

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>JEFFREY V. DUNN SBN 131926; STEFANIE D. HEDLUND SBN 239787</b> Best Best & Krieger, LLP - Irvine 5 Park Plaza, #1500 Irvine, CA 92614 TELEPHONE NO.: (949) 263-2600 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b>CROSS-COMPLAINANTS</b>	<b>FOR COURT USE ONLY</b>								
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: Room 109 CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Central District, Stanley Mosk Courthouse									
PLAINTIFF/PETITIONER: Los Angeles County Waterworks District No. 40, et al. DEFENDANT/RESPONDENT: Diamond Farming Company, et al.									
<table style="width: 100%;"> <tr> <td style="width: 30%;"> <b>REQUEST FOR (Application)</b> </td> <td style="width: 30%;"> <input checked="" type="checkbox"/> <b>Entry of Default</b> </td> <td style="width: 30%;"> <input type="checkbox"/> <b>Clerk's Judgment</b> </td> <td style="width: 10%;"></td> </tr> <tr> <td></td> <td> <input type="checkbox"/> <b>Court Judgment</b> </td> <td></td> <td></td> </tr> </table>	<b>REQUEST FOR (Application)</b>	<input checked="" type="checkbox"/> <b>Entry of Default</b>	<input type="checkbox"/> <b>Clerk's Judgment</b>			<input type="checkbox"/> <b>Court Judgment</b>			CASE NUMBER: <b>4408</b>
<b>REQUEST FOR (Application)</b>	<input checked="" type="checkbox"/> <b>Entry of Default</b>	<input type="checkbox"/> <b>Clerk's Judgment</b>							
	<input type="checkbox"/> <b>Court Judgment</b>								

1. TO THE CLERK: On the complaint or cross-complaint filed
- a. on (date): August 21, 2008
  - b. by (name): Los Angeles County Waterworks District No. 40, et al.
  - c. ☒ Enter default of defendant (names): See Exhibit "A" attached hereto.
  - d. ☐ I request a court judgment under Code of Civil Procedure sections 585(b), 585(c), 989, etc., against defendant (names):  
*(Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code Civ. Proc., § 585(d).)*
  - e. ☐ Enter clerk's judgment
    - (1) ☐ for restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc., § 1169.)  
☐ Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The *Prejudgment Claim of Right to Possession* was served in compliance with Code of Civil Procedure section 415.46.
    - (2) ☐ under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)
    - (3) ☐ for default previously entered on (date):
2. **Judgment to be entered.**
- |                                                                                                             | <u>Amount</u> | <u>Credits acknowledged</u> | <u>Balance</u> |
|-------------------------------------------------------------------------------------------------------------|---------------|-----------------------------|----------------|
| a. Demand of complaint.....                                                                                 | \$            | \$                          | 0.00           |
| b. Statement of damages *                                                                                   |               |                             |                |
| (1) Special .....                                                                                           | \$            | \$                          | 0.00           |
| (2) General .....                                                                                           | \$            | \$                          | 0.00           |
| c. Interest .....                                                                                           | \$            | \$                          | 0.00           |
| d. Costs (see reverse) .....                                                                                | 0.00 \$       | \$                          | 0.00           |
| e. Attorney fees .....                                                                                      | \$            | \$                          | 0.00           |
| f. <b>TOTALS</b> .....                                                                                      | 0.00 \$       | 0.00 \$                     | 0.00           |
| g. <b>Daily damages</b> were demanded in complaint at the rate of: \$ _____ per day beginning (date): _____ |               |                             |                |
| (* Personal injury or wrongful death actions; Code Civ. Proc., § 425.11.)                                   |               |                             |                |
3. ☐ (Check if filed in an unlawful detainer case) Legal document assistant or unlawful detainer assistant information is on the reverse (complete item 4).

Date: 12/3/2010

Stefanie D. Hedlund

(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

**FOR COURT  
USE ONLY**

- (1) ☐ Default entered as requested on (date):  
 (2) ☐ Default NOT entered as requested (state reason):

Clerk, by \_\_\_\_\_, Deputy

PLAINTIFF/PETITIONER: Los Angeles County Waterworks District No. 40, et al.	CASE NUMBER: 4408
DEFENDANT/RESPONDENT: Diamond Farming Company, et al.	

