

EXHIBIT A

1 Michael D. McLachlan (State Bar No. 181705)
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4 Los Angeles, California 90025
5 Telephone: (310) 954-8270
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8 Daniel M. O'Leary (State Bar No. 175128)
9 **LAW OFFICE OF DANIEL M. O'LEARY**
10 10490 Santa Monica Boulevard
11 Los Angeles, California 90025
12 Telephone: (310) 481-2020
13 Facsimile: (310) 481-0049
14 dan@danolearylaw.com

15 Attorneys for Plaintiff Richard Wood and the Class

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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

Coordination Proceeding
Special Title (Rule 1550(b))

ANTELOPE VALLEY GROUNDWATER
CASES

RICHARD A. WOOD, an individual, on
behalf of himself and all others similarly
situated,

Plaintiff,

v.

LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 40; et al.

Defendants.

Judicial Council Coordination
Proceeding No. 4408

Lead Case No. BC 325201

Case No.: BC 391869

**NOTICE OF DEPOSITION OF ADAM
ARIKI**

Date: April 12, 2013
Time: 9:00 a.m.

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on April 12, 2013 at 9:00 a.m., Plaintiff Richard
3 Wood will take the oral deposition of Adam Ariki at Veritext, 707 Wilshire Boulevard,
4 Suite 3500, Los Angeles California, 90017.

5 PLEASE TAKE NOTICE that the deposition will be recorded stenographically
6 and on videotape. The recording may include the use of realtime, or similar method,
7 allowing for the instant visual display of the testimony.

8 The subject matter of the deposition will be discovery response sections I.1
9 through I.2(A), I.3, II.1, III.1; the Ariki Declaration paragraphs 1 through 7; the nature of
10 Los Angeles Waterworks District Number 40's water use; all matters pertaining to Los
11 Angeles Waterworks District Number 40 claim for return flows to be presented at the
12 Phase 4 trial; and the records requested below.

13 PLEASE TAKE FURTHER NOTICE that Plaintiff demands the production of the
14 following documents prior to or at the start of the deposition, to be produced in legible
15 paper format or as electronic files, in the manner in which they are kept in the usual
16 course of business:

17 **DOCUMENT REQUEST NO. 1**

18 The witness' current job description, if reduced to writing.

19 **DOCUMENT REQUEST NO. 2**

20 All documents Los Angeles Waterworks District Number 40 ("Waterworks")
21 intends on submitting the Court at the phase four trial (other than those records produced
22 in its December 21, 2012 "Response to Discovery Order for Phase 4 Trial").

23 **DOCUMENT REQUEST NO. 3**

24 The witness' most current curriculum vitae.

25 **DOCUMENT REQUEST NO. 4**

26 Documents sufficient to fully and accurate describe the flow meter calibration
27 methodology employed for each of Waterworks' wells in production at any time since
28 2000.

1 **DOCUMENT REQUEST NO. 5**

2 Any contracts for the delivery of water outside Waterworks' service area.

3 **DOCUMENT REQUEST NO. 6**

4 Any documents generated by or relied upon by Waterworks to assess its return
5 flows from imported water (other than the Summary Expert Report, which need not be
6 produced).

7 **DOCUMENT REQUEST NO. 7**

8 All Notices of Groundwater Extraction and Diversion "(NOTICES)" filed with
9 the State Water Resources Control Board ("SWRCB") since 2000.

10 **DOCUMENT REQUEST NO. 8**

11 All correspondence with the SWRCB relating to groundwater extraction. All
12 check ledgers and cancelled checks evidencing payment of the filing fees
13 associated with filing the NOTICES since 2000.

14 **DOCUMENT REQUEST NO. 9**

15 All Waterworks' minutes that discuss, mention or refer to the payment of filing
16 fees associated with filing the NOTICES since 2000.

