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Attorneys for Bolthouse Properties, LLC and Wm. Bolthouse Farms,  
Inc.

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA CLARA

\* \* \*

COORDINATION PROCEEDING	)	Judicial Council Coordination
SPECIAL TITLE (Rule 1550(b))	)	Proceeding No. 4408
ANTELOPE VALLEY GROUNDWATER	)	
CASES	)	CASE NO. 1-05-CV-049053
INCLUDED ACTIONS:	)	
LOS ANGELES COUNTY WATERWORKS	)	SECOND RE-NOTICE OF TAKING AND
DISTRICT NO. 40 v. DIAMOND	)	VIDEOTAPING DEPOSITION OF LOS
FARMING COMPANY, et al.,	)	ANGELES COUNTY WATERWORKS NO.
Los Angeles Superior Court	)	40'S EXPERT, PETER LEFFLER
Case No. BC325201	)	
	)	Phase 3 Trial Date:
LOS ANGELES COUNTY WATERWORKS	)	January 4, 2011
DISTRICT NO. 40 v. DIAMOND	)	
FARMING COMPANY, et al.,	)	
Kern County Superior Court	)	DATE: December 6, 2010
Case No. S-1500-CV-254348	)	TIME: 10:00 A.M.
	)	LOCATION: Lagerlof, Senecal,
DIAMOND FARMING COMPANY, and	)	et al., LLP
W.M. BOLTHOUSE FARMS, INC., v.	)	301 North Lake Avenue
CITY OF LANCASTER, et al.,	)	10 <sup>th</sup> Floor
Riverside Superior Court	)	Pasadena, CA 91101
Case No. RIC 344436 [c/w case	)	(626) 793-9400
no. RIC 344668 and 353840]	)	
ROSAMOND COMMUNITY SERVICES	)	
DISTRICT,	)	
CROSS-COMPLAINANT,	)	

1       **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2               **PLEASE TAKE NOTICE** that on the date, time and location listed  
3 below, the deposition of the individual listed below will be taken  
4 before a Certified Shorthand Reporter and, if for any reason the  
5 taking of said deposition is not completed on said day, the taking  
6 of the deposition will be continued from day to day, Sundays and  
7 holidays excepted, until completed.

8               The person whose deposition will be taken and the date and  
9 time is as follows:

10           1. <b>PETER LEFFLER</b>	<b>December 6, 2010</b>
	<b>10:00 A.M.</b>
11	<b>Lagerlof, Senecal,</b>
	<b>et al., LLP</b>
12	<b>301 North Lake Avenue</b>
	<b>10<sup>th</sup> Floor</b>
13	<b>Pasadena, CA 91101</b>
	<b>(626) 793-9400</b>

14               **FURTHER PLEASE TAKE NOTICE** that the deponent set forth herein  
15 above is requested to produce at the time of the deposition the  
16 following:

- 17           1.     Deponent's entire file concerning the above-captioned  
18               lawsuit.
- 19           2.     Any and all writings prepared by or on behalf of said  
20               deponent or anyone working at the direction of said  
21               deponent which in any way pertains to the review,  
              analysis, opinions, conclusions, or beliefs of said  
              deponent with regard to the subject matter of this  
              litigation;
- 22           3.     Any and all writings received and/or reviewed by said  
23               deponent pertaining to the subject matter of this  
              litigation;
- 24           4.     Any and all handwritten notes, field notes,  
25               calculations or other writings prepared by or on behalf  
              of said deponent or by someone at the direction of said  
26               deponent pertaining to the subject matter of this  
              litigation;

