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**(661) 322-6023**

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))**

) 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**

) **AMENDED NOTICE OF TAKING THE**  
) **DEPOSITION OF THE PERSON MOST**  
) **KNOWLEDGEABLE OF LOS ANGELES**  
) **COUNTY AND LOS ANGELES**  
) **COUNTY WATERWORKS DISTRICT**  
) **NO. 40 AND FOR PRODUCTION OF**  
) **DOCUMENTS**

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

) **DATE: April 24, 2013**  
) **TIME: 9 a.m.**  
) **PLACE: Veritext, 707 Wilshire Blvd., Ste**  
) **3500, Los Angeles, CA 90017**

**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]**

) **Trial Date: May 28, 2013**  
) **Action Filed: October 26, 2005**

**AND RELATED ACTIONS**

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1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that pursuant to Code of Civil Procedure section  
3 2025.010, et seq., as modified by the Court in its Case Management Orders, the attorneys  
4 for Bolthouse Properties, LLC and Wm. Bolthouse Farms, Inc. ("Bolthouse") will take the  
5 deposition of the Person Most Knowledgeable of Los Angeles County and Los Angeles  
6 County Waterworks District N. 40 on April 24, 2013, at 9:00 a.m.

7 The deposition shall take place upon oral examination before a Certified  
8 Shorthand Reporter at Veritext, 707 Wilshire Blvd., Suite 3500, Los Angeles, California,  
9 90017, and shall continue from day to day, Sundays and holidays excepted, until  
10 completed. In addition to stenographic recording, the deposition may be recorded by audio  
11 or video technology.

12 PLEASE TAKE FURTHER NOTICE that pursuant to Code of Civil Procedure sections  
13 2025.220 and 2025.230, as modified by the Court in its Case Management Orders, Los  
14 Angeles County and Los Angeles County Waterworks District No. 40 are requested to  
15 designate and produce officers, directors, managers, employees, and agents who are most  
16 qualified to testify on the following matters:

- 17
- 18 1. Any and all actions by Los Angeles County and Los Angeles County Waterworks  
19 District No. 40 to plan for, set in motion, carry out, or otherwise make use of return-  
20 flows in the Antelope Valley.
  - 21 2. Any and all actions at any time by Los Angeles County and Los Angeles County  
22 Waterworks District No. 40 that manifest intent to re-capture or use return flows in  
23 the Antelope Valley.
  - 24 3. Any and all actions at any time by Los Angeles County and Los Angeles County  
25 Waterworks District No. 40 that demonstrate the physical capability to re-capture or  
26 use return flows in the Antelope Valley.
  - 27 4. Any water supply assessments related to the Antelope Valley.
- 28

- 1           5. All will serve notices related to the Antelope Valley issued by Los Angeles County
- 2           and Los Angeles County Waterworks District No. 40 over the last twenty years.
- 3           6. All water management plans or similar plans related to the Antelope Valley.
- 4           7. All actions taken by Los Angeles County and Los Angeles County Waterworks
- 5           District No. 40 over the past twenty years to confirm an adequate water supply for
- 6           new development.
- 7           8. Any engineering or study conducted by Los Angeles County and Los Angeles
- 8           County Waterworks District No. 40 regarding return flows or any migration of
- 9           return flows within the Antelope Valley.
- 10          9. The breakdown, if any, and evaluation of return flows in the Antelope Valley from
- 11          different water uses, including but not limited to, municipal, industrial, irrigation,
- 12          septic tank, municipal sewage system, and any other source.
- 13          10. The percentage or amount of return flows to the Antelope Valley from various types
- 14          of water use being claimed in this litigation and calculation of transmission losses
- 15          affecting the claimed amounts of such return flows.
- 16          11. Any engineering or other analysis of return flows derived from initial return flows
- 17          in the Antelope Valley.
- 18          12. All presentations, including written documents and or bullet point presentations
- 19          related to the availability of groundwater for existing and/or future residential
- 20          development, return flows and/or the extent to which return flows have been relied
- 21          upon to demonstrate an existing or future water supply, whether or not such
- 22          writings or documents have been provided to the public.

23  
24           PLEASE TAKE FURTHER NOTICE that pursuant to Code of Civil Procedure  
25 section 2025.220(a)(4), the deponent is requested to produce at said deposition the documents  
26 described below pursuant to the following instructions and definitions.  
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1 For purposes of this request, the terms used herein are defined as follows:

2 DEFINITIONS

3 1. **YOU:** Means Los Angeles County and Los Angeles County Waterworks District  
4 No. 40.

5 2. **WRITINGS/DOCUMENTS:** Means the term as it is defined by *Evidence Code* §  
6 250, and includes, but is not limited to, hard copy materials, electronically stored  
7 information, photographs, video recordings, audio recordings, multi-media messages,  
8 text messages, social networking records, data, drawings, diagrams, diaries,  
9 journals, calendars, schedules and other such items as contemplated by *Code of Civil*  
10 *Procedure* § 2031.010, et seq., to be produced in their native format when available.

11 3. **ANTELOPE VALLEY:** The Antelope Valley watershed and groundwater basin  
12 at issue in this lawsuit.

13 4. **RETURN FLOWS:** Return flows from imported water being claimed by Los  
14 Angeles County and Los Angeles County Waterworks District No. 40 and/or other  
15 purveyors in this lawsuit.