17 **DOCUMENT REQUEST NO. 10**

18 Waterworks' Accounts Payable ledgers for the period January 1, 2000 through
19 December 31, 2012.

20 **DOCUMENT REQUEST NO. 11**

21 All DOCUMENTS evidencing the purchase of imported water by the Waterworks
22 at anytime.

23 **DOCUMENT REQUEST NO. 12**

24 All DOCUMENTS evidencing the Waterworks' intent to capture return flows from
25 imported water at any time.

26 **DOCUMENT REQUEST NO. 13**

27 All DOCUMENTS showing how the Waterworks has accounted for return flows
28 from imported water.

1 **DOCUMENT REQUEST NO. 14**

2 All DOCUMENTS, including memorandum, staff reports, resolutions of the
3 Waterworks' board, board meeting minutes and the like showing how the Waterworks set
4 water rates for years 1990 through current.

5 **DOCUMENT REQUEST NO. 15**

6 All DOCUMENTS evidencing any claimed overlying right of the Waterworks to
7 pump groundwater.

8 **DOCUMENT REQUEST NO. 16**

9 Water management plans issues in whole or in part by Waterworks since January
10 1, 2000.

11
12 DATED: April 5, 2013

LAW OFFICES OF MICHAEL D. McLACHLAN
LAW OFFICE OF DANIEL M. O'LEARY

13
14
15 By: //s// Michael D. McLachlan

16 Michael D. McLachlan
17 Attorneys for Plaintiff
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EXHIBIT B

1 **RICHARD G. ZIMMER - SBN 107263**
2 **T. MARK SMITH - SBN 162370**
3 **CLIFFORD & BROWN**
4 **A Professional Corporation**
5 **Attorneys at Law**
6 **Bank of America Building**
7 **1430 Truxtun Avenue, Suite 900**
8 **Bakersfield, CA 93301-5230**
9 **(661) 322-6023**

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

12 **SUPERIOR COURT OF CALIFORNIA**

13 **COUNTY OF SANTA CLARA**

14 **COORDINATION PROCEEDING**
15 **SPECIAL TITLE (Rule 1550(b))**

) Judicial Council Coordination Proceeding No.
4408

16 **ANTELOPE VALLEY GROUNDWATER**
17 **CASES**

) CASE NO. 1-05-CV-049053

18 **INCLUDED ACTIONS:**

19 **LOS ANGELES COUNTY**
20 **WATERWORKS DISTRICT NO. 40 v.**
21 **DIAMOND FARMING COMPANY, et al.,**
22 **Los Angeles Superior Court Case No.**
23 **BC325201**

) **NOTICE OF TAKING THE**
) **DEPOSITION OF THE PERSON MOST**
) **KNOWLEDGEABLE OF LOS ANGELES**
) **COUNTY AND FOR PRODUCTION OF**
) **DOCUMENTS**

24 **LOS ANGELES COUNTY**
25 **WATERWORKS DISTRICT NO. 40 v.**
26 **DIAMOND FARMING COMPANY, et al.,**
27 **Kern County Superior Court Case No. S-**
28 **1500-CV-254348**

) **DATE: April 19, 2013**
) **TIME: 9 a.m.**
) **PLACE: Veritext, 707 Wilshire Blvd., Ste**
) **3500, Los Angeles, CA 90017**

29 **DIAMOND FARMING COMPANY, and**
30 **W.M. BOLTHOUSE FARMS, INC., v.**
31 **CITY OF LANCASTER, et al.,**
32 **Riverside Superior Court**
33 **Case No. RIC 344436 [c/w case no. RIC**
34 **344668 and 353840]**

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

35 **AND RELATED ACTIONS**

36 **///**

37 **///**

38 **///**

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., the attorneys for Bolthouse Properties, LLC and Wm. Bolthouse Farms,
4 Inc. ("Bolthouse") will take the deposition of the Person Most Knowledgeable of Los
5 Angeles County on April 19, 2013, at 9:00 a.m.