- 1 5. Any and all photographs, videotapes, scans,  
2 micrographs, or other such recording reviewed,  
3 received, analyzed, prepared by, considered, and/or  
4 relied upon by said deponent which pertains to the  
5 subject matter of this litigation;
  - 6 6. Any and all books, articles, treatises, reports, or  
7 other writings which in any way form the basis for any  
8 opinion, conclusion or analysis of said deponent  
9 relating to the subject matter of this litigation;
  - 10 7. Any and all writings pertaining to the billing and  
11 amount of time spent by said deponent or others under  
12 the direction of said deponent in working on any matter  
13 pertaining to the subject of this litigation. This  
14 includes but is not limited to any and all timesheets  
15 or billing statements.
  - 16 8. Any and all reports, conclusions, opinions, and drafts  
17 of the same prepared by deponent in connection with the  
18 above-captioned lawsuit.
  - 19 9. Any "engagement letter" or similar instructions  
20 received by deponent in connection with the  
21 above-captioned lawsuit.
  - 22 10. The deponent's Curricula Vitae.
  - 23 11. All documents, depositions, scientific, technical or  
24 professional texts, journals, or any other "writings"  
25 (as defined by California Evidence Code, Section 250)  
26 including any documents prepared by any present or  
former party to this action which the deponent read,  
referred to, considered or relied upon in preparing to  
testify in deposition or at trial, of this action.
  12. All documents, depositions, scientific, technical or  
professional texts, journals, or any other action in  
which you provided testimony, either by deposition or  
in trial, as a percipient and/or expert witness, which  
you have read, referred to, considered or relied upon  
in preparing to testify or in testifying, in deposition  
or at trial, in this action.
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13. All documents, correspondence, depositions, deposition summaries, memoranda, or any other "writing" (as defined by California Evidence Code, Section 250), prepared by you or sent and/or received from deponent or counsel or any other attorney concerning the subject matter of the issues in this case, or concerning any of the matters referred to in any of the aforementioned categories of this list of documents to be produced at deposition.
14. A list of all cases by name, venue, and date in which you have testified at deposition and at trial related to safe yield and/or overdraft, perennial yield, sustainable yield or similar issues.
15. All models run, conducted, tested, considered or reviewed by the deponent, including, but not limited to, working electronic copy of the model code, hard-copy of all documentation supporting the operation of the model, all input data electronic files in formats useable to the model and suitable for human review, all data used in model calibration in electronic form, the results of all calibration/verification runs of the model in electronic and hard-copy form, and all output from the model in electronic and hard-copy form.
16. Any and all storage change models run, conducted, tested, considered or reviewed by the deponent referenced in Summary Expert Report, p. IV-14, including, but not limited to, working electronic copy of the model code, hard-copy of all documentation supporting the operation of the model, all input data electronic files in formats useable to the model and suitable for human review, all data used in model calibration in electronic form, the results of all calibration/verification runs of the model in electronic and hard-copy form, and all output from the model in electronic and hard-copy form.
17. Any and all aquitard-drainage models run, conducted, tested, considered or reviewed by the deponent referenced in Summary Expert Report, p. IV-22, including, but not limited to, working electronic copy of the model code, hard-copy of all documentation supporting the operation of the model, all input data electronic files in formats useable to the model and suitable for human review, all data used in model calibration in electronic form, the results of all calibration/verification runs of the model in electronic and hard-copy form, and all output from the model in electronic and hard-copy form.

- 1 18. Any and all GIS model development to estimate the  
2 volume of water derived from sediment in the AVAA, run,  
3 conducted, tested, considered or reviewed by the  
4 deponent referenced in Summary Expert Report, p. IV-23,  
5 including, but not limited to, working electronic copy  
6 of the model code, hard-copy of all documentation  
7 supporting the operation of the model, all input data  
8 electronic files in formats useable to the model and  
9 suitable for human review, all data used in model  
10 calibration in electronic form, the results of all  
11 calibration/verification runs of the model in  
12 electronic and hard-copy form, and all output from the  
13 model in electronic and hard-copy form.
- 14 19. Any and all precipitation-yield model described in  
15 Section 4.1 and Appendix C, run, conducted, tested,  
16 considered or reviewed by the deponent referenced in  
17 Summary Expert Report, p. IV-37, including, but not  
18 limited to, working electronic copy of the model code,  
19 hard-copy of all documentation supporting the operation  
20 of the model, all input data electronic files in  
21 formats useable to the model and suitable for human  
22 review, all data used in model calibration in  
23 electronic form, the results of all  
24 calibration/verification runs of the model in  
25 electronic and hard-copy form, and all output from the  
26 model in electronic and hard-copy form.
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- 1 21. Any and all digital elevation models (DEM), run,  
2 conducted, tested, considered or reviewed by the  
3 deponent referenced in Appendix C, p. 3, including, but  
4 not limited to, working electronic copy of the model  
5 code, hard-copy of all documentation supporting the  
6 operation of the model, all input data electronic files  
7 in formats useable to the model and suitable for human  
8 review, all data used in model calibration in  
9 electronic form, the results of all  
10 calibration/verification runs of the model in  
11 electronic and hard-copy form, and all output from the  
12 model in electronic and hard-copy form.
- 13 22. Any and all PRISM models run, conducted, tested,  
14 considered or reviewed by the deponent referenced in  
15 Appendix C, p. 9, including, but not limited to,  
16 working electronic copy of the model code, hard-copy of  
17 all documentation supporting the operation of the  
18 model, all input data electronic files in formats  
19 useable to the model and suitable for human review, all  
20 data used in model calibration in electronic form, the  
21 results of all calibration/verification runs of the  
22 model in electronic and hard-copy form, and all output  
23 from the model in electronic and hard-copy form.
- 24 23. Any and all runoff model described in Section 3.3 run,  
25 conducted, tested, considered or reviewed by the  
26 deponent referenced in Appendix C, p. 21, including,  
but not limited to, working electronic copy of the  
model code, hard-copy of all documentation supporting  
the operation of the model, all input data electronic  
files in formats useable to the model and suitable for  
human review, all data used in model calibration in  
electronic form, the results of all calibration/  
verification runs of the model in electronic and  
hard-copy form, and all output from the model in  
electronic and hard-copy form.
24. Any and all watershed models run, conducted, tested,  
considered or reviewed by the deponent referenced in  
Appendix C, p. 25, including, but not limited to,  
working electronic copy of the model code, hard-copy of  
all documentation supporting the operation of the  
model, all input data electronic files in formats  
useable to the model and suitable for human review, all  
data used in model calibration in electronic form, the  
results of all calibration/verification runs of the  
model in electronic and hard-copy form, and all output  
from the model in electronic and hard-copy form.

