

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 ☒ Entry of Default ☐ Clerk's Judgment (Application) ☐ Court Judgment AMENDED	CASE NUMBER: 4408

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. 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: 2/15/12

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: _____ c. Telephone no.: _____
b. Street address, city, and zip code: _____ 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).

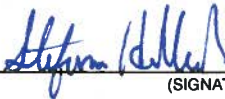
6. **Declaration of mailing (Code Civ. Proc., § 587).** A copy of this *Request for Entry of Default* was

- a. ☒ **not mailed** to the following defendants, whose addresses are **unknown** to plaintiff or plaintiff's attorney (names):
Please see attached Exhibit "A", Proof of Electronic Service, and Proofs of Publication
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): _____ (2) To (specify names and addresses shown on the envelopes): _____

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: 2/15/12

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: 2/15/12

Stefanie D. Hedlund

(TYPE OR PRINT NAME)

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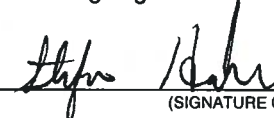
(SIGNATURE OF DECLARANT)

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: 2/15/12

Stefanie D. Hedlund

(TYPE OR PRINT NAME)

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(SIGNATURE OF DECLARANT)

EXHIBIT "A"

LEONARD GRIFFIN, ROE 1152	RITA HILTON, ROE 288
ORRIN PHILLIPS, ROE 1743	BANDUCCI ENTERPRISES, ROE 408
ROBERT SMITH, ROE 1951	WILLIAM CORDOVA, ROE 431
CENON S. ADVINCULA, DOE 4	MARY ANN LEWIS, ROE 513
ANTONIO U. AGUSTINES, DOE 7 (KERN COUNTY)	ELAINE L. MORALES, ROE 530
ILDEFONSO S. BAYANI, DOE 12	YING X. DONG, DOE 48
SUCHU T. HUANG, DOE 80	
NORMAN L. POULSEN, DOE 128	
ESFANDIAR KADIVAR, DOE 84	
ROYAL WESTERN PROPERTIES LLC, DOE 142	
TIONG D. TIU, DOE 167	
ELIZABETH WONG, DOE 181	
MARY WONG, DOE 182	
ROSAMOND MUTUAL WATER COMPANY, DOE 213	

1 **PROOF OF SERVICE**

2 I, Jennifer M. Maguire, declare:

3 I am a resident of the State of California and over the age of eighteen years, and
4 not a party to the within action; my business address is Best Best & Krieger LLP, 500 Capitol
5 Mall, Suite 1700, Sacramento, California 95814. On March 20, 2012, I served the within
6 document(s):

7 **AMENDED REQUEST FOR ENTRY OF DEFAULT**



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

11 See attached Proofs of Publication



13 by placing the document(s) listed above in a sealed envelope with postage thereon
14 fully prepaid, in the United States mail at Irvine, California addressed as set forth
15 below.



17 by causing personal delivery by ASAP Corporate Services of the document(s)
18 listed above to the person(s) at the address(es) set forth below.



20 by personally delivering the document(s) listed above to the person(s) at the
21 address(es) set forth below.

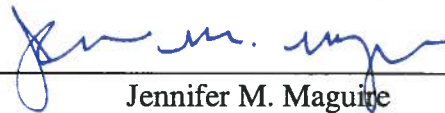


23 I caused such envelope to be delivered via overnight delivery addressed as
24 indicated on the attached service list. Such envelope was deposited for delivery
25 by Federal Express following the firm's ordinary business practices.

26 I am readily familiar with the firm's practice of collection and processing
27 correspondence for mailing. Under that practice it would be deposited with the U.S. Postal
28 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 March 20, 2012, at Sacramento, California.


Jennifer M. Maguire

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles

Notice Type: SUMMONS

**Plaintiff: ANTELOPE VALLEY
GROUNDWATER CASES**
Case Number: JUDICIAL COUNCIL
COORDINATION PROCEEDING NO. 4408

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Antelope Valley Press, a newspaper of general circulation, printed and published daily in the city of Palmdale, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under date of October 24, 1931, Case Number 328601; Modified Case Number 657770 April 11, 1956; also operating as the Ledger-Gazette, adjudicated a legal newspaper June 15, 1927, by Superior Court decree No. 224545; also operating as the Desert Mailer News, formerly known as the South Antelope Valley Foothill News, adjudicated a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California on May 29, 1967, Case Number N0C564 and adjudicated a newspaper of general circulation for the City of Lancaster, State of California on January 26, 1990, Case Number N0C10714, Modified October 22, 1990; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