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

11 PLEASE TAKE FURTHER NOTICE that pursuant to Code of Civil Procedure sections
12 2025.220 and 2025.230, Los Angeles County is requested to designate and produce its officers,
13 directors, managers, employees, and agents who are most qualified to testify on the following
14 matters:

- 15
- 16 1. Any and all actions by Los Angeles County to plan for, set in motion, carry out, or
17 otherwise make use of return-flows in the Antelope Valley.
- 18 2. Any and all actions at any time by Los Angeles County that manifest intent to re-
19 capture or use return flows in the Antelope Valley.
- 20 3. Any and all actions at any time by Los Angeles County that demonstrate the
21 physical capability to re-capture or use return flows in the Antelope Valley.
- 22 4. Any water supply assessments related to the Antelope Valley.
- 23 5. All will serve notices related to the Antelope Valley issued by Los Angeles County
24 over the last twenty years.
- 25 6. All water management plans or similar plans related to the Antelope Valley.
- 26 7. All actions taken by Los Angeles County over the past twenty years to confirm an
27 adequate water supply for new development.
- 28

- 1 8. Any engineering or study conducted by Los Angeles County regarding return flows
2 or any migration of return flows within the Antelope Valley.
- 3 9. The breakdown, if any, and evaluation of return flows in the Antelope Valley from
4 different water uses, including but not limited to, municipal, industrial, irrigation,
5 septic tank, municipal sewage system, and any other source.
- 6 10. The percentage or amount of return flows to the Antelope Valley from various types
7 of water use being claimed in this litigation and calculation of transmission losses
8 affecting the claimed amounts of such return flows.
- 9 11. Any engineering or other analysis of return flows derived from initial return flows
10 in the Antelope Valley.
- 11 12. All presentations, including written documents and or bullet point presentations
12 related to the availability of groundwater for existing and/or future residential
13 development, return flows and/or the extent to which return flows have been relied
14 upon to demonstrate an existing or future water supply, whether or not such
15 writings or documents have been provided to the public.

16
17 PLEASE TAKE FURTHER NOTICE that pursuant to Code of Civil Procedure
18 section 2025.220(a)(4), the deponent is requested to produce at said deposition the documents
19 described below pursuant to the following instructions and definitions.
20

21 INSTRUCTIONS

- 22 1. You are requested to produce not only those documents in your own possession,
23 custody or control but also those documents reasonably available to you,
24 including those in the possession, custody or control of your attorneys, agents,
25 or other persons acting on your behalf.
- 26 2. You are requested to produce all documents in the same form as they were kept
27 prior to this request for production of documents.
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- 1 3. In the event you are able to produce only some of the documents called for in a
2 particular request, produce all the documents you are able to and state the
3 reason(s) for your inability to produce the remainder.
- 4 4. If you object to a portion of a request, please produce all documents called for
5 by that portion of the request to which you do not object.
- 6 5. With respect to each document which is withheld on a claim of privilege, you
7 are requested to provide a statement setting forth:
- 8 (a) The name(s) of the sender(s) of the document;
9 (b) The name(s) of the author(s) of the document;
10 (c) The name(s) of the person(s) to whom the document or any copies
11 thereof were sent;
12 (d) The date the document was prepared;
13 (e) the general nature of the matter discussed or referred to in the document;
14 and
15 (f) The grounds for the claim of privilege.

16
17 For purposes of this request, the terms used herein are defined as follows:

18 DEFINITIONS

- 19 1. **WRITINGS/DOCUMENTS:** Means the term as it is defined by *Evidence Code* §
20 250, and includes, but is not limited to, hard copy materials, electronically stored
21 information, photographs, video recordings, audio recordings, multi-media messages,
22 text messages, social networking records, data, drawings, diagrams, diaries,
23 journals, calendars, schedules and other such items as contemplated by *Code of Civil*
24 *Procedure* § 2031.010, et seq., to be produced in their native format when available.
- 25 2. **ANTELOPE VALLEY:** The Antelope Valley watershed and groundwater basin
26 at issue in this lawsuit.
- 27 3. **RETURN FLOWS:** Return flows from imported water being claimed by the
28 purveyors in this lawsuit.

