. Palmdale Water Dist.  
24 Superior Court of California, County of Riverside,  
25 consolidated actions, Case Nos.  
26 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

) **JOINT CASE MANAGEMENT PROPOSAL**  
) **OF TEJON RANCHCORP, CITY OF LOS**  
) **ANGELES, CITY OF LANCASTER, CITY**  
) **OF PALMDALE, AND NORTHROP**  
) **GRUMMAN CORPORATION**

) Date: November 5, 2007

) Time: 10:00 a.m.

) Department: 1

22 Tejon Ranchcorp, City of Palmdale, City of Los Angeles, City of Lancaster, and  
23 Northrop Grumman Corporation<sup>1</sup> make the following case management proposal:

24 **I. PHASE 2 TRIALS RE PRESCRIPTION – JUNE & OCTOBER 2008.**

25 Progress in the litigation and mediation efforts requires that the case move forward  
26 toward a resolution. At the Case Management Conference on October 16, Tejon Ranchcorp again  
27

28  
<sup>1</sup> Counsel for these parties notified Tejon Ranch counsel that they join in this Case Management Proposal.

1 proposed scheduling the next trial in Spring 2008 to adjudicate the purveyors' prescription claims. The  
2 Court instructed counsel to confer re trial-phasing and other issues. We had an attorneys' conference on  
3 October 23, followed by additional discussions and negotiations. As a result of those negotiations, we  
4 have modified the trial-phasing proposal to delay and bifurcate the trial of the prescription-related issues  
5 as follows:

6 Part A – Yield of the Basin and other information about the hydrogeological “character” of the Basin.  
7 Proposed Date – June 2008.

8 Part B – All other elements of prescription (overdraft, notice, etc.), excluding the defense of self-help.  
9 Proposed Date – October 2008.

10 This proposal gives all parties sufficient time to conduct discovery and prepare for trial.

11 The Court should exclude from the prescription trial only the landowners' affirmative  
12 defense of “Self Help” for three reasons:

- 13 (1) It would be a waste of time to present evidence regarding self help unless specific purveyors  
14 prevail and establish prescriptive rights for specified years against identified landowners.
- 15 (2) Given the enormous number of Antelope Valley landowners, proof of self help could add months  
16 of percipient witness testimony to this trial.
- 17 (3) If the Court initially made findings of prescriptive rights, the parties may negotiate stipulations  
18 regarding self help.

## 19 II. ORDER RE JURISDICTION OVER TRANSFEREES.

20 Prior to the May 21, 2007 Case Management Conference, the Court asked Tejon  
21 Ranchcorp counsel to brief the question of how best to obtain jurisdiction over transferees of Antelope  
22 Valley land so that the Court's judgment will be binding on them. In its brief dated May 11, 2007,  
23 Tejon Ranchcorp discussed these issues, including the inadvisability of relying on a lis pendens; and it  
24 recommended that the Court order the following:

25 “1. That landowner parties (individuals and class members) do the  
26 following:

27 (a) post notice of transfer on the Court website within 10 days  
28 after any transfer of their property, stating the name, address, and other  
contact information of the transferee; and

(b) notify their transferees of this litigation and provide them a  
copy of the public water suppliers' Cross-Complaint; and

2. That the public water suppliers promptly serve their Cross-Complaint on transferees, substituting the transferees as cross-defendants per CCP § 368.5.”

At the May 21, 2007 Case Management Conference, the Court noted that no party had objected to or opposed these recommendations, but the Court deferred making any rulings on this subject. We propose that the Court issue the above order, subject to any further discussion and proposals the Court deems appropriate, e.g., dealing with transferees of class members.

Dated: October 30, 2007

NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP  
FREDRIC A. FUDACZ  
HENRY S. WEINSTOCK

By:

*Henry S. Weinstock*  
HENRY S. WEINSTOCK

Attorneys for Tejon Ranchcorp

1 **PROOF OF SERVICE**

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3 The undersigned declares:

4 I am employed in the County of , State of California. I am over the age of 18 and am not a party  
5 to the within action; my business address is c/o Nossaman, Guthner, Knox & Elliott, LLP, 445 S.  
6 Figueroa Street, 31st Floor Los Angeles, California 90071-1602.

7 On **October 30, 2007**, I served the foregoing **JOINT CASE MANAGEMENT PROPOSAL**  
8 **OF TEJON RANCHCORP, CITY OF LOS ANGELES, CITY OF LANCASTER, CITY OF**  
9 **PALMDALE, AND NORTHROP GRUMMAN CORPORATION** on all interested parties:

10 (X) (By U.S. Mail) On the same date, at my said place of business, said correspondence was sealed  
11 and placed for collection and mailing following the usual business practice of my said employer.  
12 I am readily familiar with my said employer's business practice for collection and processing of  
13 correspondence for mailing with the United States Postal Service, and, pursuant to that practice,  
14 the correspondence would be deposited with the United States Postal Service, with postage  
15 thereon fully prepaid, on the same date at Los Angeles, California, addressed to:

16  
17 Honorable Jack Komar  
18 Judge of the Superior Court of California  
19 County of Santa Clara  
20 191 North First Street, Department 17C  
21 San Jose, CA 95113

22 (X) (By E-Filing) I posted the document(s) listed above to the Santa Clara County Superior Court  
23 website in regard to the Antelope Valley Groundwater matter in compliance with the Court's  
24 electronic posting instructions and the Court's Clarification Order dated October 27, 2005.

25 ( ) (By Federal Express) I served a true and correct copy by Federal Express or other overnight  
26 delivery service, for delivery on the next business day. Each copy was enclosed in an envelope  
27 or package designated by the express service carrier; deposited in a facility regularly maintained  
28 by the express service carrier or delivered to a courier or driver authorized to receive documents  
on its behalf; with delivery fees paid or provided for; addressed as shown on the accompanying  
service list.

Executed on **October 30, 2007** at Los Angeles, California.

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

( ) (FEDERAL) I declare under penalty of perjury under the laws of the United States of America  
that the foregoing is true and correct.

\_\_\_\_\_  
Mitchi Shibata