

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): JEFFREY V. DUNN SBN 131926; STEFANIE D. HEDLUND SBN 239787 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): CROSS-COMPLAINANTS	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES 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.	
REQUEST FOR <input checked="" type="checkbox"/> Entry of Default <input type="checkbox"/> Clerk's Judgment (Application) <input type="checkbox"/> Court Judgment	CASE NUMBER: 4408

1. TO THE CLERK: On the complaint or cross-complaint filed
- on (date): August 21, 2008
 - by (name): Los Angeles County Waterworks District No. 40, et al.
 - ☒ Enter default of defendant (names): See Exhibit "A" attached hereto.
 - ☐ 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).)
 - ☐ Enter clerk's judgment
 - ☐ 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.
 - ☐ under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)
 - ☐ 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. TOTALS | 0.00 \$ | 0.00 \$ | 0.00 |
- g. **Daily damages** 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: 12/15/2010

Stefanie D. Hedlund

(TYPE OR PRINT NAME)

► 

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

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

**FOR COURT
USE ONLY**

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).

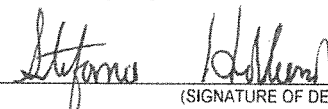
6. **Declaration of mailing (Code Civ. Proc., § 587).** A copy of this *Request for Entry of Default* was

- 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): 12/15/2010 (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: 12/15/2010

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: 12/15/2010

Stefanie D. Hedlund

(TYPE OR PRINT NAME)

► 

(SIGNATURE OF DECLARANT)

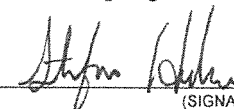
8. ☒ **Declaration of nonmilitary status (required for a judgment).** No defendant named in item 1c of the application is in the military service so as to be entitled to the benefits of the Servicemembers Civil Relief Act (50 U.S.C. App. § 501 et seq.).

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

Date: 12/15/2010

Stefanie D. Hedlund

(TYPE OR PRINT NAME)

► 

(SIGNATURE OF DECLARANT)

EXHIBIT "A"

Enter default of defendant (names):

MRN FAMILY LIMITED PARTNERSHIP, ROE 340	JOHN W. PHELPS, ROE 361
GAY E NAIDITCH, ROE 341	JAMES S. PHELPS, ROE 362
CHESTER NIGRA, CO-TRUSTEE, ROE 343	AGNES PITTMAN, ROE 364
NEIL NISSING, ROE 345	EFREN REYES, ROE 365
MASAAKI OKAMOTO, ROE 346	RMB PROPERTY HOLDING TWO LLC, ROE 366
KEIKO OKAMOTO, ROE 347	STEFFANY J. ROHN, ROE 367
NORIYUKI OKAMOTO, ROE 348	SCATTAGLIA, FRANCES M TR, ROE 372
SHOJI OKAMOTO, ROE 349	COLUMBIA M. STENBERG, TRUSTEE, ROE 379
PACIFIC AMERICAN INV LTD INC, ROE 350	CHRISTOPHER S. SUN, TRUSTEE, ROE 382
PALMDALE 1000 ASSOCIATES LLC, ROE 352	JOHN S. SUN, TRUSTEE, ROE 383
MARVIN R. PERRISEAU, ROE 354	ALYCE A TOGONOTTI, ROE 385
KAREN L. PERRISEAU, ROE 355	
THANG D PHAM, ROE 359	

ATTACHMENT TO PROOF OF SERVICE

MRN FAMILY LIMITED PARTNERSHIP, ROE 340 11987 SHOSHONE AVE GRANADA HILLS, CA 91344	JOHN W. PHELPS, ROE 361 PO BOX 2102 TELLURIDE, CO 81435
GAY E NAIDITCH, ROE 341 3243 E PALMDALE BLVD PALMDALE, CA 93550	JAMES S. PHELPS, ROE 362 PO BOX 2102 TELLURIDE, CO 81435
CHESTER NIGRA, CO-TRUSTEE, ROE 343 1124 FORDHOOK DR LA CANADA, CA 91011	AGNES PITTMAN, ROE 364 2300 LA SOLANA WY LAS VEGAS, NV 89102
NEIL NISSING, ROE 345 711 S FLOWER STREET BURBANK, CA 91502	EFREN REYES, ROE 365 42504 5TH ST EAST LANCASTER, CA 93535
MASAAKI OKAMOTO, ROE 346 20695 WESTERN AVE #205 TORRANCE, CA 90501	RMB PROPERTY HOLDING TWO LLC, ROE 366 8800 N GAINES CENTER DR #255 SCOTTSDALE AZ 85258
KEIKO OKAMOTO, ROE 347 20695 WESTERN AVE #205 TORRANCE, CA 90501	STEFFANY J. ROHN, ROE 367 5210 GROUSE RUN DR STOCKTON, CA 95207
NORIYUKI OKAMOTO, ROE 348 20695 WESTERN AVE #205 TORRANCE, CA 90501	SCATTAGLIA, FRANCES M TR, ROE 372 PO BOX 508 LITTLE ROCK, CA 93543
SHOJI OKAMOTO, ROE 349 20695 WESTERN AVE #205 TORRANCE, CA 90501	COLUMBIA M. STENBERG, TRUSTEE , ROE 379 657 SUNFISH WY PORT HUENEME, CA 92401
PACIFIC AMERICAN INV LTD INC, ROE 350 PO BOX 291298 PORT ORANGE, FL 32129	CHRISTOPHER S. SUN, ROE 382 1 ATHERTON OAKS LN ATHERTON, CA 94027
PALMDALE 1000 ASSOCIATES LLC, ROE 352 430 32ND ST #200 NEWPORT BEACH, CA 92663	JOHN S. SUN, TRUSTEE, ROE 383 1 ATHERTON OAKS LN ATHERTON, CA 94027
MARVIN R. PERRISEAU, ROE 354 10360 SHERMAN GROVE AVE SUNLAND CA 91040	ALYCE A TOGONOTTI, ROE 385 2075 WOODSIDE RD REDWOOD CITY, CA 94061
KAREN L. PERRISEAU, ROE 355 10360 SHERMAN GROVE AVE SUNLAND, CA 91040	
THANG D PHAM, ROE 359 11518 RICHEY AVE DOWNEY, CA 90241	

PROOF OF SERVICE

I, Marie Milovanovich, 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 15, 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 15, 2010, at Sacramento, California.



Marie Milovanovich