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REQUEST FOR PRODUCTION

1. Any and all WRITINGS documenting any and all actions by Los Angeles County to plan for, set in motion, carry out, or otherwise make use of RETURN FLOWS in the ANTELOPE VALLEY.
2. Any and all WRITINGS documenting any and all actions at any time by Los Angeles County 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 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 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 over the past twenty years to confirm an adequate water supply for new development.

1. Any and all WRITINGS documenting any and all actions by Los Angeles County to plan for, set in motion, carry out, or otherwise make use of RETURN FLOWS in the ANTELOPE VALLEY.
2. Any and all WRITINGS documenting any and all actions at any time by Los Angeles County 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 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 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 over the past twenty years to confirm an adequate water supply for new development.

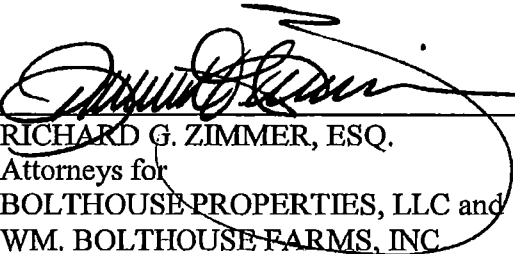
- 1 8. Any and all WRITINGS documenting any engineering or study conducted by Los
2 Angeles County regarding RETURN FLOWS or any migration of RETURN
3 FLOWS within the ANTELOPE VALLEY.
- 4 9. Any and all WRITINGS documenting the breakdown, if any, and evaluation of
5 RETURN FLOWS in the ANTELOPE VALLEY from different water uses,
6 including but not limited to, municipal, industrial, irrigation, septic tank, municipal
7 sewage system, and any other source.
- 8 10. Any and all WRITINGS documenting the percentage or amount of RETURN
9 FLOWS to the ANTELOPE VALLEY from various types of water use being
10 claimed in this litigation and calculation of transmission losses affecting the
11 claimed amounts of such RETURN FLOWS.
- 12 11. Any and all WRITINGS documenting any engineering or other analysis of
13 RETURN FLOWS derived from initial RETURN FLOWS in the ANTELOPE
14 VALLEY.
- 15 12. Any and all WRITINGS documenting all presentations, including written
16 documents and or bullet point presentations related to the availability of
17 groundwater for existing and/or future residential development, RETURN FLOWS
18 and/or the extent to which RETURN FLOWS have been relied upon to demonstrate
19 an existing or future water supply, whether or not such writings or documents have
20 been provided to the public.

21 DATED: April 12, 2013

Respectfully submitted.

22 CLIFFORD & BROWN

23
24
25 By:


26 RICHARD G. ZIMMER, ESQ.
27 Attorneys for
28 BOLTHOUSE PROPERTIES, LLC and
WM. BOLTHOUSE FARMS, INC.

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 12, 2013, I served the foregoing document(s) entitled:


9 **NOTICE OF TAKING THE DEPOSITION OF THE PERSON MOST**
10 **KNOWLEDGEABLE OF LOS ANGELES COUNTY AND FOR PRODUCTION OF**
11 **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 12, 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
2455-2

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 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]

AND RELATED ACTIONS

Judicial Council Coordination Proceeding No.
4408

CASE NO. 1-05-CV-049053

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

DATE: April 24, 2013

TIME: 9 a.m.

PLACE: Veritext, 707 Wilshire Blvd., Ste
3500, Los Angeles, CA 90017

Trial Date: May 28, 2013

Action Filed: October 26, 2005

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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.

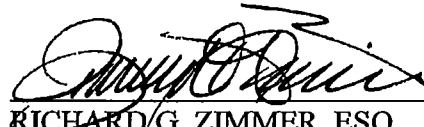
6 12. Any and all WRITINGS documenting all presentations, including written
7 documents and or bullet point presentations related to the availability of
8 groundwater for existing and/or future residential development, RETURN FLOWS
9 and/or the extent to which RETURN FLOWS have been relied upon to demonstrate
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

14
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.

