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File No. 26345.00010

November 22, 2013

**VIA POSTING TO THE COURT'S WEBSITE**

All Counsel

Re: *Antelope Valley Groundwater Adjudication*  
Judicial Council Coordination Number 4408

Dear Counsel:

I write to respond to Mr. Robert G. Kuhs' letter, dated November 15, 2013, regarding his [Proposed] Discovery Order for Phase 6 trial ("[Proposed] Order"). Please note that the parties, including myself and Mr. Kuhs, have met and conferred multiple times regarding Mr. Kuhs' [Proposed] Order, and could not reach a consensus regarding Phase 6 discovery.

Rather than seeking a discovery order for which no agreement has been reached, Mr. Kuhs' clients should propound discovery as other parties have done in these coordinated actions. I note that California Rules of Court, Rule 3.1312, cited by Mr. Kuhs, only applies when a motion has been made, which did not occur in this incidence.

By this letter, Los Angeles County Waterworks District No. 40 is not waiving and is reserving all its rights to object to any and all discovery propounded on it.

Sincerely,

  
Jeffrey V. Dunn  
of BEST BEST & KRIEGER LLP