

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, Bar number, and address): ERIC L GARNER 130665 Best Best & Krieger (PFI) 5 PARK PLAZA, SUITE 1500 IRVINE CA		OCT 11 2007 LOS ANGELES SUPERIOR COURT
TELEPHONE NO.: E-MAIL ADDRESS (Optional):	FAX NO. (Optional):	
ATTORNEY FOR (Name): LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street, Room 102 MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles 90012 California BRANCH NAME:		
PLAINTIFF/PETITIONER: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40		CASE NUMBER: BC325201
DEFENDANT/RESPONDENT: DIAMOND FARMING COMPANY, ET. AL		Ref. No. or file No.: 26345.00001
PROOF OF SERVICE OF SUMMONS		

(Separate proof of service is required for each party served.)

- At the time of service I was at least 18 years of age and not a party to this action.
- I served copies of:

Amended Summons; First Amended Cross Complaint of Public Water Suppliers for declaratory and injunctive relief and adjudication of water rights; model answer to complaint and all cross complaints; amendment to complaint (group list for Los Angeles County)

- Party served (specify name of party as shown on documents served):
JUNG N TOM AS DOE 170

- ☐ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b whom substituted service was made) (specify name and relationship to the party named in item 3a):

- Address where the party was served: **JUNG N. TOM 550 W C ST SUITE 1500 SAN DIEGO, CA 92101-3540**

- I served the party (check proper box)

- ☐ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): (2) at (time):
- ☒ **by substituted service.** On (date): **Jul 5 2007** at (time): **9:41:00 AM** I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
SHAUNA MATTHENY (CAUCASIAN FEMALE 5'5" 140+LBS BROWN HAIR 40+YRS), SECRETARY
 - ☒ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): **San Diego** or ☒ a declaration of mailing is attached.
 - ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.



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- c. ☐ **by mail and acknowledgement of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): _____ (2) from (city): _____
- (3) ☐ with two copies of the *Notice and Acknowledgement of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgement of Receipt*.) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ **by other means** (specify means of service and authorizing code section): _____

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☒ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify): _____
- c. ☐ as occupant.
- d. ☐ On behalf of (specify): _____

under the following Code of Civil Procedure section:

- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: _____ |

7. **Person who served papers**

- a. Name: **G. San Miguel**
- b. Address: **2121 FIFTH AVE, SUITE 200, SAN DIEGO, CA 92101**
- c. Telephone number: **619-232-1920**
- d. The fee for service was: **\$ 112.67**
- e. I am:


- (1) ☐ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☒ registered California process server:
- (i) ☐ owner ☐ employee ☒ independent contractor.
- (ii) Registration No.: **SD950**
- (iii) County: **San Diego**

8. ☒ **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- or
9. ☐ **I am a California sheriff or marshal and I certify** that the foregoing is true and correct.

Date: **Oct 2 2007**

G. San Miguel

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)


(SIGNATURE)



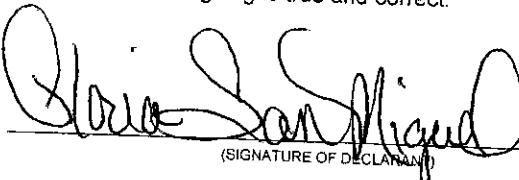
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, Bar number, and address): Best Best & Krieger (PFI) 3750 University Ave Riverside, CA 92502-1028 TELEPHONE NO.: 951 686-1450 FAX NO. (Optional): 951 686-3083 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40		FOR COURT USE ONLY
ERIC L GARNER 130665 5 PARK PLAZA, SUITE 1500 IRVINE CA STREET ADDRESS: 111 North Hill Street, Room 102 MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME:		
PLAINTIFF/PETITIONER: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40		CASE NUMBER: BC325201
DEFENDANT/RESPONDENT: DIAMOND FARMING COMPANY, ET. AL		
DECLARATION OF DUE DILIGENCE		Ref. No. or file No.: 26345.00001

1. I declare that I am and was on the dates herein mentioned, over the age of 18 years and not a party to this action.
2. I received the following documents for service:
Amended Summons; First Amended Cross Complaint of Public Water Suppliers for declaratory and injunctive relief and adjudication of water rights; model answer to complaint and all cross complaints; amendment to complaint (group list for Los Angeles County)
3. After due and diligent attempts at the following address, I have been unable to effect personal service on:
JUNG N TOM AS DOE 170
JUNG N. TOM
550 W C ST
SUITE 1500
SAN DIEGO CA 92101-3540
4. List of service attempts:
07/02/07 @ 1:37PM, SUBJECT IS NOT IN AT BUSINESS ADDRESS; 07/03/07 @ 4:45PM, SUBJECT IS NOT IN AT BUSINESS ADDRESS; 7/5/07 @ 9:41AM, DEFENDANT NOT AVAILABLE FOR SERVICE. DOCUMENTS SUBSERVED
5. Person who served papers
 - a. Name: **G. San Miguel**
 - b. Address: **2121 Fifth Avenue #200 San Diego, CA 92101**
 - c. Telephone number: **619-232-1920**
 - d. Registration No.: **SD950**
 - e. County: **San Diego**
6. The fee for service was: **\$ 112.67**
7. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **Oct 2 2007**

G. San Miguel

(PRINTED NAME OF DECLARANT)


 (SIGNATURE OF DECLARANT)

DECLARATION OF DUE DILIGENCE

Order No. 4197214



DECLARATION OF MAILING

The undersigned hereby declares: that I, **Alicia Rosales**, am a Citizen of the United States of America and employed in the City of San Diego, in the State of CA.

That I am over the age of twenty-one and not a party to nor interested in the within entitled action:
LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40

vs.

DIAMOND FARMING COMPANY, ET. AL

My business address is 2121 Fifth Avenue #200 San Diego, CA 92101.


That on Sep 20 2007, after substituted service was made, I served the within:
Amended Summons; First Amended Cross Complaint of Public Water Suppliers for declaratory and injunctive relief and adjudication of water rights; model answer to complaint and all cross complaints; amendment to complaint (group list for Los Angeles County) on the defendant in this action by placing a true and correct copy in a sealed envelope with postage prepaid for first class mail and by placing said envelope in the United States mail in San Diego, CA.

That I addressed the envelope as follows:

**JUNG N TOM AS DOE 170
JUNG N. TOM
550 W C ST
SUITE 1500
SAN DIEGO CA 92101-3540**

That I declare under penalty of perjury of the State of California the foregoing is true and correct.

That I executed this declaration: **Sep 20 2007**, at San Diego, CA.


Alicia Rosales