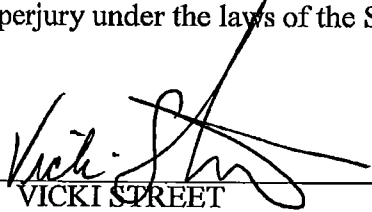
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VICKI STREET
2455-2

EXHIBIT C

Vicki Street

From: Richard Zimmer
Sent: Thursday, April 18, 2013 4:54 PM
To: Vicki Street
Subject: FW: Deposition of County PMK

From: Jeffrey Dunn [<mailto:jeffrey.dunn@BBKLAW.COM>]
Sent: Thursday, April 18, 2013 3:18 PM
To: Richard Zimmer
Cc: Vicki Street; brad@charltonweeks.com
Subject: Re: Deposition of County PMK

We are not producing anyone tomorrow.

Sent from my iPhone

On Apr 18, 2013, at 3:15 PM, "Richard Zimmer" <RZimmer@clifford-brownlaw.com> wrote:

Jeff, will you let me know asap so I can plan accordingly. Thanks

From: Bradley T. Weeks [<mailto:Brad@charltonweeks.com>]
Sent: Thursday, April 18, 2013 2:55 PM
To: Richard Zimmer; jeffrey.dunn@bbklaw.com
Cc: Vicki Street
Subject: RE: Deposition of County PMK

I'm going to leave this on to Jeff.

From: Richard Zimmer [<mailto:RZimmer@clifford-brownlaw.com>]
Sent: Thursday, April 18, 2013 2:39 PM
To: Bradley T. Weeks; jeffrey.dunn@bbklaw.com
Cc: Vicki Street
Subject: Deposition of County PMK

Brad and Jeff,

Will you be producing the LA County PMK tomorrow as noticed ? Doug Evertz said you would be talking regarding the purveyor position re producing witnesses on water supply assessments and management plans as they relate to the return flow claims. We do not want to come all the way to LA if you are not going to produce the witness for deposition testimony. Thanks

IRS CIRCULAR 230 NOTICE: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this communication (or in any attachment).

This email and any files or attachments transmitted with it may contain privileged or otherwise confidential

information. If you are not the intended recipient, or believe that you may have received this communication in error, please advise the sender via reply email and immediately delete the email you received.

EXHIBIT D

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Coordination Proceeding)
Special Title (Rule)
1550(b)))
)
ANTELOPE VALLEY GROUNDWATER) LEAD CASE No. BC325201
CASES,)
) CASE No. BC 391869

RICHARD A. WOOD, an)
individual, on behalf of)
himself and all others)
similarly situated,)
Plaintiff,)
vs.)
LOS ANGELES COUNTY)
WATERWORKS DISTRICT NO. 40;)
et al.)
Defendants.)

DEPOSITION OF ADAM ARIKI, VOLUME I
Los Angeles, California
Friday, April 12, 2013

Reported by:
Angela S. Hartsock
CSR No. 12620
Job No. 1618985

PAGES 1 - 105

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Coordination Proceeding)
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LOS ANGELES COUNTY)
WATERWORKS DISTRICT NO. 40;)
et al.)
Defendants.)

Deposition of ADAM ARIKI, Volume I, taken on
behalf of Plaintiff, at 707 Wilshire Boulevard, Los
Angels, California, commencing at 9:13 a.m., and ending at
12:37 p.m., on Friday, April 12, 2013, before Angela S.
Hartsock, Certified Shorthand Reporter, No. 12620.

1 binders in the box?

2 A And the summary I provided to you.

3 MR. MCLACHLAN: Right. Okay. Let's go off the
4 record for just a moment.

5 (A brief recess was taken at 11:25 a.m.)

6 CROSS-EXAMINATION

7 BY MR. FIFE:

8 Q Good morning, Mr. Ariki. I am Michael Fife. I
9 represent a group of landowners in the adjudication known
10 as the Antelope Valley groundwater Agreement Association,
11 and I just have a few follow-up questions that you covered
12 with Mr. McLachlan.

