| 1 | BEST BEST & KRIEGER LLP | EXEMPT FROM FILING FEES |
|----------|---------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 2 | ERIC L. GARNER, Bar No. 130665 JEFFREY V. DUNN, Bar No. 131926 | UNDER GOVERNMENT CODE SECTION 6103 |
| 3 | STEFANIE D. HEDLUND, Bar No. 239787 5 PARK PLAZA, SUITE 1500 | |
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| 6 | LOS ANGELES COUNTY WATERWORK DISTRICT NO. 40 | S |
| 7 | OFFICE OF COUNTY COUNSEL COUNTY OF LOS ANGELES | |
| 8 | JOHN F. KRATTLI, Bar No. 82149 COUNTY COUNSEL | |
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| 13 | COUNTY WATERWORKS DISTRICT NO | . 40 |
| 14 | SUPERIOR COURT OF | THE STATE OF CALIFORNIA |
| 15 | COUNTY OF LOS ANG | GELES – CENTRAL DISTRICT |
| 16 | | |
| 17 | ANTELOPE VALLEY GROUNDWATER CASES | Judicial Council Coordination No. 4408 |
| 18 | Included Actions: | CLASS ACTION |
| 19 | Los Angeles County Waterworks District No. 40 v. Diamond Farming Co., Superior | Santa Clara Case No. 1-05-CV-049053 Assigned to The Honorable Jack Komar |
| 20 21 | Court of California, County of Los Angeles, Case No. BC 325201; | DECLARATION OF JEFFREY V. DUNN IN SUPPORT OF OPPOSITION TO H&N |
| 22 | Los Angeles County Waterworks District No. 40 v. Diamond Farming Co., Superior | DEVELOPMENT CO. WEST, INC.'S MOTION TO SET ASIDE DEFAULT |
| 23 | Court of California, County of Kern, Case No. S-1500-CV-254-348; | Hearing |
| 24 | Wm. Bolthouse Farms, Inc. v. City of Lancaster, Diamond Farming Co. v. City of | Date: October 5, 2012 Time: 9:00 a.m. Location: Dept. 1, Room 534 |
| 25 | Lancaster, Diamond Farming Co. v. City of Lancaster, Diamond Farming Co. v. Palmdale Water Dist., Superior Court of | 111 North Hill Street |
| 26 | California, County of Riverside, Case Nos. RIC 353 840, RIC 344 436, RIC 344 668 | Los Angeles, CA 90012 |
| 27 | | |

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DECLARATION OF JEFFREY V. DUNN

I, Jeffrey V. Dunn, declare:

- 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. 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 the Los Angeles County Water Works District No. 40 ("District No. 40").
- 2. In or around 2007, my office initiated an investigation to identify the names of the potential cross-defendants, who are owners of real property at issue in these coordinated and consolidated actions. To that end, my office searched the public property tax records for the identity of the landowner parties.
- 3. Property tax records for Kern County Assessor Parcel Numbers 359-031-07, 359-032-08, 359-032-13, 359-032-14, 359-032-20, and 359-032-21 (the "Property") indicate the owner of the Property as H&N Development Co., Inc. ("H&N")
- 4. My law office retained ABC Legal as the process server to locate H&N's agent for service of process and to personally serve H&N.
- 5. Prior to requesting for service by publication, ABC Legal made ten attempts to personally serve H&N by service upon Wendell Naraghi, H&N Chief Executive Officer, director and agent for service of process. (See H&N Request for Judicial Notice, Ex. 3; Declaration of Wendell Naraghi, Exs. A & B.)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 24th day of September, 2012 at Irvine, California.

Jeffrey V. Dunn

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1 PROOF OF SERVICE 2 I, Kerry V. Keefe, declare: 3 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 & Krieger LLP, 5 Park Plaza, Suite 1500, Irvine, California, 92614. On September 24, 2012, I served the within document(s): 4 5 DECLARATION OF JEFFREY V. DUNN IN SUPPORT OF OPPOSITION TO H&N DEVELOPMENT CO. WEST, INC.'S MOTION TO SET ASIDE DEFAULT 6 7 × by posting the document(s) listed above to the Santa Clara County Superior Court 8 website in regard to the Antelope Valley Groundwater matter. 9 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 10 below. 11 LAW OFFICES OF BEST BEST & KRIEGER LLP 5 PARK PLAZA, SUITE 1500 IRVINE, CALIFORNIA 92614 by causing personal delivery by ASAP Corporate Services of the document(s) 12 listed above to the person(s) at the address(es) set forth below. 13 by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below. 14 I caused such envelope to be delivered via overnight delivery addressed as 15 indicated on the attached service list. Such envelope was deposited for delivery by Federal Express following the firm's ordinary business practices. 16 17 I am readily familiar with the firm's practice of collection and processing 18 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 19 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. 20 I declare under penalty of perjury under the laws of the State of California that the 21 above is true and correct. 22 Executed on September 24, 2012, at Irvine, California. 23 Kerry V. Keefe 24 25 26 27 28 26345.00000\6052781.1 -1-