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- 1 25. Any and all water-yield models run, conducted, tested,  
2 considered or reviewed by the deponent referenced in  
3 Appendix C, p. 26, including, but not limited to,  
4 working electronic copy of the model code, hard-copy of  
5 all documentation supporting the operation of the  
6 model, all input data electronic files in formats  
7 useable to the model and suitable for human review, all  
8 data used in model calibration in electronic form, the  
9 results of all calibration/verification runs of the  
10 model in electronic and hard-copy form, and all output  
11 from the model in electronic and hard-copy form.
- 12 26. Any and all runoff models run, conducted, tested,  
13 considered or reviewed by the deponent referenced in  
14 Appendix C, p. 27, including, but not limited to,  
15 working electronic copy of the model code, hard-copy of  
16 all documentation supporting the operation of the  
17 model, all input data electronic files in formats  
18 useable to the model and suitable for human review, all  
19 data used in model calibration in electronic form, the  
20 results of all calibration/verification runs of the  
21 model in electronic and hard-copy form, and all output  
22 from the model in electronic and hard-copy form.
- 23 27. Any and all groundwater models (Section C.3.3.5) run,  
24 conducted, tested, considered or reviewed by the  
25 deponent referenced in Appendix C, p. 28, including,  
26 but not limited to, working electronic copy of the  
model code, hard-copy of all documentation supporting  
the operation of the model, all input data electronic  
files in formats useable to the model and suitable for  
human review, all data used in model calibration in  
electronic form, the results of all  
calibration/verification runs of the model in  
electronic and hard-copy form, and all output from the  
model in electronic and hard-copy form.
28. Any and all groundwater models run, conducted, tested,  
considered or reviewed by the deponent referenced in  
Appendix C, p. 32, including, but not limited to,  
working electronic copy of the model code, hard-copy of  
all documentation supporting the operation of the  
model, all input data electronic files in formats  
useable to the model and suitable for human review, all  
data used in model calibration in electronic form, the  
results of all calibration/verification runs of the  
model in electronic and hard-copy form, and all output  
from the model in electronic and hard-copy form.

