

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

JUN 17 2005

ALAN SLATER, Clerk of the Court

C. Carr
BY C. CARR

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

Coordination Proceeding
Special Title (Rule 1550(b))

**ANTELOPE VALLEY
GROUNDWATER CASES**

Included actions:

Los Angeles County Waterworks
District No. 40 v. Diamond
Farming Co.

Los Angeles County Waterworks
District No. 40 v. Diamond
Farming Co.

Wm. Bolthouse Farms, Inc. v.

City of Lancaster

Diamond Farming Co. v.
City of Lancaster

Diamond Farming Co. v.
Palmdale Water District

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Superior Court of California
County of Los Angeles
BC 325 201

Superior Court of California
County of Kern
S-1500-CV 254-348

Superior Court of California
County of Riverside - Consolidated
Actions
(RIC 353 840

RIC 344 436

RIC 344 668)

ORDER GRANTING PETITION FOR COORDINATION

EXHIBIT 6

The actions filed in Los Angeles and Kern County entitled *Los Angeles County Waterworks District No 40 vs Diamond Farming*, case no. BC 325201 and Kern County Superior Court case no. S-1500-CV 254348 are deemed complex pursuant to CRC 1800.

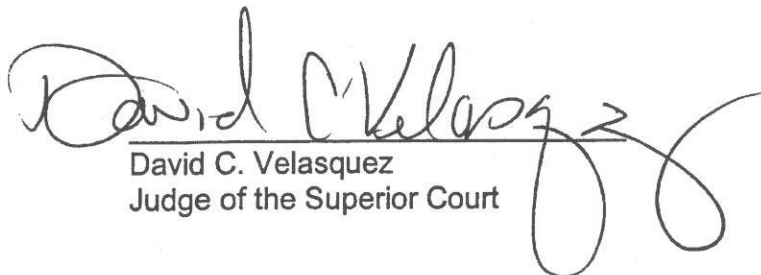
Good cause appearing that the coordination of the included actions is appropriate under the standards specified in CCP §§ 404 and 404.1, it is hereby ordered that the petition of Los Angeles County Waterworks District No. 40 for coordination of the included actions is granted; except, however, that the Riverside Superior Court retain jurisdiction over the consolidated case of *Wm. Bolthouse Farms, Inc. v. City of Lancaster*, et al., RCSC case no. RIC 344436 (the lead action); *Diamond Farming Co. v. City of Lancaster*, case no. RIC 344668; and *Diamond Farming Co. v. Palmdale Water District*, case no RIC 353840, currently in trial, solely for the purpose of granting a motion for mistrial and for hearing and determining issues related to sanctions, costs of suit and fees resulting from that mistrial. In all other respects, that consolidated action is coordinated pursuant to this order.

The court orders coordination of *Los Angeles County Waterworks District No. 40 v. Diamond Farming Company et al.*, LASC case no. BC 32501; *Los Angeles County Waterworks District No. 40 v. Diamond Farming Company et al.*, KCSC case no. S-1500-CV-25438; and the consolidated action of *Wm. Bolthouse Farms, Inc. v. City of Lancaster*, et al., RCSC case no. RIC 344436, *Diamond Farming Co. v. City of Lancaster*, case no. RIC 344668 and *Diamond Farming Co. v. Palmdale Water District*, case no. RIC 353840. The Court of Appeal, 4th Appellate District, Div. 2 (Riverside) is designated as the reviewing court with appellate jurisdiction for any petition for relief relating to any order in this proceeding.

This court recommends that the coordinated action be assigned to the Superior Court, County of Los Angeles, Complex Litigation. However, this court recommends that the Judicial Counsel appoint a judge from a neutral court (i.e., a sitting judge neither from Los Angeles County Superior Court nor Kern County Superior Court), or in the alternative, a retired judge to sit on assignment, to preside over this coordinated action as the coordination trial judge.

