

RICHARD G. ZIMMER - SBN 107263  
T. MARK SMITH - SBN 162370  
CLIFFORD & BROWN  
A Professional Corporation  
Attorneys at Law  
Bank of America Building  
1430 Truxtun Avenue, Suite 900  
Bakersfield, CA 93301-5230  
(661) 322-6023

Attorneys for Cross-Defendants, Bolthouse Properties, LLC and WM.  
BOLTHOUSE FARMS, INC.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

\* \* \*

COORDINATION PROCEEDING	)	Judicial Council Coordination
SPECIAL TITLE (Rule 1550(b))	)	Proceeding No. 4408
	)	
<b>ANTELOPE VALLEY GROUNDWATER</b>	)	Santa Clara Case No. 01-05-CV-049053
<b>CASES</b>	)	Assigned to the Honorable Jack Komar
	)	
INCLUDED ACTIONS:	)	
	)	
LOS ANGELES COUNTY WATERWORKS	)	<b>NOTICE OF TAKING DEPOSITION OF</b>
DISTRICT NO. 40 v. DIAMOND	)	<b>JOSEPH C. SCALMANINI AND</b>
FARMING COMPANY, et al.,	)	<b>REQUEST FOR PRODUCTION OF</b>
Los Angeles Superior Court	)	<b>DOCUMENTS AT TIME OF DEPOSITION</b>
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]	)	
	)	
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	)	
	)	
	)	

1                   DATE:        SEPTEMBER 4, 2007  
2                   TIME:        10:00 A.M.  
3                   DEPONENT: JOSEPH C. SCALMANINI  
4                   PLACE:       HILTON GARDEN INN  
5                                SUNSET ROOM  
6                                27710 THE OLD ROAD  
7                                VALENCIA, CA 91355

8           PLEASE TAKE NOTICE that on SEPTEMBER 4, 2007 at 10:00 a.m.,  
9 cross-defendants, Bolthouse Properties, LLC and Wm. Bolthouse  
10 Farms, Inc., by and through their attorneys of record, Clifford &  
11 Brown, and Richard G. Zimmer, will take the deposition of JOSEPH  
12 C. SCALMANINI, whose address is known to his attorneys.

13           The above-described deposition will take place at the offices  
14 of Hilton Garden Inn, Sunset Room, 27710 The Old Road, Valencia,  
15 California, upon oral examination, before a certified shorthand  
16 reporter.

17           PLEASE TAKE FURTHER NOTICE that cross-defendants hereby  
18 demand that JOSEPH C. SCALMANINI produce, for inspection and  
19 deposition examination of MR. SCALMANINI the following documents  
20 or things:

21           1. All writings, as the term is defined by *Evidence Code*  
22 Section 250, supporting the facts, opinions and conclusions set  
23 forth in the Declaration of Joseph C. Scalmanini in Support of  
24 Public Water Suppliers' Statement of Support for a Modified Class  
25 as Proposed by Rebecca Lee Willis.

26           The above-described documents and things are believed to be  
in the possession, custody or control of Joseph C. Scalmanini, Mr.  
Scalmanini's attorneys or their investigators and are calculated  
to lead to admissible and relevant evidence. Original copies of

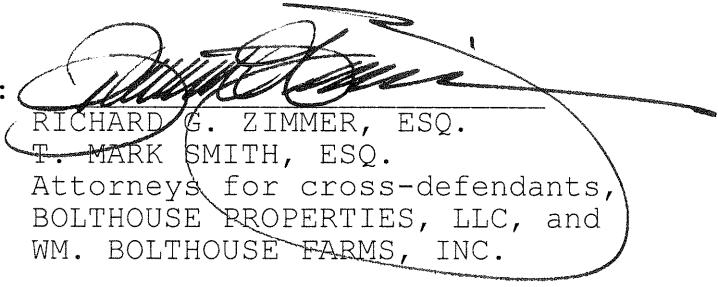
1 documents and things previously identified in discovery shall be  
2 produced at deposition for examination and discussion with Joseph  
3 C. Scalmanini during the deposition.

4 If, for any reason, the taking of said deposition and  
5 production of said records is not completed on said date, the  
6 taking of said deposition and production of records will be  
7 continued from day to day, excepting Sundays and holidays until  
8 completed.

9  
10 DATED: August 14, 2007

CLIFFORD & BROWN

11  
12 By:

  
13 RICHARD G. ZIMMER, ESQ.  
14 T. MARK SMITH, ESQ.  
15 Attorneys for cross-defendants,  
16 BOLTHOUSE PROPERTIES, LLC, and  
17 WM. BOLTHOUSE FARMS, INC.  
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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.

NOTICE OF TAKING DEPOSITION OF JOSEPH C. SCALMANINI AND REQUEST  
FOR PRODUCTION OF DOCUMENTS AT TIME OF DEPOSITION

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

Executed on August 15, 2007, at Bakersfield, California.

— (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.

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**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 August 15, 2007, I served the foregoing document(s) entitled:

**NOTICE OF TAKING DEPOSITION OF JOSEPH C. SCALMANINI AND REQUEST  
FOR PRODUCTION OF DOCUMENTS AT TIME OF 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:

**COURTESY COPY TO:**

Foley Court Reporters  
24359 Valley Street  
Valencia, CA 91321  
(661) 253-2020

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.

**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.

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— **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).


— **BY FACSIMILE**

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

Executed on August 15, 2007, 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