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- 1 29. Any and all FEMFLOW3D models run, conducted, tested,  
2 considered or reviewed by the deponent referenced in  
3 Appendix C, p. 33, including, but not limited to,  
4 working electronic copy of the model code, hard-copy of  
5 all documentation supporting the operation of the  
6 model, all input data electronic files in formats  
7 useable to the model and suitable for human review, all  
8 data used in model calibration in electronic form, the  
9 results of all calibration/verification runs of the  
10 model in electronic and hard-copy form, and all output  
11 from the model in electronic and hard-copy form.
- 12 30. Any and all groundwater models (Durbin 1978) run,  
13 conducted, tested, considered or reviewed by the  
14 deponent referenced in Appendix C, p. 35, including,  
15 but not limited to, working electronic copy of the  
16 model code, hard-copy of all documentation supporting  
17 the operation of the model, all input data electronic  
18 files in formats useable to the model and suitable for  
19 human review, all data used in model calibration in  
20 electronic form, the results of all  
21 calibration/verification runs of the model in  
22 electronic and hard-copy form, and all output from the  
23 model in electronic and hard-copy form.
- 24 31. Any and all groundwater models (Leighton & Phillips  
25 2003) run, conducted, tested, considered or reviewed by  
26 the deponent referenced in Appendix C, p. 35,  
including, but not limited to, working electronic copy  
of the model code, hard-copy of all documentation  
supporting the operation of the model, all input data  
electronic files in formats useable to the model and  
suitable for human review, all data used in model  
calibration in electronic form, the results of all  
calibration/verification runs of the model in  
electronic and hard-copy form, and all output from the  
model in electronic and hard-copy form.
32. Any and all storage change models run, conducted,  
tested, considered or reviewed by the deponent  
referenced in Appendix E, p. 6, including, but not  
limited to, working electronic copy of the model code,  
hard-copy of all documentation supporting the operation  
of the model, all input data electronic files in  
formats useable to the model and suitable for human  
review, all data used in model calibration in  
electronic form, the results of all  
calibration/verification runs of the model in  
electronic and hard-copy form, and all output from the  
model in electronic and hard-copy form.

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- 1 33. Any and all aquitard-drainage change models run,  
2 conducted, tested, considered or reviewed by the  
3 deponent referenced in Appendix E, p. 10, including,  
4 but not limited to, working electronic copy of the  
5 model code, hard-copy of all documentation supporting  
6 the operation of the model, all input data electronic  
7 files in formats useable to the model and suitable for  
8 human review, all data used in model calibration in  
9 electronic form, the results of all  
10 calibration/verification runs of the model in  
11 electronic and hard-copy form, and all output from the  
12 model in electronic and hard-copy form.
- 13 34. Any and all GIS models developed to estimate the volume  
14 of water driven from sediment in the Antelope Valley,  
15 run, conducted, tested, considered or reviewed by the  
16 deponent referenced in Appendix E, p. 11, including,  
17 but not limited to, working electronic copy of the  
18 model code, hard-copy of all documentation supporting  
19 the operation of the model, all input data electronic  
20 files in formats useable to the model and suitable for  
21 human review, all data used in model calibration in  
22 electronic form, the results of all  
23 calibration/verification runs of the model in  
24 electronic and hard-copy form, and all output from the  
25 model in electronic and hard-copy form.
- 26 35. Any and all HYDRUS2 models run, conducted, tested,  
considered or reviewed by the deponent referenced in  
Appendix E, p. 15, including, but not limited to,  
working electronic copy of the model code, hard-copy of  
all documentation supporting the operation of the  
model, all input data electronic files in formats  
useable to the model and suitable for human review, all  
data used in model calibration in electronic form, the  
results of all calibration/verification runs of the  
model in electronic and hard-copy form, and all output  
from the model in electronic and hard-copy form.
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1 Expert witness fees will be paid by the party presenting the  
2 expert witness for deposition.

3  
4 DATED: November 23, 2010

CLIFFORD & BROWN

5  
6 By: 

RICHARD G. ZIMMER, ESQ.  
T. MARK SMITH, ESQ.  
Attorneys for  
BOLTHOSUE PROPERTIES, LLC and  
WM. BOLTHOUSE FARMS, INC.

**PROOF OF SERVICE (C.C.P. §1013a, 2015.5)**

*Antelope Valley Groundwater Cases*  
*Judicial Counsel Coordination Proceeding No. 4408*  
*Santa Clara County Superior Court Case No. 1-05-CV-049053*

I am employed in the County of Kern, State of California. I am over the age of 18 and not a party to the within action; my business address is 1430 Truxtun Avenue, Bakersfield, CA 93301.

On November 23, 2010, I served the foregoing document(s) entitled:

**SECOND RE-NOTICE OF TAKING AND VIDEOTAPING DEPOSITION OF LOS ANGELES COUNTY WATERWORKS NO. 40'S EXPERT, PETER LEFFLER**

— by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list.

— by placing \_ the original, \_ a true copy thereof, enclosed in a sealed enveloped addressed as follows:

**X BY SANTA CLARA SUPERIOR COURT E-FILEING IN COMPLEX LITIGATION PURSUANT TO CLARIFICATION ORDER DATED OCTOBER 27, 2005.**

Executed on November 23, 2010, at Bakersfield, California.

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

— (Federal) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

  
NANETTE MAXEY  
2455-2