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(661) 322-3508 - Fax

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

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA CLARA

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

**ANTELOPE VALLEY GROUNDWATER  
CASES ,**

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

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

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] ,

JUDICIAL COUNCIL COORDINATION  
PROCEEDING NO. 4408

CASE NO.: 1-05-CV-049053

**OBJECTION TO NOTICE OF TAKING  
DEPOSITION OF EMPLOYEES DANIEL  
WILKE & MICHAEL KOVACEVICH AT  
WM. BOLTHOUSE FARMS, INC.;  
MANAGERIAL EMPLOYEE ANTHONY  
LEGGIO AT BOLTHOUSE  
PROPERTIES, LLC & REQUEST FOR  
PRODUCTION OF BUSINESS RECORDS  
OF WM. BOLTHOUSE FARMS, INC.  
AND BOLTHOUSE PROPERTIES, LLC  
AT DEPOSITION**

**DATE: April 12, 2012  
TIME: 10:00 a.m.; 11:00 a.m. &  
12:00 p.m.**

**PLACE: HQ GLOBAL WORKPLACE  
4900 California Street  
Tower B-210  
Bakersfield, CA 93301  
(661) 377-1847**

1 TO THE BLUM TRUST AND ITS ATTORNEY, SHELDON R. BLUM:

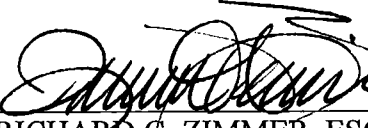
2 PLEASE TAKE NOTICE that objection is hereby made to the Notice of Taking  
3 Deposition of Employees Daniel Wilke & Michael Kovacevich at Wm. Bolthouse Farms, Inc.;  
4 Managerial Employee Anthony Leggio at Bolthouse Properties, LLC & Request for Production  
5 of Business Records of Wm. Bolthouse Farms, Inc. and Bolthouse Properties, LLC at  
6 Deposition on the grounds that the trial judge has informally stayed discovery in light of the  
7 current mediation and settlement process engaged in by the parties with Justice Robie, based  
8 upon the tentative resolution of the case, based upon previously requested and provided  
9 documents to Mr. Blum, based upon the understanding that depositions would not then be  
10 required, based upon previous admonition to Mr. Blum that we do not deem it appropriate to  
11 proceed with depositions at this time and based upon Mr. Blum's failure to meet and confer  
12 with the Court directly to resolve any dispute in this regard.

13 Based upon the foregoing and in the absence of clarification of precisely what  
14 documents are being sought which have not previously been provided and without clarification  
15 as to why the previous agreement to provide documents in lieu of depositions is not satisfactory,  
16 and without meeting and conferring with the Court directly regarding this dispute, the witnesses  
17 requested will not be produced for deposition, nor will documents requested to be produced at  
18 deposition.

19  
20 DATED: April 6, 2012

CLIFFORD & BROWN

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23 By:

  
24 RICHARD G. ZIMMER, ESQ.  
25 T. MARK SMITH, ESQ.  
26 Attorneys for plaintiffs/defendants,  
27 BOLTHOUSE PROPERTIES, LLC and WM.  
28 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 April 9, 2012, I served the foregoing document(s) entitled:

**OBJECTION TO NOTICE OF TAKING DEPOSITION OF EMPLOYEES DANIEL WILKE & MICHAEL KOVACEVICH AT WM. BOLTHOUSE FARMS, INC.; MANAGERIAL EMPLOYEE ANTHONY LEGGIO AT BOLTHOUSE PROPERTIES, LLC & REQUEST FOR PRODUCTION OF BUSINESS RECORDS OF WM. BOLTHOUSE FARMS, INC. AND BOLTHOUSE PROPERTIES, LLC AT DEPOSITION**

— 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 April 9, 2012, 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

**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 April 9, 2012, I served the foregoing document(s) entitled:

**OBJECTION TO NOTICE OF TAKING DEPOSITION OF EMPLOYEES DANIEL  
WILKE & MICHAEL KOVACEVICH AT WM. BOLTHOUSE FARMS, INC.;  
MANAGERIAL EMPLOYEE ANTHONY LEGGIO AT BOLTHOUSE  
PROPERTIES, LLC & REQUEST FOR PRODUCTION OF BUSINESS  
RECORDS OF WM. BOLTHOUSE FARMS, INC. AND BOLTHOUSE  
PROPERTIES, LLC AT DEPOSITION**

XX 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:

SHELDON R. BLUM, ESQ.  
Law Offices of Sheldon R. Blum  
2242 Camden Avenue, Suite 201  
San Jose, CA 95124  
(408) 377-7320  
(408) 377-2199 (fax)

X **BY MAIL**

— I deposited such envelope in the mail at Bakersfield, California, with postage thereon fully prepaid.

X I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Bakersfield, California in the ordinary course of business. The above sealed envelopes were placed for collection and mailing on the above date following ordinary business practice.

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— **BY EXPRESS MAIL**

I deposited such envelopes in a facility regularly maintained by the U.S. Postal Service for receipt of Express Mail, as specified in C.C.P. §1013(c), with Express Mail postage prepaid.

— **BY OVERNIGHT DELIVERY** (other than Express Mail)

I deposited such envelopes in an envelope or package designated by the express service carrier with delivery fees paid or provided;

— and deposited such envelope or package in a facility regularly maintained by the express service carrier.

— delivered such envelope or package to an authorized courier or driver authorized by the express service carrier to receive documents.

— **BY PERSONAL SERVICE**

I caused such envelope to be hand delivered to the offices of the addressee(s).

X **BY FACSIMILE**

I transmitted the above-referenced documents by facsimile to the interested parties as listed below.

Executed on April 9, 2012, 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