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**EXEMPT FROM FILING FEES
UNDER GOVERNMENT CODE
SECTION 6103**

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14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 COUNTY OF LOS ANGELES – CENTRAL DISTRICT
16

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

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

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

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

Judicial Council Coordination No. 4408

CLASS ACTION

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

**APPLICATION TO EXTEND THE
DEADLINE TO FILE PHASE 3 TRIAL
BRIEFS; DECLARATION OF JEFFREY V.
DUNN**

1 APPLICATION TO EXTEND THE DEADLINE TO FILE PHASE 3 TRIAL BRIEFS

2 This Application respectfully quests that the Court extend the Phase 3 trial brief filing
3 deadline to December 20, 2010. This Application is made by the City of Los Angeles, Quartz
4 Hill Water District, Palmdale Water District, California Water Service Company, Littlerock
5 Creek Irrigation District, Palm Ranch Irrigation District, North Edwards Water District, Desert
6 Lake Community Services District and Los Angeles County Waterworks District No. 40
7 (collectively "Requesting Parties.")

8 The Application is based on the following: (1) Expert witness depositions are ongoing and
9 have resulted in the discovery of new information to be addressed in the parties' trial briefs; (2)
10 Requesting Parties can file a joint trial brief but need additional time to consult with one another;
11 and, (3) the requests for entry of default for non-appearing parties is extensive and ongoing.
12 (Dunn Decl., at ¶¶ 2, 3 and 4.)

13 For the above reasons, Requesting Parties respectfully request the Court extend the time
14 for all parties to file Phase 3 trial to December 20, 2010.

15
16 Dated: December 10, 2010

BEST BEST & KRIEGER LLP

17
18 By 

19 ERIC L. GARNER
20 JEFFREY V. DUNN
21 STEFANIE D. HEDLUND
22 Attorneys for Cross-Complainant
23 LOS ANGELES COUNTY
24 WATERWORKS DISTRICT NO. 40
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1. I am a California licensed attorney and a partner with Best Best & Krieger LLP, attorneys of record for Los Angeles County Waterworks District No. 40. I have personal knowledge of the following facts and would so testify in court.

3. Expert witness depositions are ongoing. There are expert witness depositions scheduled to occur as late as Monday, December 13, and deposition transcripts have not yet been produced for all previous expert witness depositions. During the ongoing expert witness depositions, the discovery of new opinions, analysis, and information has been revealed. This new information should be considered in the trial briefs.

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

Jeffrey V Dunn

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PROOF OF SERVICE

I, Stefanie D. Hedlund, 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, 400 Capitol Mall, Suite 1650, Sacramento, California 95814. On December 10, 2010, I served the within document(s):

APPLICATION TO EXTEND THE DEADLINE TO FILE PHASE 3 TRIAL BRIEFS; DECLARATION OF JEFFREY V. DUNN



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 December 10, 2010, at Sacramento, California.



Stefanie D. Hedlund