

EXHIBIT A

Indian Wells
(760) 568-2611

Los Angeles
(213) 617-8100

Ontario
(909) 989-8584

Riverside
(951) 686-1450



BEST BEST & KRIEGER
ATTORNEYS AT LAW

18101 Von Karman Avenue, Suite 1000, Irvine, CA 92612
Phone: (949) 263-2600 | Fax: (949) 260-0972 | www.bbklaw.com

Sacramento
(916) 325-4000

San Diego
(619) 525-1300

Walnut Creek
(925) 977-3300

Washington, DC
(202) 785-0600

Jeffrey V. Dunn
(949) 263-2616
jeffrey.dunn@bbklaw.com
File No. 26345.00010

January 14, 2014

VIA POSTING TO THE COURT'S WEBSITE

All Parties

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

Dear Counsel and all Unrepresented Parties:

I write to provide notice that on Wednesday, January 15, 2014 at 9:00 a.m., or as soon thereafter as the matter may be heard, Los Angeles County Waterworks District No. 40 ("District No. 40") will present an *ex parte* application: (1) to quash Bolthouse Properties LLC and Wm. Bolthouse Farm, Inc.'s ("Bolthouse") deposition notice of Joseph Scalmanini; and (2) for a protective order regarding the same. The application will be made because: Mr. Scalmanini was diagnosed with Amyotrophic Lateral Sclerosis (ALS), also known as Lou Gherig's disease, and is unable to testify. Additionally, Bolthouse examined Mr. Scalmanini during the Phase III trial, he gave a lengthy deposition before the Phase 3 trial, Bolthouse's attempt to re-depose Mr. Scalmanini without leave of court violates the one deposition rule; Mr. Scalmanini is not designated as an expert for Phase V, and Bolthouse's attempt to depose him after discovery deadline is untimely.

The hearing of this application will occur telephonically via CourtCall only in Department 1 of the Santa Clara Superior Court, located at 161 North First Street, San Jose, California, or in such other location as the Court may designate. No court reporter will be present.

This *ex parte* application is made pursuant to California Rules of Court, rules 3.1200 *et seq.*, and Code of Civil Procedure sections 2025.410, and 2025.420. It is based on this notice, the attached memorandum of points and authorities, the concurrently filed Declaration of Jeffrey V. Dunn and exhibits thereto, the [Proposed] Order, the pleadings and papers on file herein, and on such further argument and material as the Court may consider at the hearing on this matter.

Please notify Wendy Y. Wang, counsel for District No. 40, via email (wendy.wang@bbklaw.com), as to whether you intend to oppose the application.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

All Counsel
January 14, 2014
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The application and the related papers electronically will be posted on the Court's website.

Sincerely,


Jeffrey V. Dunn
of BEST BEST & KRIEGER LLP

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**THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
ELECTRONIC FILING - WWW.SCEFILING.ORG**

c/o Glotrans
2915 McClure Street
Oakland, CA94609
TEL: (510) 208-4775
FAX: (510) 465-7348
EMAIL: Info@Glotrans.com

**THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA**

Coordination Proceeding Special Title (Rule
1550(b)) ANTELOPE VALLEY GROUNDWATER CASES
(JCCP 4408) Included Actions: Los Angeles
County Waterworks District No. 40

Plaintiff,
vs.

Diamond Farming Co. Superior Court of
California County of Los Angeles, Case No.
BC 325 201 Los Angeles County Waterworks
District No. 40 v. Diamond Farming Co.
Superior Court of California, County of
Kern, Case No. S-1500-CV-254-348 Wm.
Bolthouse Farms, Inc. v. City of Lancaster
Diamond Farming Co. v. City of Lancaster
Diamond Farming Co. v. Palmdale Water Dist.
Superior Court of California, County of
Riverside, consolidated actions, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668

Defendant.

AND RELATED ACTIONS

) Antelope Valley Groundwater Cases (JCCP
) 4408)

) Lead Case No.1-05-CV-049053

) Hon. Jack Komar

) **PROOF OF SERVICE**
) **Electronic Proof of Service**

I am employed in the County of Alameda, State of California.

I am over the age of 18 and not a party to the within action; my business address is 2915 McClure
Street, Oakland, CA 94609.

The documents described on page 2 of this Electronic Proof of Service were submitted via the
worldwide web on Tue. January 14, 2014 at 9:53 AM PST and served by electronic mail notification.

I have reviewed the Court's Order Concerning Electronic Filing and Service of Pleading Documents and
am readily familiar with the contents of said Order. Under the terms of said Order, I certify the above-described
document's electronic service in the following manner:

The document was electronically filed on the Court's website, <http://www.scefiling.org>, on Tue. January
14, 2014 at 9:53 AM PST

Upon approval of the document by the Court, an electronic mail message was transmitted to all parties
on the electronic service list maintained for this case. The message identified the document and provided
instructions for accessing the document on the worldwide web.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and

correct. Executed on January 14, 2014 at Oakland, California.

Dated: January 14, 2014

For WWW.SCEFILING.ORG

Andy Jamieson

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THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
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Electronic Proof of Service

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Document(s) submitted by Jeffrey Dunn of Best Best & Krieger, LLP on Tue. January 14, 2014 at 9:53 AM PST

1. Letter: Letter to All Counsel re Ex Parte Notice re Scalmanini Deposition