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DISTRICT NO. 40

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

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12 COUNTY WATERWORKS DISTRICT NO. 40

13
14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

16 ANTELOPE VALLEY GROUNDWATER
17 CASES

Judicial Council Coordination Proceeding
No. 4408

18 Included Actions:
Los Angeles County Waterworks District No.
40 v. Diamond Farming Co., Superior Court of
19 California, County of Los Angeles, Case No.
BC 325201;

CLASS ACTION

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

20 Los Angeles County Waterworks District No.
21 40 v. Diamond Farming Co., Superior Court of
California, County of Kern, Case No. S-1500-
22 CV-254-348;

PETITION FOR ADD-ON CASE;
DECLARATION OF JEFFREY V. DUNN

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

26 RICHARD WOOD, on behalf of himself and
27 all other similarly situated v. A.V. Materials,
Inc., et al., Superior Court of California,
28 County of Los Angeles, Case No. BC509546

1 TO THE COURT, ALL PARTIES, AND ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that cross-complainant Los Angeles County Waterworks District
3 No. 40 hereby petitions this Court for an Order that the following case be an "add on" case to the
4 Antelope Valley Groundwater Cases, Judicial Council Coordination Proceeding No. 4408:

5 *Richard Wood v. County of Los Angeles*, Los Angeles County Superior Court Case No.
6 BS143790.

7 The petition for writ of mandate in the above "add on" case seeks to compel production of
8 documents responsive to attorney Michael D. McLachlan's Public Records Act request to the
9 County of Los Angeles, which sought records concerning the Antelope Valley Groundwater Cases.
10 Specifically, Petitioner Wood is requesting that the County of Los Angeles produce, among others:

11 (a) "Records showing the total amount paid to [Best Best & Krieger, LLP] for its work in
12 connection with the Antelope Valley Groundwater Cases"; (b) "All contracts for services between
13 the County and Luhdorff & Scalmanini Consulting Engineers ("LSCE") including all revisions and
14 amendments thereto since January 1, 2003"; and (c) "All invoices or other requests for payment
15 submitted to the County by or on behalf of LSCE for payment since January 1, 2003."

16 (Declaration of Jeffrey V. Dunn, Ex. "A" at Ex. A [emphasis in original].) Mr. McLachlan's
17 Public Records Act request and the petition for writ of mandate is an improper attempt by the
18 Wood Class to circumvent this Court's discovery orders and to propound discovery relating to the
19 Antelope Valley Groundwater Cases, Judicial Council Coordination Proceeding No. 4408.

20 (Declaration of Jeffrey V. Dunn, ¶¶ 2-4.)

21 No hearing is required under Rule of Court 3.544 unless ordered by the Coordination Trial
22 Judge. Pursuant to Rule of Court 3.544, subdivision (b), 10 days after service of this Petition, any
23 party may serve and submit a notice of opposition to this Petition.

24 Dated: September 13, 2013

BEST BEST & KRIEGER LLP

25 By Jeffrey V. Dunn/w.v.

26 ERIC L. GARNER

JEFFREY V. DUNN

27 Attorneys for Cross-Complainant

28 LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 40

1 DECLARATION OF JEFFREY V. DUNN

2 I, Jeffrey V. Dunn, declare as follows:

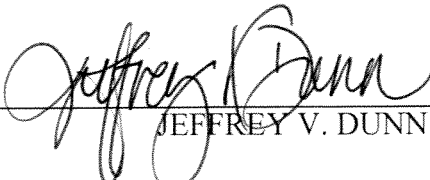
3 1. I am an attorney duly licensed to practice before all courts of the State of
4 California. I am an attorney of record for Los Angeles County Waterworks District No. 40
5 ("District No. 40") for the Antelope Valley Groundwater Cases, Judicial Council Coordination
6 Proceeding 4408. The following is based on my personal knowledge and if called as a witness, I
7 could and would testify competently thereto.

8 2. Pursuant to the requirements set forth in Rule of Court 3.544, I submit that the case
9 of *Richard Wood v. County of Los Angeles*, Los Angeles County Superior Court Case No.
10 BS143790 is an "add on" case for the Antelope Valley Groundwater Cases, Judicial Council
11 Coordination Proceeding 4408 because the "add on" case seeks compel production of documents
12 relating to the Antelope Valley Groundwater Cases, Judicial Council Coordination Proceeding
13 No. 4408. Mr. Wood is requesting that the County of Los Angeles produce, among others: (a)
14 "Records showing the total amount paid to [Best Best & Krieger, LLP] for its work in connection
15 with the Antelope Valley Groundwater Cases"; (b) "All contracts for services between the County
16 and Luhdorff & Scalmanini Consulting Engineers ("LSCE") including all revisions and
17 amendments thereto since January 1, 2003"; and (c) "All invoices or other requests for payment
18 submitted to the County by or on behalf of LSCE for payment since January 1, 2003."

19 3. LSCE performed work for District No. 40 for the Antelope Valley Groundwater
20 Cases, Judicial Council Coordination Proceeding 4408.

21 4. Attached as Exhibit "A" is a true and correct copy of the "add on" case petition.

22 I declare under penalty of perjury under the laws of the State of California that the
23 foregoing is true and correct. Executed this 13th day of September, 2013, at Irvine, California.

24
25
26 
JEFFREY V. DUNN

27 26345.00000\8206283.1

PROOF OF SERVICE

I, Sandra K. Sandoval, 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, 300 South Grand Avenue, 25th Floor, Los Angeles, CA 90071. On September 13, 2013, I served the following document(s):

PETITION FOR ADD-ON CASE; DECLARATION OF JEFFREY V. DUNN

To all parties appearing in Judicial Council Coordination Proceeding No. 4408 by posting the document(s) listed above to the Santa Clara County Superior Court e-filing website (<http://www.sceffiling.org>) under the Antelope Valley Groundwater matter pursuant to the Court's Order dated October 27, 2005

To Petitioner Richard Wood: By United States mail. I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed below (specify one):

Michael D. McLachlan
LAW OFFICES OF MICHAEL D.
McLACHLAN, APC
10490 Santa Monica Boulevard
Los Angeles, California 90025
Tel: (310) 954-8270 Fax: (310) 954-8271
Email: mike@mclachlanlaw.com

Daniel M. O'Leary
LAW OFFICE OF DANIEL M.
O'LEARY
10490 Santa Monica Boulevard
Los Angeles, California 90025
Tel: (310) 481-2020 Fax: (310) 481-0049
dan@danolearylaw.com

Placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid

To Chair, Judicial Council of California: By e-mail or electronic transmission. I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Chair, Judicial Council of California
Administrative office of the Courts
Attn: Appellate & Trial Court Judicial Services
(Civil Case Coordination)
455 Golden Gate Avenue
San Francisco, CA 94102-3688
Email: coordination@jud.ca.gov

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on September 13, 2013, at Los Angeles, California.


Sandra K. Sandoval