13 A Okay.

14 Q I'd like to turn back to the notice of your
15 deposition, and I'm handing that to you. That's
16 Exhibit 1. You indicated, I believe, and if I'm wrong
17 please correct me, that in response to document request
18 No. 2, you did not bring any documents with you; is that
19 correct?

20 A That's correct.

21 Q And why didn't you bring any documents with you
22 in response to document No. 2?

23 MR. DUNN: Mr. Fife, perhaps I can answer that.

24 We have asserted an objection to the request.

25 Objections. Plural.

EXHIBIT E

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Coordination Proceeding)
Special Title (Rule)
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DEPOSITION OF ADAM ARIKI, VOLUME I
Los Angeles, California
Friday, April 12, 2013

Reported by:
Angela S. Hartsock
CSR No. 12620
Job No. 1618985
PAGES 1 - 105

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Coordination Proceeding)
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behalf of Plaintiff, at 707 Wilshire Boulevard, Los
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12:37 p.m., on Friday, April 12, 2013, before Angela S.
Hartsock, Certified Shorthand Reporter, No. 12620.

1 BY MR. FIFE:

2 Q Mr. Ariki, do you intend to testify at the phase
3 four trial?

4 MR. DUNN: Objection. That calls for matter that
5 are not covered within the scope of this deposition.
6 It doesn't matter whether he intends to or not.

7 BY MR. FIFE:

8 Q Is it your understanding that you will testify at
9 the phase four trial?

10 MR. DUNN: Objection on attorney-client
11 privilege. It will be up to legal counsel to decide
12 who testifies.

13 MR. FIFE: That's true, but I'm asking what his
14 understanding is as of this time.

15 MR. DUNN: The objection is attorney-client
16 privilege because his understanding would only come
17 from legal counsel in terms of our strategy or plans
18 or intent in the trial.

19 MR. FIFE: So you are instructing him not to
20 answer?

21 MR. DUNN: That's correct.

22 BY MR. FIFE:

23 Q And let's look at document request No. 4. That
24 requests that you provide documents sufficient to fully
25 and accurately describe the flow meter calibration

EXHIBIT F

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Coordination Proceeding)
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DEPOSITION OF ADAM ARIKI, VOLUME I
Los Angeles, California
Friday, April 12, 2013

Reported by:
Angela S. Hartsock
CSR No. 12620
Job No. 1618985

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
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12:37 p.m., on Friday, April 12, 2013, before Angela S.
Hartsock, Certified Shorthand Reporter, No. 12620.

1 hereto.)

2 BY MR. MCLACHLAN:

3 Q Let's go down to the next one in order, which
4 would be request No. 9. And I'm looking at your stack,
5 Mr. Ariki, and I see the next Post-it on the stack says
6 "No. 16"; is that right?

7 A Are we on No. 9 or 16?

8 MR. DUNN: The question that's pending is --

9 BY MR. MCLACHLAN:

10 Q Is there a blue Post-it note in front of you that
11 says "No. 16"?

12 A Correct.

13 Q All right. So do you have any documents that
14 would be responsive to requests No. 9 through 15?

15 A I do not have any documents for No. 9. I do not
16 have any documents for No. 10. I do not have any document
17 for No. 11.

18 Q How about No. 12?

19 A I do have documents for No. 12.

20 Q Let's start with that. What is that?

21 A No. 12, 13 and 16 are all here. These are the
22 ones.

23 Q So the documents that are responsive to No. 12,
24 13 and 16 are all the same documents?

25 A Correct.

1 Q The witness has handed me a sizeable stack of
2 documents, which appear to contain seven reports; is that
3 correct, Mr. Ariki? I'm not going to describe each of
4 them for the record.

5 Can you just generally describe for me what it is
6 you've handed me.

7 A What I handed to you are the Urban Water
8 Management Plan for Los Angeles County Waterworks District
9 40 for 2000, 2005, 2010. And the Integrated Regional
10 Water Management Plan. These are all board approved
11 documents and the Integrated Regional Water Management
12 Plan was approved by 11 boards.

