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14 SUPERIOR COURT OF THE STATE OF CALIFORNIA

15 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

17 **ANTELOPE VALLEY**
18 **GROUNDWATER CASES**

19 Included Actions:

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

22 Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co., Superior
Court of California, County of Kern, Case
23 No. S-1500-CV-254-348;

24 Wm. Bolthouse Farms, Inc. v. City of
25 Lancaster, Diamond Farming Co. v. City of
Lancaster, Diamond Farming Co. v.
26 Palmdale Water Dist., Superior Court of
California, County of Riverside, Case Nos.
27 RIC 353 840, RIC 344 436, RIC 344 668

Judicial Council Coordination No. 4408

CLASS ACTION

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

[Cal. Rules of Court, rule 3.1200]

**EX PARTE APPLICATION FOR
EXTENSION OF TIME TO POST
PROPOSED FORM OF CLASS NOTICE
AND OPPOSITIONS; DECLARATION OF
JEFFREY V. DUNN**

EX PARTE APPLICATION

Rosamond Community Services District and Los Angeles County Waterworks District No. 40, hereby apply for an extension of time to post the proposed form of class notice and to post oppositions to the proposed form of class notice. The present deadline to post the proposed form of class notice is September 17, 2007. The deadline to post oppositions to the proposed form of class notice is September 24, 2007.

The hearing regarding the proposed class notice was originally set for October 1, 2007. The hearing date has been moved to October 16, 2007, by order of this Court. Rosamond Community Services District and Los Angeles County Waterworks District No. 40 request an extension of time to allow further discussion with plaintiff's class counsel, Mr. Zlotnick. This additional time to confer with Mr. Zlotnick will allow for an improved form of class notice.

Rosamond Community Services District and Los Angeles County Waterworks District No. 40 request that the deadline for posting the proposed form of class notice be extended from September 17, 2007, to September 27, 2007. The deadline to post oppositions to the proposed form of class notice should be extended from September 24, 2007, to October 8, 2007.

This request for an extension of time is not for purposes of delay and the Court has previously granted extensions of time to various parties in this action. The purpose of the request for an extension is to allow the Public Water Suppliers and Mr. Zlotnick the opportunity for additional time to circulate the proposed form of class notice amongst one another and incorporate comments.

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1 There will be no prejudice caused to any party by extending the deadlines to post the
2 proposed class notice and oppositions. The original deadline for posting oppositions was five
3 court days after the proposed form of class notice had been posted and will now be increased to
4 nine court days. Therefore, the parties who would like to oppose the proposed form of class
5 notice will be in a superior position because they will have additional time to post their
6 oppositions.

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8 Dated: September 17, 2007

BEST BEST & KRIEGER LLP

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10 By 

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

3. The deadline to post the proposed form of class notice is currently September 17, 2007. The current deadline to post oppositions to the proposed form of class notice is September 24, 2007.

4. On September 17, 2007, the Court issued an order changing the hearing date regarding the proposed form of class notice from October 12, 2007, until October 16, 2007. Previously, by this Court's order hearing date was changed from October 1, 2007, to October 12, 2007.

5. Rosamond Community Services District and Los Angeles County Waterworks District No. 40 are requesting an extension of time to post the proposed form of class notice and oppositions to the proposed form of class notice. It is requested that the deadline to post the proposed form of class notice be moved to September 25, 2007, and the deadline to post oppositions to the proposed form of class notice be moved to October 8, 2007.

6. The purpose of the request for an extension is to allow the Public Water Suppliers and Mr. Zlotnick the opportunity for additional time to circulate the proposed form of class notice amongst one another and incorporate comments.

1 7. The request for an extension of time is not for purposes of delay and the Court has
2 previously granted extensions of time to various parties. Furthermore, no party will be prejudiced
3 if an extension is granted since the deadline to oppose the proposed class notice will also be
4 extended.

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6 I declare under penalty of perjury under the laws of the State of California that the
7 forgoing is true and correct. Executed this 17th day of September 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 September 17, 2007, I served the within document(s):

EX PARTE APPLICATION FOR EXTENSION OF TIME TO POST PROPOSED FORM OF CLASS NOTICE AND OPPOSITIONS; 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.

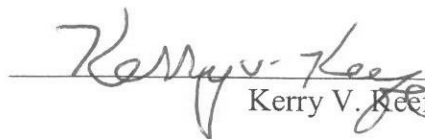


I caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by Federal Express following the firm's ordinary business practices.

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 September 17, 2007, at Irvine, California.


Kerry V. Keefe