April 8, 15, 22, 29, 2010

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

[Signature]

Signature

Dated: April 29, 2010
Executed at Palmdale, California

ANTELOPE VALLEY PRESS
37404 SIERRA HWY., PALMDALE CA 93550
Telephone (661) 267-4112/Fax (661) 947-4870

The space above for filing stamp

SUMMONS ON FIRST

CROSS-COMPLAINT

COORDINATION PROCEEDING NO. 4408

NOTICE TO CROSS-DEFENDANT

AVIS A LOS DEFENDIDOS EN CRUCE

ENTERPRISES, L.P., ACHE Capital

LLC, Jacqueline Adamson; Chong

Advicula, Marcella Alfar; Antonio

U. Aguilar, Alirio; Singapore Private Limited;

Morven M. Aldia, Alan Almey; Allen

Almey and Almey Family Trust; George J. Archer; George

J. Archer as Trustee for the George J. Archer Trust;

A V Materiale, Inc.; Guss A. Barks;

J. Peter G. Barks, Jr.; B. B. Barks;

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22081; Yung Lincoln Chu Kuan

(Ros 581; Bova, Gayles (Ros

781; Gonzalez, Rogus (Ros

135); Hong, Kai (Ros 122);

YOU ARE BEING SUED BY

CROSS-COMPLAINANT: ILO

EST. DEMANDADO EL

DEMANDANTE: CALIFORNIA

WATER-SERVICE COMPANY;

CITY OF LANCASTER; CITY OF

PALMDALE, LITTLE ROCK

CREEK IRRIGATION DISTRICT,

LOS ANGELES COUNTY

WATER-DISTRICT NO. 40,

PALMDALE WATER DISTRICT,

ROSAWAD COMMUNITY

SERVICES-DISTRICT, PALM

RANCH IRRIGATION DISTRICT

AND QUARTZ HILL WATER

DISTRICT (collectively, the

"Public Water Suppliers")

You have 30 CALENDAR

DAYS after this summons and

legal papers are served on you

to file a written response at this

court and have a copy served on

the plaintiff. A later or phone

call will not protect you. Your

written response must be in

proper legal form. If you want

the court to hear your case:

There may be a court form

that you can use for your

response. You can find these

court forms and more

information at the California

Courts Online Self-Help Center

www.courtinfo.ca.gov/selfhelp

your county law library, or the

courthouse nearest you. If you

cannot pay the filing fee, ask the

court clerk for a fee waiver

form. If you do not file a

response on time, you may lose

the case by default. There are

other legal requirements.

See my web site at

www.lawhelpcalifornia.org. If you

do not know an attorney, you may

contact an attorney referral

service. If you cannot afford an

attorney, you may be eligible for

free legal services from a

nonprofit legal services

provider. You can locate these

nonprofit groups at the

California Legal Services Web

site

www.lawhelpcalifornia.org.

the California Courts Online

Self-Help Center at

www.courtinfo.ca.gov/selfhelp

or your local court

or county bar association.

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22081; Yung Lincoln Chu Kuan

(Ros 581; Bova, Gayles (Ros

781; Gonzalez, Rogus (Ros

135); Hong, Kai (Ros 122);

YOU ARE BEING SUED BY

CROSS-COMPLAINANT: ILO

EST. DEMANDADO EL

DEMANDANTE: CALIFORNIA

WATER-SERVICE COMPANY;

CITY OF LANCASTER; CITY OF

PALMDALE, LITTLE ROCK

CREEK IRRIGATION DISTRICT,

LOS ANGELES COUNTY

WATER-DISTRICT NO. 40,

PALMDALE WATER DISTRICT,

ROSAWAD COMMUNITY

SERVICES-DISTRICT, PALM

RANCH IRRIGATION DISTRICT

AND QUARTZ HILL WATER

DISTRICT (collectively, the

"Public Water Suppliers")

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call will not protect you. Your

written response must be in

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the court to hear your case:

There may be a court form

that

SUMI ON FIRST AMENDED CROSS-COMPLAINT
(CITACION JUDICIAL)

Case Number (Numero del Caso): Judicial Council Coordination Proceeding No. 4408

NOTICE TO CROSS-DEFENDANT:
(AVISO AL DEMANDADO):