13 Q Was approved by who?

14 A Eleven boards.

15 Q And those boards include other water suppliers in
16 the Antelope Valley?

17 A And cities, yes.

18 Q And these Integrated Water Management Plans are
19 put together in some collaborative fashion; is that
20 correct?

21 A Correct.

22 Q By various municipal entities and water suppliers
23 in the Antelope Valley?

24 A Correct.

25 Q And they are done on what frequency? How often

EXHIBIT G

Vicki Street

From: Richard Zimmer
Sent: Monday, April 15, 2013 10:44 AM
To: 'Mike McLachlan'
Cc: Vicki Street
Subject: RE: Antelope Valley Groundwater - Depos of PMK for LA County & PMK for Rosamond and Steve Perez

Follow Up Flag: Follow up
Flag Status: Completed

Mike, There seems to be some confusion re who is being deposed when. Is Brad sending out a revised schedule as these depositions are being changed ? Mine is a PMK notice re will serve notices, water supply assessments etc as it bears on the return flow claims. As you know they are trying to get around proving the return flow claims in terms of amounts. I would be curious what was discussed on Friday. Give me a call when you have a moment. Thanks

From: Mike McLachlan [<mailto:mike@mclachlanlaw.com>]
Sent: Monday, April 15, 2013 10:30 AM
To: Vicki Street; brad@charltonweeks.com; 'mike@mclachlanlaw.com'; 'sorr@rwglaw.com'; 'MFife@bhfs.com'; 'cms@eslawfirm.com'; Richard Zimmer; 'lee.leininger@usdoj.gov'; 'bbrunick@bmblawoffice.com'
Subject: RE: Antelope Valley Groundwater - Depos of PMK for LA County & PMK for Rosamond and Steve Perez

If by County you mean Waterworks, that depositions occurred Friday.

Mike McLachlan

----- Original message -----

From: Vicki Street <vstreet@clifford-brownlaw.com>
Date: 04/15/2013 10:05 AM (GMT-08:00)
To: brad@charltonweeks.com, "mike@mclachlanlaw.com" <'mike@mclachlanlaw.com'>, "sorr@rwglaw.com" <'sorr@rwglaw.com'>, "MFife@bhfs.com" <'MFife@bhfs.com'>, "cms@eslawfirm.com" <'cms@eslawfirm.com'>, Richard Zimmer <RZimmer@clifford-brownlaw.com>, "lee.leininger@usdoj.gov" <'lee.leininger@usdoj.gov'>, "bbrunick@bmblawoffice.com" <'bbrunick@bmblawoffice.com'>
Cc: Richard Zimmer <RZimmer@clifford-brownlaw.com>
Subject: Antelope Valley Groundwater - Depos of PMK for LA County & PMK for Rosamond and Steve Perez

Good morning all,

On Friday, we noticed the depositions of the PMK for Rosamond and Steve Perez for April 17th which is one of the dates given to us by Doug Evertz for taking these depositions, however, we just learned that Mr. Evertz is no longer available that day and we will try to reschedule. We also noticed the depo of the LA County PMK on April 19. If April 19th is not acceptable, please contact Mr. Zimmer at your earliest convenience for acceptable dates. Thank you.

Vicki Street

Assistant to RICHARD G. ZIMMER, ESQ.
CLIFFORD & BROWN
1430 Truxtun Avenue, Suite 900
Bakersfield, CA 93301
Telephone: (661)322-6023
Telefax: (661)322-3508

Email: vstreet@clifford-brownlaw.com

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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 May 10, 2013, I served the foregoing document(s) entitled:

9 **NOTICE OF MOTION AND MOTION TO COMPEL DEPOSITION TESTIMONY OF**
10 **LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 PERSON MOST**
11 **KNOWLEDGEABLE; MEMORANDUM OF POINTS AND AUTHORITIES;**
12 **DECLARATION OF RICHARD G. ZIMMER**

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

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

19 Executed on May 10, 2013, at Bakersfield, California.

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

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23 VICKI STREET
24 2455-2
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