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DISTRICT and LOS ANGELES COUNTY
13 WATERWORKS DISTRICT NO. 40

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 COUNTY OF LOS ANGELES – CENTRAL DISTRICT
16

17 ANTELOPE VALLEY GROUNDWATER
CASES

18 Included Actions:

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

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

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

Judicial Council Coordination No. 4408

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

EX PARTE APPLICATION FOR
EXTENSION OF TIME TO FILE MOTION
TO AMEND OR MODIFY A CLASS
CERTIFICATION ORDER; DECLARATION
OF JEFFREY V. DUNN

Pursuant to Rule 3.503 of the California Rules of Court, counsel for Class Representative Willis and for Los Angeles County Water Works District and the Rosamond Community Services District, jointly and respectfully request a three court-day extension, from Friday, January 25, 2008 to Wednesday, January 30, 2008 by 5:00 p.m., to file a motion to amend or modify the prior Willis class certification order.

This short extension complies with the Rule 3.764, subdivision (c)(1), requirement that the "motion be filed and served at least 28 calendar days before the date appointed for the hearing." The requested extension allows the motion to be filed 33 days before the scheduled March 3, 2008 motion hearing.


The extension is necessary to allow counsel to continue to meet and confer upon the motion. Additionally, certain legal counsel in this proceeding are also involved in the Santa Maria Groundwater Adjudication and there is a court hearing in San Jose on January 25, 2008, the current court deadline for filing a motion to amend or modify the existing certification order in this proceeding. (See, Declaration of Jeffrey Dunn, filed concurrently.)

Given the complexity of the class issues in this proceeding, and the pending time commitments of legal counsel in the Santa Maria Groundwater Litigation, Class Representative Willis and Los Angeles County Waterworks District No. 40 and the Rosamond Community Services District respectfully request a three court day extension until January 30, 2008, by 5:00 p.m., to file a motion to amend or modify the existing class certification order.

Dated: January 23, 2008

BEST BEST & KRIEGER LLP

By


ERIC L. GARNER
JEFFREY V. DUNN
JILL N. WILLIS
STEFANIE D. HEDLUND
Attorneys for Cross-Complainants
ROSAMOND COMMUNITY SERVICES
DISTRICT and LOS ANGELES
COUNTY WATERWORKS DISTRICT
NO. 40

ORANGE\43505.1

PROOF OF SERVICE

I, Kerry V. Keefe, 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, 5 Park Plaza, Suite 1500, Irvine, California 92614. On January 23, 2008, I served the within document(s):

EX PARTE APPLICATION FOR EXTENSION OF TIME TO FILE MOTION TO AMEND OR MODIFY A CLASS CERTIFICATION ORDER; DECLARATION OF JEFFREY V. DUNN



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 caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by Federal Express following the firm's ordinary business practices.

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, 2008, at Irvine, California.


Kerry V. Keefe