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Attorneys for defendant, Bolthouse Properties, LLC

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
CENTRAL DISTRICT

COORDINATION PROCEEDING,
SPECIAL TITLE (Rule 1550 (b)),

Judicial Council Coordination
Proceeding No. 4408

ANTELOPE VALLEY GROUNDWATER
CASES,

CASE NO.: 1-05-CV-049053

INCLUDED ACTIONS:, LOS ANGELES
COUNTY WATERWORKS DISTRICT NO.
40 v. DIAMOND FARMING COMPANY, et
al.,
Los Angeles Superior Court Case No.
BC325201,

NOTICE OF HEARING ON DEFENDANT
BOLTHOUSE PROPERTIES, LLC'S¹
DEMURRER TO CROSS-
COMPLAINANT'S CROSS-COMPLAINT
FOR DECLARATORY AND INJUNCTIVE
RELIEF AND ADJUDICATION OF WATER
RIGHTS

LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 40 v. DIAMOND FARMING
COMPANY, et al.,
Kern County Superior Court Case No. S-1500-
CV-254348,

DATE: February 6, 2005
TIME: 10:00 a.m.
DEPT: 1, Room 534

DIAMOND FARMING COMPANY, and
W.M. BOLTHOUSE FARMS, INC., v. CITY
OF LANCASTER, et al.,
Riverside Superior Court Case No. RIC
344436 [c/w case no. RIC 344668 and 353840],

LOCATION: LA SUPERIOR COURT
111 NORTH HILL ST.
LOS ANGELES, CA 90012

¹ Bolthouse Properties, LLC. responds on behalf of erroneously named defendant Bolthouse Properties, Inc.

1
2 ROSAMOND COMMUNITY SERVICES
DISTRICT,

3 CROSS-COMPLAINANT,
4
5

6 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:


7 PLEASE TAKE NOTICE that on February 10, 2006, at 10:00 a.m., or as soon thereafter
8 as the matter can be heard, in Department 1, Room 534 of the Los Angeles County Superior
9 Court, located at 111 North Hill Street, Los Angeles, California, Defendant, BOLTHOUSE
10 PROPERTIES, LLC. will demur to the Cross-complaint of Cross-complainant, ROSAMOND
11 COMMUNITY SERVICES DISTRICT on file herein.

12 The Demurrer will be based on this Notice of Hearing on Demurrer, the Demurrer, the
13 Memorandum of Points and Authorities and the grounds for demurrer stated therein, all served
14 and filed herewith, and on such oral argument of counsel and further evidence as may be
15 presented at the hearing on the demurrer.

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18 DATED: November 30, 2005

Respectfully submitted,
CLIFFORD & BROWN

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21 By:


22 RICHARD G. ZIMMER, ESQ.
23 T. MARK SMITH, ESQ.
24 Attorneys for defendant,
BOLTHOUSE PROPERTIES, LLC
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1 PROOF OF SERVICE

2 STATE OF CALIFORNIA COUNTY OF KERN:

3 I am a resident of the County aforesaid; I am over the age of
4 eighteen years and not a party to the within entitled action; my
5 business address is 1430 Truxtun Avenue, Suite 900, Bakersfield,
6 California, 93301.

7 On November 30, 2005, I served the NOTICE OF HEARING ON
8 DEFENDANT BOLTHOUSE PROPERTIES, LLC'S DEMURRER TO CROSS-COMPLAINANT'S
9 CROSS-COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND
10 ADJUDICATION OF WATER RIGHTS; DEMURRER; MEMORANDUM OF POINTS AND
11 AUTHORITIES IN SUPPORT OF DEMURRER on the interested parties in said
12 action.

13 (xx) BY SANTA CLARA SUPERIOR COURT E-FILED IN COMPLEX LITIGATION
14 PURSUANT TO CLARIFICATION ORDER DATED OCTOBER 27, 2005.

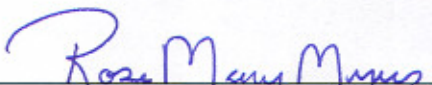
15 () VIA FACSIMILE - [C.C.P. § 1013(e)]; - The telephone number of
16 the sending facsimile machine was (661) 322-3508. The
17 telephone(s) number of the receiving facsimile machine(s) is
18 listed below. The Court, Rule 2004 and no error was reported by
19 the machine. Pursuant to California Rules of Court, Rule
20 2006(d), the machine was caused to print a transmission record of
21 the transmission, a copy of which is attached hereto.

22 () VIA OVERNIGHT DELIVERY on the date below stated, pursuant to CCP
23 §1013(c)(d), I deposited such envelope with delivery fees fully
24 prepaid with CALIFORNIA OVERNIGHT.

25 () BY MAIL I am readily familiar with the business' practice for
26 collection and processing of correspondence and documents for
mailing with the United States Postal Service. Under that
practice, the correspondence and documents would be deposited
with the United States Postal Service that same day, with
postage thereon fully prepaid, in the ordinary course of
business at Bakersfield, California.

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

Executed on November 30, 2005, at Bakersfield, California.


ROSEMARY MYERS