

1 BEST BEST & KRIEGER LLP
ERIC L. GARNER, Bar No. 130665
2 JEFFREY V. DUNN, Bar No. 131926
STEFANIE D. HEDLUND, Bar No. 239787
3 18101 VON KARMAN AVENUE, SUITE 1000
IRVINE, CALIFORNIA 92612
4 TELEPHONE: (949) 263-2600
FACSIMILE: (949) 260-0972
5 Attorneys for Cross-Complainant
LOS ANGELES COUNTY WATERWORKS
6 DISTRICT NO. 40

7 OFFICE OF COUNTY COUNSEL
COUNTY OF LOS ANGELES
8 JOHN F. KRATTLI, Bar No. 82149
COUNTY COUNSEL
9 WARREN WELLEN, Bar No. 139152
PRINCIPAL DEPUTY COUNTY COUNSEL
10 500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012
11 TELEPHONE: (213) 974-8407
TELECOPIER: (213) 687-7337

12 Attorneys for Cross-Complainant LOS ANGELES
13 COUNTY WATERWORKS DISTRICT NO. 40

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 COUNTY OF LOS ANGELES
16

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

19 Included Actions:
Los Angeles County Waterworks District
20 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
23 Court of California, County of Kern, Case
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

OBJECTIONS TO BOLTHOUSE
PROPERTIES, LLC AND WM. BOLTHOUSE
FARMS, INC.'S NOTICE TO APPEAR AND
PRODUCE DOCUMENTS

1 TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:
2 Cross-Complainant LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40
3 objects to Bolthouse Properties, LLC and Wm. Bolthouse Farms, Inc.'s Notice to Appear and
4 Produce Documents at Trial, on the grounds as stated below.

5 **OBJECTIONS**

6 **REQUEST NO. 1:**

7 Any and all WRITINGS, as defined by Evidence Code Section 250, supporting any and
8 all claims regarding groundwater pumping, RETURN FLOWS and/or the federal reserved right
9 that District No. 40 is making for purposes of the Phase IV Trial.

10 **RESPONSE TO REQUEST NO. 1:**

11 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
12 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.

13 **REQUEST NO. 2:**

14 Any and all WRITINGS, as defined by Evidence Code Section 250, documenting any and
15 all actions by Los Angeles County and Los Angeles County Waterworks District No. 40 to plan
16 for, set in motion, carry out, or otherwise make use of RETURN FLOWS in the ANTELOPE
17 VALLEY.

18 **RESPONSE TO REQUEST NO. 2:**

19 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
20 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.

21 **REQUEST NO. 3:**

22 Any and all WRITINGS, as defined by Evidence Code Section 250, documenting any and
23 all actions at any time by Los Angeles County and Los Angeles County Waterworks District No.
24 40 that manifest intent to re-capture or use RETURN FLOWS in the ANTELOPE VALLEY.

25 **RESPONSE TO REQUEST NO. 3:**

26 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
27 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.

1 **REQUEST NO. 4:**

2 Any and all WRITINGS, as defined by Evidence Code Section 250, documenting any and
3 all actions at any time by Los Angeles County and Los Angeles County Waterworks District No.
4 40 that demonstrate the physical capability to re-capture or use RETURN FLOWS in the
5 ANTELOPE VALLEY.

6 **RESPONSE TO REQUEST NO. 4:**

7 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
8 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.

9 **REQUEST NO. 5:**

10 Any and all WRITINGS, as defined by Evidence Code Section 250, documenting any
11 water supply assessments related to the ANTELOPE VALLEY.

12 **RESPONSE TO REQUEST NO. 5:**

13 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
14 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.

15 **REQUEST NO. 6:**

16 Any and all WRITINGS, as defined by Evidence Code Section 250, documenting all will
17 serve notices related to the ANTELOPE VALLEY issued by Los Angeles County and Los
18 Angeles County Waterworks District No. 40 over the last twenty years.

19 **RESPONSE TO REQUEST NO. 6:**

20 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
21 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.

22 **REQUEST NO. 7:**

23 Any and all WRITINGS, as defined by Evidence Code Section 250, documenting all
24 water management plans or similar plans related to the ANTELOPE VALLEY.

25 **RESPONSE TO REQUEST NO. 7:**

26 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
27 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.
28

1 **REQUEST NO. 8:**

2 Any and all WRITINGS, as defined by Evidence Code Section 250, documenting all
3 actions taken by Los Angeles County and Los Angeles County Waterworks District No. 40 over
4 the past twenty years to confirm an adequate water supply for new development.

5 **RESPONSE TO REQUEST NO. 8:**

6 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
7 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.