The clerk is directed to serve a copy of this order on the chair of the Judicial Council; the presiding judges of the Superior Courts of Los Angeles County, Kern County, Riverside County, and on counsel for all parties.

June 17, 2005


David C. Velasquez
Judge of the Superior Court

FILED

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

JUN 17 2005

ALAN SLATER, Clerk of the Court

C. Carr
BY: C. CARR

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

ANTELOPE VALLEY GROUNDWATER CASES Plaintiff(s)	CASE NUMBER JCCP 4408
	CERTIFICATE OF SERVICE BY MAIL of ORDER GRANTING PETITION FOR COORDINATION dated 6-17-05

I, ALAN SLATER, Executive Officer and Clerk of the Superior Court, in and for the County of Orange,
State of California, hereby certify; that I am not a party to the within action or proceeding; that on 6-20-05 I
served the ORDER GRANTING PETITION FOR COORDINATION, dated 6-17-05, on each of the parties
herein named by depositing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid,
in the United States Postal Service mail box at Santa Ana, California addressed as follows:

Judicial Council of California
Administrative Office of the Courts
Attn: Carlotta Tillman
455 Golden Gate Avenue
San Francisco, CA 94102-3688

Los Angeles County Superior Court
Executive Officer/Clerk, John A. Clarke
111 North Hill Street
Los Angeles, CA 90012

Riverside County Superior Court
Executive Officer/Clerk, Jose Octavio
Guillen
4100 Main Street
Riverside, CA 92501

Kern County Superior Court
Court Executive Officer, Terry McNally
1415 Truxton Ave.
Bakersfield, CA 93301-4172

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ALAN SLATER,
Executive Officer and Clerk of the Superior Court
In and for the County of Orange

DATED: 6-20-05

By: Christine Carr
Christine Carr, Deputy Clerk

PROOF OF SERVICE

I, Kerry V. Keefe, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger LLP, 5 Park Plaza, Suite 1500, Irvine, California 92614. On November 17, 2005, I served the within document(s):

LOS ANGELES COUNTY WATERWORKS DISTRICT NO.
40'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF
OPPOSITION TO DIAMOND FARMING COMPANY'S
MOTION TO STRIKE; DECLARATION OF SANDRA M.
SCHWARZMANN IN SUPPORT THEREOF

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Irvine, California addressed as set forth below.
- ☐ by causing personal delivery by ASAP Corporate Services of the document(s) listed above to the person(s) at the address(es) set forth below.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- ☒ I caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by Federal Express following the firm's ordinary business practices.**

(SEE ATTACHED SERVICE LIST)

I am readily familiar with the 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 in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 17, 2005 at Irvine, California.


Kerry V. Keefe

SERVICE LIST

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- 2 Bob H. Joyce, Esq. Attorneys for Diamond Farming Company
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16 HATCH AND PARENT Nebeker Ranch, Inc., Bob Jones on behalf of
21 21 East Carrillo Street R&M Ranch, Inc., Forrest G. Godde and Steve
17 Santa Barbara, CA 93101-2782 Godde, Gailen Kyle on behalf of Kyle & Kyle
(805) 965-4333-Facsimile Ranch, Inc. and John Calandri on behalf of
18 Calandri/Sonrise Farms, collectively known as
the Antelope Valley Ground Water Agreement
19 Association ("AGWA")
- 20 Richard Zimmer, Esq. Attorneys for Bolthouse Properties, Inc.
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23 County Courthouse
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24 Los Angeles, CA 90012-3014
- 25 Chair, Judicial Council of California
Administrative Office of the Courts
26 Attn: Appellate & Trial Court Judicial Services
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Attorneys for Los Angeles County Sanitation
Districts
****Via Federal Express Only**

4 Hon. Jack Komar
5 Judge of the Superior Court of California,
6 County of Santa Clara
7 191 North First Street
8 San Jose, CA 95113

Coordination Trial Judge
****Via Federal Express Only**

