

BEST BEST & KRIEGER LLP
ERIC L. GARNER, Bar No. 130665
JEFFREY V. DUNN, Bar No. 131926
WENDY Y. WANG, Bar No. 228923
18101 VON KARMAN AVENUE, SUITE 1000
IRVINE, CALIFORNIA 92612
TELEPHONE: (949) 263-2600
TELECOPIER: (949) 260-0972
Attorneys for Cross-Complainant
LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 40

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

OFFICE OF COUNTY COUNSEL
COUNTY OF LOS ANGELES
JOHN F. KRATTLI, Bar No. 82149
COUNTY COUNSEL
WARREN WELLEN, Bar No. 139152
PRINCIPAL DEPUTY COUNTY COUNSEL
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012
TELEPHONE: (213) 974-8407
TELECOPIER: (213) 687-7337
Attorneys for Cross-Complainant LOS ANGELES
COUNTY WATERWORKS DISTRICT NO. 40

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES – CENTRAL DISTRICT

ANTELOPE VALLEY GROUNDWATER
CASES

Judicial Council Coordination Proceeding
No. 4408

Included Actions:
Los Angeles County Waterworks District No.
40 v. Diamond Farming Co., Superior Court of
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

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;

LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 40'S
PHASE V WITNESS LIST

Trial Date: February 10, 2014 (Phase V)

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, Case Nos. RIC 353 840,
RIC 344 436, RIC 344 668

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

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

Los Angeles County Waterworks District No. 40 ("District No. 40") by and through its attorneys of record, hereby submits the following list of each person that District No. 40 hereby submit, pursuant to the Court's October, 22, 2013 Case Management Order for Phase 5 and Phase 6 Trials, as amended and re-posted on October 25, 2013: (1) the name of each person that District No. 40 will offer at trial, whether orally or by deposition testimony; (2) a short summary of the testimony expected to be elicited; and (3) a time estimate for each witness' direct testimony.

1. Adam Ariki. Mr. Ariki is the Assistant Deputy Director with the County of Los Angeles Department of Public Works. Should it be necessary to present testimony and/or evidence as to District No. 40's groundwater pumping, its purchase of State Water Project water, agreements and understandings between District No. 40 and Antelope Valley East-Kern Water Agency ("AVEK"), Mr. Ariki will testify as to those topics. Mr. Ariki's direct testimony will take approximately one day.

2. Dr. Dennis Williams. Dr. Williams is the founder and president of GEOSCIENCE Support Services, Inc., and he is a California Professional Geologist, certified California Hydrogeologist, and a certified Ground Water Hydrologist. Dr. Williams will testify as to return flows. Dr. Williams' direct testimony will take approximately two days.

3. Robert Beeby. Mr. Beeby is a registered civil engineer in California, Arizona, and Washington, and will testify as to return flows. Mr. Beeby's direct testimony will take approximately 5 hours.

4. Joseph Scalmanini. Mr. Scalmanini testified extensively during the Phase 3 trial. He testified regarding the safe yield and how return flows are a component of the safe yield. Should it be necessary to present Mr. Scalmanini's videotaped testimony again in Phase 5, District No. 40 will introduce his Phase 3 trial testimony and exhibits. District No. 40 expects Mr. Scalmanini's testimony to take several days.

5. Dan Flory. District No. 40 intends to call and examine Mr. Flory as an adverse witness pursuant to California Evidence Code Section 776 and to seek his testimony as to issues concerning return flows. Mr. Flory's testimony will take approximately one day.

6. Dwayne Chisam. District No. 40 intends to call and examine Mr. Chisam as an adverse witness pursuant to California Evidence Code Section 776 and to seek his testimony as to issues concerning return flows. Mr. Chisam's testimony will take approximately one day.

7. Michael Flood. District No. 40 intends to call and examine Mr. Flood as an adverse witness pursuant to California Evidence Code Section 776 and to seek his testimony as to issues concerning return flows. Mr. Flood's testimony will take approximately one day.

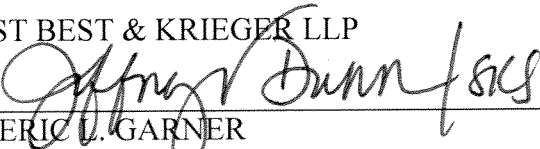
8. Robert Wagner. District No. 40 intends to call and examine Mr. Wagner as an adverse witness pursuant to California Evidence Code Section 776 and to seek his testimony as to issues concerning return flows. Mr. Wagner's testimony will take approximately one day.

This Witness List does not include any witnesses to be called for rebuttal and impeachment purposes, if any. District No. 40 reserves the right to call witnesses not identified on this list for such purposes. Additionally, District No. 40 reserves the right to amend or supplement this Witness List and will amend or modify the Witness List to the extent necessary.

Dated: January 23, 2014

BEST BEST & KRIEGER LLP

By


ERIC L. GARNER
JEFFREY V. DUNN
WENDY Y. WANG

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

26345.00000\8533799.2

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 January 23, 2014, I served the within document(s):

**LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40'S PHASE
V WITNESS LIST**



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.



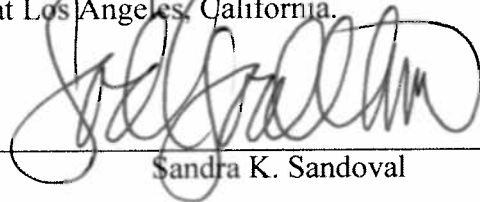
by causing personal delivery by ASAP Corporate Services of the document(s) listed above to the person(s) at the address(es) set forth below.



by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

I 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 January 23, 2014, at Los Angeles, California.


Sandra K. Sandoval