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and WM. BOLTHOUSE FARMS, INC.
7

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF LOS ANGELES

10 * * *

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

JUDICIAL COUNCIL COORDINATION PROCEEDING
No. 4408

12 ANTELOPE VALLEY GROUNDWATER
13 CASES

CASE NO. 1-05-CV-049053
Action Filed: October 26, 2005

14 INCLUDED ACTIONS:

**STIPULATION TO EXTEND DATE FOR
SUPPLEMENTAL EXPERT WITNESS
DESIGNATION FOR PHASE 5 TRIAL**

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

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

20 DIAMOND FARMING COMPANY, and W.M.
21 BOLTHOUSE FARMS, INC., v. CITY OF
LANCASTER, et al.,
22 Riverside Superior Court Case No. RIC 344436
[c/w case no. RIC 344668 and 353840]
23

24 AND RELATED ACTIONS.
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1 IT IS HEREBY STIPULATED by and between Richard Zimmer of the law firm of Clifford &
2 Brown on behalf of BOLTHOUSE PROPERTIES, LLC, and WM. BOLTHOUSE FARMS, INC.
3 (hereinafter "BOLTHOUSE"), and Wesley A. Miliband of the law firm Aleshire & Wynder, LLP, on
4 behalf of PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT (hereinafter "PHELAN
5 PIÑON HILLS"), that the time for BOLTHOUSE designation of supplemental expert witness(es) to
6 address potential testimony of PHELAN PIÑON HILLS' designated expert witness or percipient
7 witness for the Phase 5 trial is hereby extended until January 31, 2014, subject to the following
8 conditions ("Stipulation") and the Court's approval of the Stipulation:

9 a. BOLTHOUSE'S supplemental expert witness(es) will be made available to PHELAN
10 PIÑON HILLS for deposition at Veritext in Los Angeles before commencement of the Phase 5 trial
11 without the customary notice period to which BOLTHOUSE would be entitled to under the Code of
12 Civil Procedure or the Case Management Order for Phase 5;

13 b. BOLTHOUSE'S supplemental expert witness(es), if any, shall be prepared to give
14 meaningful testimony at such deposition as required by the Code of Civil Procedure and Case
15 Management Order for Phase 5;

16 c. BOLTHOUSE'S failure to comply with any of the above shall, in the discretion of the
17 Court, preclude BOLTHOUSE from offering such witness for testimony relating to PHELAN PIÑON
18 HILLS during the Phase 5 trial.

19 d. This Stipulation does not otherwise relieve BOLTHOUSE of notice requirements set
20 forth in the Code of Civil Procedure or the Case Management Order for Phase 5 for deposing
21 PHELAN PIÑON HILLS' designated expert witness;

22 e. PHELAN PIÑON HILLS is not precluded from offering testimony during the Phase 5
23 trial of its designated expert witness on the basis of either BOLTHOUSE electing not to notice and
24 take the deposition of PHELAN PIÑON HILLS' designated expert witness or BOLTHOUSE electing
25 not to designate a supplemental expert witness as set forth herein; and,

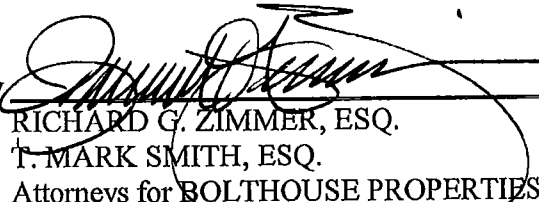
26 f. Any of the dates set forth in this Stipulation may be extended by the Court upon
27 request by the parties to this Stipulation or as deemed appropriate by the Court.

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1 DATED:

CLIFFORD & BROWN

2
3 By


RICHARD G. ZIMMER, ESQ.

T. MARK SMITH, ESQ.

Attorneys for BOLTHOUSE PROPERTIES, LLC
and WM. BOLTHOUSE FARMS, INC.

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5
6
7 DATED: 12/10/13

ALESHIRE & WYNDER

8
9 By


WESLEY A. MILIBAND, ESQ.

Attorneys for PHELAN PIÑON HILLS
COMMUNITY SERVICES DISTRICT

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13 **APPROVAL OF THE STIPULATION**

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15 The Court hereby approves the Stipulation between PHELAN PIÑON HILLS and
16 BOLTHOUSE as set forth above.

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18 DATED:

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HONORABLE JACK KOMAR