ABC Williams Enterprises LP; ACEH Capital, LLC, Jacqueline Ackermann, Canon Advincula, Oliva M. Advincula, Mashallah Alshar, Antonio U. Agustines, Airtrust Singapore Private Limited, Marwan M. Aldais, Allen Alevy, Allen Alevy and Alevy Family Trust, Georgine J. Archer, Georgine J. Archer as Trustee for the Georgine J. Archer Trust, A. V. Bialostolsky, Inc., Cuss A. Barks, Jr., Peter G. Barks, Hilderson S. Bayani, Nilda Y. Bayani, Big West Corp, Randall Y. Blayney, Melody S. Bloom, Bolthouse Properties, Inc., David L. Bowers, Ronald E. Bowers, Leroy Daniel Bronston, Marilyn Burgess, Laverne C. Burroughs, Laverne C. Burroughs, Trustee of the Burroughs Family Irrevocable Trust Dated August 1, 1986, Bruce Burrows, John and B. Calandri 2001 Trust, California Portland Cement Company, Calmat Lant Co., Melinda E. Cameron, Castle Butte Dev Corp, Catellus Development Corporation, Bong S. Chang, Jeanne Y. Chang, Moon S. Chang, Jacob Chetrit, Frank S. Chiodo, Lee S. Chiu, M. S. Chung, City of Los Angeles, Carol K. Claypool, Clifford N. Claypool, W. F. Clunen, Jr., W. F. Clunen, Jr. as Trustee for the P C Rev Inter Vivos Trust, Consolidated Rock Products Co., County Sanitation District No. 14 of Los Angeles County, County Sanitation District No. 20 of Los Angeles County, Ruth A. Cumming, Ruth A. Cumming as Trustee of the Cumming Family Trust, Catharine M. Davis, Milton S. Davis, Del Sur Ranch LLC, Diamond Farming Company, Sarkis Danibekyan, Hong Dong, Ying X. Dong, Dorothy Dreier, George E. Dreier, Mordecai M. Foroughi, Mordecai M. Foroughi as Trustee of the Foroughi Family Trust, Lewis Fredrichsen, Lewis Fredrichsen as Trustee of the Fredrichsen Family Trust, Joan A. Funk, Eugene Gabrych, Marian Gabrych, Aurora P. Gabuya, Rodrigo L. Gabuya, GGF LLC, Genus LP, Betty Gluckstein, Joseph H. Gluckstein, Forrest G. Godde, Forrest G. Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, Maria B. Gorrindo, Maria B. Gorrindo as Trustee for the M. Gorrindo Trust, Wendell G. Hanks, Andreas Hauke, Marilyn Hauke, Healy Enterprises, Inc., Walter E. Helmick, Donna L. Higelmire, Michael N. Higelmire, Davis L. and Diana D. Hines Family Trust, Hoospack Dev Inc., Chi S. Huang, Suchu T. Huang, John Hul, Hypericum Interests LLC, Daryush Iraninezhad, Minop Iraninezhad, Esfandiar Kadivar, Esfandiar Kadivar as Trustee of the Kadivar Family Trust, A. David Kagon, A. David Kagon as Trustee for the Kagon Trust, Jack K. Katz, Cheng K. Katz, Herbert Katz, Herbert Katz as Trustee for the Katz Family Trust, Marianne Katz, Lillian S. Kauffman, Lillian S. Kaufman as Trustee for the Kaufman Family Trust, Kzuko Yoshimatsu, Barbara L. Keys, Barbara L. Keys as Trustee of the Barbara L. Keys Family Trust, Billy H. Kim, Ily King, Ily King as Trustee of the Ily King Family Trust, Kootenai Properties, Inc., Kutu Investment Co., Gallen Kyle, Gallen Kyle as Trustee of the Kyle Trust, James W. Kyle, James W. Kyle as Trustee of the Kyle Family Trust, Julia Kyle, Wanda B. Kyle, Fares A. Lahoud, Eysa Lai, Paul Lai, Ying Wah Lam, Land Business Corporation, Richard E. Landfield, Richard E. Landfield as Trustee of the Richard E. Landfield Trust, Lawrence Charles Trust, William Lewis, Mary Lewis, Pei Chi Lin, Man C. Lo Shing, Ru Lo, Lyman C. Miles, Lyman C. Miles as Trustee for the Miles Family Trust, Malloy Family Partners LP, Mission Bell Ranch Development, Barry S. Munz, Kathleen M. Munz, Terry A. Munz, M.R. Nasir, Souad R. Nasir, Eugene E. Necker, Simon C. Neman, Henry Ngo, Frank T. Nguyen, Juanita E. Nichols, Oliver Nichols, Oliver Nichols as Trustee of the Nichols