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

23 Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co., Superior
24 Court of California, County of Kern, Case
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
28

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

Judicial Council Coordination No. 4408

CLASS ACTION

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

[Code Civ. Proc., § 382]

**EX PARTE APPLICATION FOR
EXTENSION OF TIME TO FILE
OPPOSITIONS TO MOTIONS BY
DIAMOND FARMING; DECLARATION
OF JEFFREY V. DUNN**

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1 EX PARTE APPLICATION

2
3 On behalf of the Public Water Suppliers¹, Rosamond Community Services District and
4 Los Angeles County Water Works District No. 40 hereby apply for a three-day (3) extension of
5 time to respond to two motions and a demurrer by Diamond Farming Company. The present
6 deadline is May 8, 2007.

7
8 As shown in the attached declaration of Jeffrey V. Dunn, one of the lead attorneys for Los
9 Angeles County Water District No. 40 and Rosamond Community Services District and
10 responsible for preparation of the opposition to the Diamond Farming motions, Mr. Eric Garner,
11 has had to travel out-of-state to attend to a family medical emergency. During the time since the
12 filing of the Diamond Farming motions, he has been unexpectedly out-of-state for more than a
13 week on two occasions; and has been unable to work on the oppositions or consult with other
14 Public Water Supplier attorneys to coordinate opposition to the Diamond Farming motions.

15
16 This request for a three-day extension of time is not for purposes of delay and the Court
17 has previously granted extensions of time to various parties including a three-day extension of
18 time to the United States to respond to the Public Water Suppliers' Motion for Class Certification.

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27 ¹ The Public Water Suppliers are City of Lancaster, City of Palmdale, Palmdale Water District, Little Rock
28 Creek Irrigation District, Palm Ranch Irrigation District, Palmdale Water District, Quartz Hill Water District, and
California Water Service Company.

1 The three-day extension of time will not unduly prejudice any party as the Court could
2 also extend by three days the present deadline by which Diamond Farming could file its replies,
3 and the extensions of time still allow for court hearing on the motions presently scheduled for
4 May 21, 2007.

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7 Dated: May 7, 2007

BEST BEST & KRIEGER LLP

8
9 By 

10 ERIC L. GARNER
11 JEFFREY V. DUNN
12 STEFANIE D. HEDLUND
13 Attorneys for Cross-Complainants
14 ROSAMOND COMMUNITY SERVICES
15 DISTRICT and LOS ANGELES
16 COUNTY WATERWORKS DISTRICT
17 NO. 40
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DECLARATION OF JEFFREY V. DUNN

I, Jeffrey V. Dunn, declare as follows:

1. I have personal knowledge of the facts below, and if called upon to do so, I could testify competently thereto in a court of law.

2. I am an attorney licensed to practice law in the State of California. I am a partner of Best, Best & Krieger LLP, attorneys of record for Rosamond Community Services District and Los Angeles County Water Works District No. 40.

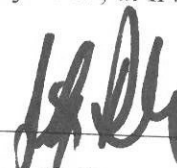
3. Oppositions to two motions by Diamond Farming Company are presently due on or before May 8, 2007.

4. One of the lead attorneys for Los Angeles County Water District No. 40 and Rosamond Community Services District and responsible for preparation of their opposition to the Diamond Farming motions, Mr. Eric Garner, has had to travel out-of-state to attend to a family medical emergency. During the time since the filing of the Diamond Farming motions, he has been unexpectedly out-of-state for more than a week on two occasions; and has been unable to work on the oppositions or consult with other Public Water Supplier attorneys to coordinate opposition to the Diamond Farming motions.

5. The request for a three-day extension of time is not for purposes of delay and the Court has previously granted extensions of time to various parties including a three-day extension of time to the United States to respond to the Public Water Suppliers' Motion for Class Certification.

LAW OFFICES OF
BEST BEST & KRIEGER LLP
5 PARK PLAZA, SUITE 1500
IRVINE, CALIFORNIA 92614

1 I declare under penalty of perjury under the laws of the State of California that the
2 forgoing is true and correct. Executed this 7th day of May 2007, at Irvine, California.
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Jeffrey V. Dunn

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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 May 7, 2007, I served the within document(s):

**EX PARTE APPLICATION FOR EXTENSION OF TIME TO FILE OPPOSITIONS
TO MOTIONS BY DIAMOND FARMING; 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.

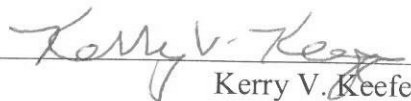


I caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by Federal Express following the firm's ordinary business practices.

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 May 7, 2007, at Irvine, California.


Kerry V. Keefe