16 SCOPE OF DEPOSITION INQUIRY

17 The deposition will be conducted regarding any and all claims being made by the party  
18 being deposed which may be relevant to the Phase 4 Trial, including but not limited to, water use  
19 or claims by the party, water use or claims of any other party, the pumping of the party or any  
20 opinions about the pumping of any other party, return flows and or the federal reserved right. This  
21 questioning will include, but is not limited to, discussion of any person most knowledgeable areas,  
22 any and all documents or things requested to be produced at the deposition, and any and all follow  
23 up questions to explore these issues, documents, things and areas.

24 REQUEST FOR PRODUCTION

25 1. Any and all WRITINGS documenting any and all actions by Los Angeles County  
26 and Los Angeles County Waterworks District No. 40 to plan for, set in motion,  
27 carry out, or otherwise make use of RETURN FLOWS in the ANTELOPE  
28 VALLEY.

2. Any and all WRITINGS documenting any and all actions at any time by Los Angeles County and Los Angeles County Waterworks District No. 40 that manifest intent to re-capture or use RETURN FLOWS in the ANTELOPE VALLEY.
3. Any and all WRITINGS documenting any and all actions at any time by Los Angeles County and Los Angeles County Waterworks District No. 40 that demonstrate the physical capability to re-capture or use RETURN FLOWS in the ANTELOPE VALLEY.
4. Any and all WRITINGS documenting any water supply assessments related to the ANTELOPE VALLEY.
5. Any and all WRITINGS documenting all will serve notices related to the ANTELOPE VALLEY issued by Los Angeles County and Los Angeles County Waterworks District No. 40 over the last twenty years.
6. Any and all WRITINGS documenting all water management plans or similar plans related to the ANTELOPE VALLEY.
7. Any and all WRITINGS documenting all actions taken by Los Angeles County and Los Angeles County Waterworks District No. 40 over the past twenty years to confirm an adequate water supply for new development.
8. Any and all WRITINGS documenting any engineering or study conducted by Los Angeles County and Los Angeles County Waterworks District No. 40 regarding RETURN FLOWS or any migration of RETURN FLOWS within the ANTELOPE VALLEY.
9. Any and all WRITINGS documenting the breakdown, if any, and evaluation of RETURN FLOWS in the ANTELOPE VALLEY from different water uses, including but not limited to, municipal, industrial, irrigation, septic tank, municipal sewage system, and any other source.
10. Any and all WRITINGS documenting the percentage or amount of RETURN FLOWS to the ANTELOPE VALLEY from various types of water use being

1 claimed in this litigation and calculation of transmission losses affecting the  
2 claimed amounts of such RETURN FLOWS.

3 11. Any and all WRITINGS documenting any engineering or other analysis of  
4 RETURN FLOWS derived from initial RETURN FLOWS in the ANTELOPE  
5 VALLEY.

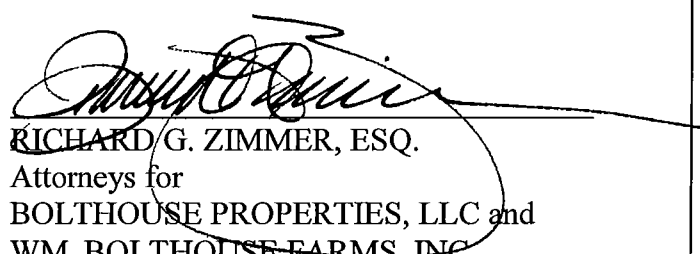
6 12. Any and all WRITINGS documenting all presentations, including written  
7 documents and or bullet point presentations related to the availability of  
8 groundwater for existing and/or future residential development, RETURN FLOWS  
9 and/or the extent to which RETURN FLOWS have been relied upon to demonstrate  
10 an existing or future water supply, whether or not such writings or documents have  
11 been provided to the public.

12 DATED: April 18, 2013

Respectfully submitted.

13 CLIFFORD & BROWN

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15  
16 By:

  
17 RICHARD G. ZIMMER, ESQ.  
18 Attorneys for  
19 BOLTHOUSE PROPERTIES, LLC and  
20 WM. BOLTHOUSE FARMS, INC.  
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1 PROOF OF SERVICE (C.C.P. §1013a, 2015.5)  
2 Antelope Valley Groundwater Cases  
3 Judicial Counsel Coordination Proceeding No. 4408  
4 Santa Clara County Superior Court Case No. 1-05-CV-049053

5 I am employed in the County of Kern, State of California. I am over the age of 18 and  
6 not a party to the within action; my business address is 1430 Truxtun Avenue, Suite 900,  
7 Bakersfield, CA 93301.

8 On April 18, 2013, I served the foregoing document(s) entitled:

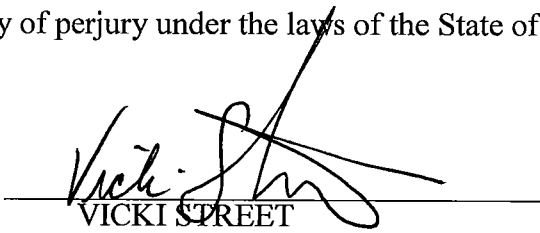
9 **AMENDED NOTICE OF TAKING THE DEPOSITION OF THE PERSON MOST**  
10 **KNOWLEDGEABLE OF LOS ANGELES COUNTY AND LOS ANGELES COUNTY**  
11 **WATERWORKS DISTRICT NO. 40 AND FOR PRODUCTION OF DOCUMENTS**

12 by uploading the document listed above to the Santa Clara Superior Court website in regard to  
13 the Antelope Valley Groundwater Matter. All parties listed on the Santa Clara Superior Court  
14 in regard to the Antelope Valley Groundwater Matter are hereby incorporated within by this  
15 reference.

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

18 Executed on April 18, 2013, at Bakersfield, California.

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

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VICKI STREET  
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