

1 **BEST BEST & KRIEGER LLP**

ERIC L. GARNER, Bar No. 130665

2 JEFFREY V. DUNN, Bar No. 131926

STEFANIE D. HEDLUND, Bar No. 239787

3 5 PARK PLAZA, SUITE 1500

IRVINE, CALIFORNIA 92614

4 TELEPHONE: (949) 263-2600

TELECOPIER: (949) 260-0972

5 Attorneys for Cross-Complainants

ROSAMOND COMMUNITY SERVICES

6 DISTRICT and LOS ANGELES COUNTY

WATERWORKS DISTRICT NO. 40

7 OFFICE OF COUNTY COUNSEL

8 COUNTY OF LOS ANGELES

ANDREA ORDIN, Bar No. 38235

9 COUNTY COUNSEL

WARREN WELLEN, Bar No. 139152

10 PRINCIPAL DEPUTY COUNTY COUNSEL

500 WEST TEMPLE STREET

11 LOS ANGELES, CALIFORNIA 90012

TELEPHONE: (213) 974-8407

12 TELECOPIER: (213) 687-7337

Attorneys for Cross-Complainant LOS ANGELES

13 COUNTY WATERWORKS DISTRICT NO. 40

14
15 SUPERIOR COURT OF THE STATE OF CALIFORNIA

16 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

17
18 **ANTELOPE VALLEY**
19 **GROUNDWATER CASES**

20 **Included Actions:**

21 Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co., Superior
Court of California, County of Los
Angeles, Case No. BC 325201;

22 Los Angeles County Waterworks District
23 No. 40 v. Diamond Farming Co., Superior
Court of California, County of Kern, Case
24 No. S-1500-CV-254-348;

25 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v. City of
26 Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
27 California, County of Riverside, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668

Judicial Council Coordination No. 4408

28 **CLASS ACTION**

Santa Clara Case No. 1-05-CV-049053
Assigned to The Honorable Jack Komar

**OBJECTIONS TO BOLTHOUSE
PROPERTIES, LLC AND WM. BOLTHOUSE
FARMS, INC.'S DEPOSITION OF EXPERT
JOSEPH SCALMANINI**

Date: August 2, 2010

Time: 9:00 a.m.

Place: 301 North Lake Ave., 10th Floor
Pasadena, CA 91101

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

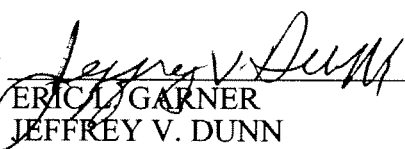
2
3 PLEASE TAKE NOTICE that LOS ANGELES COUNTY WATERWORKS DISTRICT
4 NO. 40 and ROSAMOND COMMUNITY SERVICES DISTRICT ("Cross-Complainants")
5 object to BOLTHOUSE PROPERTIES, LLC AND WM. BOLTHOUSE FARMS, INC.'S
6 ("Bolthouse's") Notice Of Taking And Videotaping Deposition of Los Angeles County's Expert,
7 Joseph Scalmanini ("Deposition Notice"), as follows:

8 Cross-Complainants object to the Deposition Notice on the grounds that the Deposition
9 Notice is improper, as it requests the appearance of expert witness Joseph Scalmanini on
10 **August 2, 2010 at 9:00 a.m.** at the offices of Lagerlof, Senecal, et al, LLP in Pasadena,
11 California. However, counsel for Antelope Groundwater Agreement Association, another party
12 to this action, has noticed the deposition of Joseph Scalmanini for **August 2, 2010 at 9:00 a.m.** at
13 the offices of Brownstein Hyatt Farber Schreck, LLP in Los Angeles, California, along with
14 additional deposition dates and witnesses. Expert witness Joseph Scalmanini cannot appear at
15 two places at the same date and time, and therefore Cross-Complainants object to Bolthouse's
16 improper Deposition Notice.

17 Dated: July 23, 2010

BEST BEST" & KRIEGER LLP

19
20 By


ERIC L. GARNER
JEFFREY V. DUNN
STEFANIE D. HEDLUND
Attorneys for Cross-Complainants
ROSAMOND COMMUNITY SERVICES
DISTRICT and LOS ANGELES
COUNTY WATERWORKS DISTRICT
NO. 40

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 July 23, 2010, I served the within document(s):

OBJECTIONS TO BOLTHOUSE PROPERTIES, LLC AND WM. BOLTHOUSE FARMS, INC.'S DEPOSITION OF EXPERT JOSEPH SCALMANINI



by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.



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.

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 July 23, 2010, at Irvine, California.


Kerry V. Keefe