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6 Attorneys for Bolthouse Properties, LLC and WM. BOLTHOUSE FARMS,  
7 INC.

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF SANTA CLARA

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11	COORDINATION PROCEEDING	)	Judicial Council Coordination
12	SPECIAL TITLE (Rule 1550(b))	)	Proceeding No. 4408
13	ANTELOPE VALLEY GROUNDWATER	)	CASE NO. 1-05-CV-049053
14	CASES	)	
15	INCLUDED ACTIONS:	)	
16	LOS ANGELES COUNTY WATERWORKS	)	BOLTHOUSE PROPERTIES, LLC'S AND
17	DISTRICT NO. 40 v. DIAMOND	)	WM. BOLTHOUSE FARMS, INC.'S
18	FARMING COMPANY, et al.,	)	NOTICE OF INTENT TO CALL NON-
19	Los Angeles Superior Court	)	RETAINED WITNESSES AT TRIAL
20	Case No. BC325201	)	
21	LOS ANGELES COUNTY WATERWORKS	)	
22	DISTRICT NO. 40 v. DIAMOND	)	
23	FARMING COMPANY, et al.,	)	
24	Kern County Superior Court	)	
25	Case No. S-1500-CV-254348	)	
26	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]	)	
	ROSAMOND COMMUNITY SERVICES	)	
	DISTRICT,	)	
	CROSS-COMPLAINANT,	)	

1 Per the Court's May 25, 2010 Order, BOLTHOUSE PROPERTIES, LLC  
2 and WM. BOLTHOUSE FARMS, INC., hereinafter ("BOLTHOUSE")  
3 respectfully submit the following notice of intent to offer  
4 testimony of non-retained witnesses at the Phase 3 Trial.  
5 BOLTHOUSE will offer either one or two such witnesses from Los  
6 Angeles County Department of Public Works and/or Los Angeles  
7 County Waterworks District Number 40.

8 These corporate designee witnesses will testify about the  
9 content of water supply assessments and "will-serve" notices  
10 issued by the County during the pendency of this litigation.  
11 While asserting in this litigation that the basin is in a state of  
12 serious overdraft, the County has issued numerous reports,  
13 assessments and other land use related documents stating that  
14 there is sufficient water resources available in the Antelope  
15 Valley basin to support substantial future development and growth.

16 The approved water allocations for future developments total in  
17 the tens of thousands of acre-feet per year.

18 BOLTHOUSE plans to offer this testimony of County  
19 representatives and the related records to undermine the testimony  
20 of the County's paid experts, who BOLTHOUSE believes will testify  
21 that the basin is in a state of serious overdraft. BOLTHOUSE  
22 anticipates that the examination of these witnesses will take two  
23 hours.

24 Because these depositions are not completed, BOLTHOUSE cannot  
25 identify for certain the names of the appropriate corporate  
26 designee witnesses from the County. However, BOLTHOUSE believes

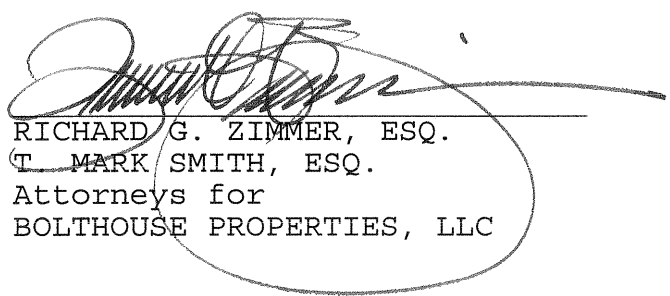
1 the likely witnesses are: (1) Donald L. Wolfe, former Director of  
2 Public Works [if not then potentially Gail Farber or other senior  
3 technical representative from Public Works, such as Christopher  
4 Stone]; (2) Dean Efsthathiou, former Deputy Director of Public  
5 Works primarily responsible for Waterworks District No. 40 during  
6 much of the relevant time period.

7 The estimated time for trial testimony of the aforementioned  
8 and identified non-expert witnesses will consume approximately  
9 five (5) hours.

10  
11 DATED: July 15, 2010

12 CLIFFORD & BROWN

13  
14 By:

  
15 RICHARD G. ZIMMER, ESQ.  
16 T. MARK SMITH, ESQ.  
17 Attorneys for  
18 BOLTHOUSE PROPERTIES, LLC  
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*Santa Clara County Superior Court Case No. 1-05-CV-049053*

On July 15, 2010, I served the foregoing document(s) entitled:

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