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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

) **NOTICE TO LOS ANGELES COUNTY**
) **WATERWORKS DISTRICT NO. 40 TO**
) **APPEAR AND PRODUCE DOCUMENTS**
) **AT TRIAL**

) **[C.C.P. §1987(b), (c)]**

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

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1 TO LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 ("Dist. No. 40")
2 and its attorney of record:

3 PLEASE TAKE NOTICE that Wm. Bolthouse Farms, Inc. and Bolthouse Properties,
4 LLC, pursuant to *Code of Civil Procedure Section 1987(b)*, require the attendance of the
5 Person Most Knowledgeable at Los Angeles County Waterworks District No. 40 and/or Los
6 Angeles County with regard to the issues and documents identified on Exhibit "A," attached
7 hereto and herein incorporated by reference. This notice also requests appearance by the
8 officer, director, or managing agent most knowledgeable regarding the issues and documents
9 identified on Exhibit "A." Finally, the notice requires attendance of Los Angeles County
10 Waterworks District No. 40 representative Adam Ariki and the production of all documents as
11 the term is defined by Evidence Code Section 250, which support any and all claims of Los
12 Angeles County Waterworks District No. 40 for the Phase 4 Trial.

13 The trial at which appearance is requested is scheduled to begin on May 28, 2013.
14 However, the trial court has not decided on the order of witnesses. Request is made that the
15 witnesses be available for the trial which begins on May 28, 2013 subject to setting the date for
16 appearance based upon further clarifying court orders regarding the order of trial.
17 Arrangements may be made with the noticing entity attorney to be on call. The place for
18 attendance at trial is the Los Angeles County Superior Court located at 111 N. Hill Street, Los
19 Angeles, CA 90012 or such other location pursuant to court order.

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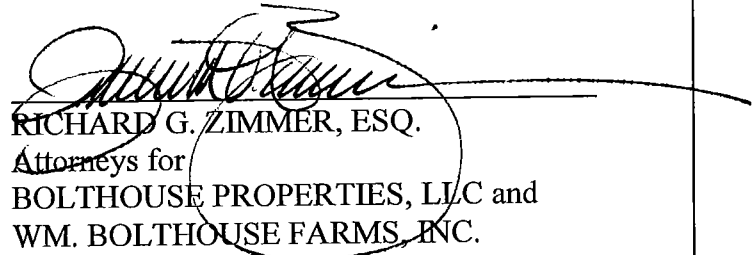
1 PLEASE TAKE FURTHER NOTICE that pursuant to *Code of Civil Procedure Section*
2 *1987(c)*, Wm. Bolthouse Farms, Inc. and Bolthouse Properties, LLC request that the Person
3 Most Knowledgeable, the officer, director or managing agent and Mr. Ariki, produce the
4 documents identified on Exhibit "A" attached hereto and herein incorporated by reference.

5 DATED: May 10, 2013

Respectfully submitted.

6 CLIFFORD & BROWN

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9 By:


10 RICHARD G. ZIMMER, ESQ.
11 Attorneys for
12 BOLTHOUSE PROPERTIES, LLC and
13 WM. BOLTHOUSE FARMS, INC.
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1 **EXHIBIT "A"**

2 **REQUEST FOR PRODUCTION**

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- 4 1. Any and all WRITINGS, as defined by Evidence Code Section 250, supporting any
- 5 and all claims regarding groundwater pumping, RETURN FLOWS and/or the
- 6 federal reserved right that District No. 40 is making for purposes of the Phase IV
- 7 Trial.
- 8 2. Any and all WRITINGS, as defined by Evidence Code Section 250, documenting
- 9 any and all actions by Los Angeles County and Los Angeles County Waterworks
- 10 District No. 40 to plan for, set in motion, carry out, or otherwise make use of
- 11 RETURN FLOWS in the ANTELOPE VALLEY.
- 12 3. Any and all WRITINGS, as defined by Evidence Code Section 250, documenting
- 13 any and all actions at any time by Los Angeles County and Los Angeles County
- 14 Waterworks District No. 40 that manifest intent to re-capture or use RETURN
- 15 FLOWS in the ANTELOPE VALLEY.
- 16 4. Any and all WRITINGS, as defined by Evidence Code Section 250, documenting
- 17 any and all actions at any time by Los Angeles County and Los Angeles County
- 18 Waterworks District No. 40 that demonstrate the physical capability to re-capture or
- 19 use RETURN FLOWS in the ANTELOPE VALLEY.
- 20 5. Any and all WRITINGS, as defined by Evidence Code Section 250, documenting
- 21 any water supply assessments related to the ANTELOPE VALLEY.
- 22 6. Any and all WRITINGS, as defined by Evidence Code Section 250, documenting
- 23 all will serve notices related to the ANTELOPE VALLEY issued by Los Angeles
- 24 County and Los Angeles County Waterworks District No. 40 over the last twenty
- 25 years.
- 26 7. Any and all WRITINGS, as defined by Evidence Code Section 250, documenting
- 27 all water management plans or similar plans related to the ANTELOPE VALLEY.
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- 1 8. Any and all WRITINGS, as defined by Evidence Code Section 250, documenting
2 all actions taken by Los Angeles County and Los Angeles County Waterworks
3 District No. 40 over the past twenty years to confirm an adequate water supply for
4 new development.
- 5 9. Any and all WRITINGS, as defined by Evidence Code Section 250, documenting
6 any engineering or study conducted by Los Angeles County and Los Angeles
7 County Waterworks District No. 40 regarding RETURN FLOWS or any migration
8 of RETURN FLOWS within the ANTELOPE VALLEY.
- 9 10. Any and all WRITINGS, as defined by Evidence Code Section 250, documenting
10 the breakdown, if any, and evaluation of RETURN FLOWS in the ANTELOPE
11 VALLEY from different water uses, including but not limited to, municipal,
12 industrial, irrigation, septic tank, municipal sewage system, and any other source.
- 13 11. Any and all WRITINGS, as defined by Evidence Code Section 250, documenting
14 the percentage or amount of RETURN FLOWS to the ANTELOPE VALLEY from
15 various types of water use being claimed in this litigation and calculation of
16 transmission losses affecting the claimed amounts of such RETURN FLOWS.
- 17 12. Any and all WRITINGS, as defined by Evidence Code Section 250, documenting
18 any engineering or other analysis of RETURN FLOWS derived from initial
19 RETURN FLOWS in the ANTELOPE VALLEY.
- 20 13. Any and all WRITINGS, as defined by Evidence Code Section 250, documenting
21 all presentations, including written documents and or bullet point presentations
22 related to the availability of groundwater for existing and/or future residential
23 development, RETURN FLOWS and/or the extent to which RETURN FLOWS
24 have been relied upon to demonstrate an existing or future water supply, whether or
25 not such writings or documents have been provided to the public.

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 TO LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 TO**
10 **APPEAR AND PRODUCE DOCUMENTS AT TRIAL**

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

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

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

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

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VICKI STREET
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