4. **Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.).** A legal document assistant or unlawful detainer assistant ☐ did ☐ did not for compensation give advice or assistance with this form.  
(If declarant has received **any** help or advice for pay from a legal document assistant or unlawful detainer assistant, state):

- a. Assistant's name:  
b. Street address, city, and zip code:  
c. Telephone no.:  
d. County of registration:  
e. Registration no.:  
f. Expires on (date):

5. ☐ **Declaration under Code of Civil Procedure Section 585.5** (required for entry of default under Code Civ. Proc., § 585(a)).  
This action
- a. ☐ is ☐ is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act),  
b. ☐ is ☐ is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).  
c. ☐ is ☐ is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).

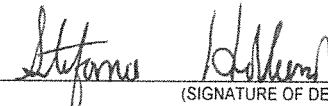
6. **Declaration of mailing (Code Civ. Proc., § 587).** A copy of this *Request for Entry of Default* was

- a. ☐ **not mailed** to the following defendants, whose addresses are **unknown** to plaintiff or plaintiff's attorney (names):  
b. ☒ **mailed** first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:  
(1) Mailed on (date): 12/13/2010 (2) To (specify names and addresses shown on the envelopes):  
Please see attached Attachment to Proof of Service

I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.  
Date: 12/13/2010

Stefanie D. Hedlund

(TYPE OR PRINT NAME)

► 

(SIGNATURE OF DECLARANT)

7. **Memorandum of costs** (required if money judgment requested). Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):
- a. Clerk's filing fees ..... \$  
b. Process server's fees ..... \$  
c. Other (specify): ..... \$  
d. .... \$  
e. **TOTAL** ..... \$ 0.00

- f. ☒ Costs and disbursements are waived.  
g. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
Date: 12/13/2010

Stefanie D. Hedlund

(TYPE OR PRINT NAME)

► 

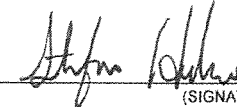
(SIGNATURE OF DECLARANT)

8. ☒ **Declaration of nonmilitary status** (required for a judgment). No defendant named in item 1c of the application is in the military service so as to be entitled to the benefits of the Servicemembers Civil Relief Act (50 U.S.C. App. § 501 et seq.).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
Date: 12/13/2010

Stefanie D. Hedlund

(TYPE OR PRINT NAME)

► 

(SIGNATURE OF DECLARANT)

## EXHIBIT “A”

Enter default of defendant (names):

DENEEN DESCHENE, ROE 982	RICHARD DIOLI, ROE 989
DESERT LAKE L P, ROE 983	LONZO DIXON, ROE 990
JUAN DIAZ, ROE 984	MAE DIXON, ROE 991
GARY DICKS, ROE 987	HONORATO DIZON, ROE 993
NICK DIGIULIO, ROE 988	

## ATTACHMENT TO PROOF OF SERVICE

DENEEN DESCHENE, ROE 982 385 LIHOLIHO ST # A WAILUKU, HI 96793-2509	RICHARD DIOLI, ROE 989 17 TASKER LN SAN CARLOS, CA 94070-4427
DESERT LAKE L P, ROE 983 16996 SPAATZ CIR STE CI RIVERSIDE, CA 92518-2862	LONZO DIXON, ROE 990 9358 DANBURY ST CYPRESS, CA 90630-2847
JUAN DIAZ, ROE 984 4632 JADE CT LANCASTER, CA 93536-7106	MAE DIXON, ROE 991 9358 DANBURY ST CYPRESS, CA 90630-2847
GARY DICKS, ROE 987 302 MONTGOMERY CIR STE CI STEPHENS CITY, VA 22655-5911	HONORATO DIZON, ROE 993 218 JULES AVE SAN FRANCISCO, CA 94112-1724
NICK DIGIULIO, ROE 988 4520 W AVENUE N2 PALMDALE, CA 93551-1229	

**PROOF OF SERVICE**

I, Jennifer M. Maguire, 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 13, 2010, I served the within document(s):

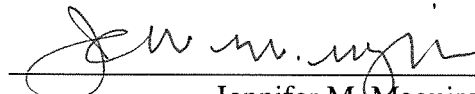
**REQUEST FOR ENTRY OF DEFAULT**

- ☒ 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 13, 2010, at Sacramento, California.

  
Jennifer M. Maguire