8 **REQUEST NO. 9:**

9 Any and all WRITINGS, as defined by Evidence Code Section 250, documenting any
10 engineering or study conducted by Los Angeles County and Los Angeles County Waterworks
11 District No. 40 regarding RETURN FLOWS or any migration of RETURN FLOWS within the
12 ANTELOPE VALLEY.

13 **RESPONSE TO REQUEST NO. 9:**

14 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
15 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.

16 **REQUEST NO. 10:**

17 Any and all WRITINGS, as defined by Evidence Code Section 250, documenting the
18 breakdown, if any, and evaluation of RETURN FLOWS in the ANTELOPE VALLEY from
19 different water uses, including but not limited to, municipal, industrial, irrigation, septic tank,
20 municipal sewage system, and any other source.

21 **RESPONSE TO REQUEST NO. 10:**

22 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
23 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.

24 **REQUEST NO. 11:**

25 Any and all WRITINGS, as defined by Evidence Code Section 250, documenting the
26 percentage or amount of RETURN FLOWS to the ANTELOPE VALLEY from various types of
27 water use being claimed in this litigation and calculation of transmission losses affecting the
28 claimed amounts of such RETURN FLOWS.

1 **RESPONSE TO REQUEST NO. 11:**

2 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
3 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.

4 **REQUEST NO. 12:**

5 Any and all WRITINGS, as defined by Evidence Code Section 250, documenting any
6 engineering or other analysis of RETURN FLOWS derived from initial RETURN FLOWS in the
7 ANTELOPE VALLEY.

8 **RESPONSE TO REQUEST NO. 12:**

9 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
10 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.

11 **REQUEST NO. 13:**

12 Any and all WRITINGS, as defined by Evidence Code Section 250, documenting all
13 presentations, including written documents and or bullet point presentations related to the
14 availability of groundwater for existing and/or future residential development, RETURN FLOWS
15 and/or the extent to which RETURN FLOWS have been relied upon to demonstrate an existing or
16 future water supply, whether or not such writings or documents have been provided to the public.

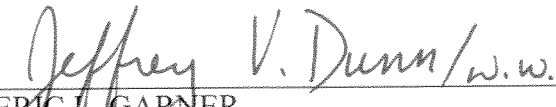
17 **RESPONSE TO REQUEST NO. 13:**

18 This request is overbroad, oppressive, burdensome, vague and ambiguous. This request
19 also seeks irrelevant information and documents that exceed the scope of the Phase 4 trial.

20 Dated: May 22, 2013

BEST BEST & KRIEGER LLP

21
22 By


ERIC L. GARNER
JEFFREY V. DUNN
STEFANIE D. HEDLUND
Attorneys for Cross-Complainant
LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 40

1 **PROOF OF SERVICE**

2 I, Sandra K. Sandoval, 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, 300 South Grand
5 Avenue, 25th Floor, Los Angeles, CA 90071. On May 22, 2013, I served the within
6 document(s):

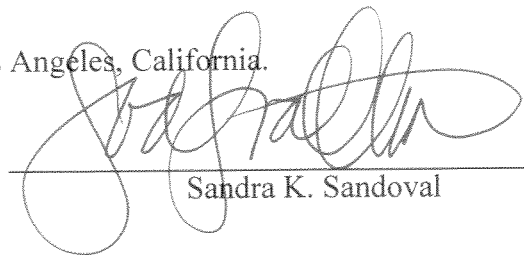
7 **OBJECTIONS TO BOLTHOUSE PROPERTIES, LLC AND WM. BOLTHOUSE FARMS,
8 INC.'S NOTICE TO APPEAR AND PRODUCE DOCUMENTS**

- 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 ☐ by placing the document(s) listed above in a sealed envelope with postage thereon
12 fully prepaid, in the United States mail at Irvine, California addressed as set forth
13 below.
- 14 ☐ by causing personal delivery by ASAP Corporate Services of the document(s)
15 listed above to the person(s) at the address(es) set forth below.
- 16 ☐ by personally delivering the document(s) listed above to the person(s) at the
17 address(es) set forth below.
- 18 ☐ I caused such envelope to be delivered via overnight delivery addressed as
19 indicated on the attached service list. Such envelope was deposited for delivery
20 by Federal Express following the firm's ordinary business practices.

21 I am readily familiar with the firm's practice of collection and processing
22 correspondence for mailing. Under that practice it would be deposited with the U.S. Postal
23 Service on that same day with postage thereon fully prepaid in the ordinary course of business. I
24 am aware that on motion of the party served, service is presumed invalid if postal cancellation
25 date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

28 Executed on May 22, 2013, at Los Angeles, California.


Sandra K. Sandoval