Family Trust, Owl Properties, Inc., Palmdale Hills Property LLC, Norman L. Poulsen, Marilyn J. Prewoznik, Marilyn J. Prewoznik as Trustee of the Marilyn J. Prewoznik Trust, Elias Qarmout, Victoria Rahimi, R and M Ranch, Inc., Patricia A. Recht, Veronika Reineit, Reineit Rosenloecher Corp, PSR, Patricia J. Riggins, Patricia J. Riggins as Trustee of the Riggins Family Trust, Edgar C. Ritter, Paula E. Ritter, Paula E. Ritter as Trustee of the Ritter Family Trust, Roman Catholic Archbishop of Los Angeles, Romo Lake Los Angeles Partnership, Rosemount Equities LLC Series, Royal Investors Group, Royal Western Properties LLC, Oscar Rudnick, Rebecca Rudnick, Santa Monica Mountains Conservancy, Marygrace H. Santoro, Marygrace H. Santoro as Trustee for the Marygrace H. Santoro Rev Trust, San Yli Enterprises, Inc., Daniel Saparzhad, Helen Stathatos, Savas Stathatos, Savas Stathatos as Trustee for the Stathatos Family Trust, Seven Star United LLC, Mark H. Shafron, Robert L. Shafron, Kamran S. Shokri, Donna L. Simpson, Gareth L. Simpson, Gareth L. Simpson as Trustee of the Simpson Family Trust, Soaring Vista Properties, Inc., State of California, George C. Stevens, Jr., George C. Stevens, Jr. as Trustee of the George C. Stevens, Jr. Trust, George L. Stimson, Jr., George L. Stimson, Jr. as Trustee of the George L. Stimson, Jr. Trust, Tejon Ranch, Mark E. Thompson A P C Profit Sharing Plan, Tierra Bonita Ranch Company, Tiong D. Tiu, Beverly J. Tobias, Beverly J. Tobias as Trustee of the Tobias Family Trust, Jung N. Tom, Wilma D. Trueblood, Wilma D. Trueblood as Trustee of the Trueblood Family Trust, Unison Investment Co., LLC, Delmar D. Van Dam, Gertrude J. Van Dam, Keith E. Wales, E C Wheeler LLC, William Bolthouse Farms, Inc., Alex Woodchis, Elizabeth Wong, Mary Wong, Mike M. Wu, Mike M. Wu as Trustee of the Wu Family Trust, State of California 50th District and Agricultural Association, and U.S. Borax Inc. and Roex 1 through 100,000, ABC Diamonds Inc. (Roe 403); Aldais, Marwan M. (Roe 6); Alessi, John S. Jr. (Roe 589); Alessi, Lawrence V. 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I am a citizen of the United States and a resident of aforesaid County. I am over the age of eighteen years, and not a party to or interested in the above-matter. I am the Principal Clerk of the printer of the LOS ANGELES TIMES, a newspaper of general circulation, printed and published DAILY in the City of Los Angeles, County of Los Angeles and which newspaper was adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of April 28, 1952, Case Number 59. The notice, a true and correct copy of which is annexed to this publication in each regular and entire issue of said newspaper, published on the following dates, to wit:

WEDNESDAY; APRIL 7, 2010; WEDNESDAY; APRIL 14, 2010; WEDNESDAY; APRIL 21, 2010; WEDNESDAY; APRIL 28, 2010

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

Dated at Los Angeles, California,

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Angelina de Cordova

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AND WHICH NEWSPAPER HAS BEEN ADJUDGED A NEWSPAPER OF GENERAL CIRCULATION BY THE SUPERIOR COURT OF THE COUNTY OF KERN, STATE OF CALIFORNIA, UNDER DATE OF FEBRUARY 5, 1952, CASE NUMBER 57610; THAT THE NOTICE, OF WHICH THE ANNEXED IS A PRINTED COPY, HAS BEEN PUBLISHED IN EACH REGULAR AND ENTIRE ISSUE OF SAID NEWSPAPER AND NOT IN ANY SUPPLEMENT THEREOF ON THE FOLLOWING DATES, TO WIT:

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[Signature]

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