

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address) ERIC L. GARNER, SBN 130665; JEFFREY V. DUNN, SBN 131926 WENDY Y. WANG, SBN 228923 BEST BEST & KRIEGER LLP 18101 VON KARMAN AVENUE, SUITE 1000, IRVINE, CA 92612 TELEPHONE NO (949) 263-2600 FAX NO (Optional) (949) 260-0972 E-MAIL ADDRESS (Optional) ATTORNEY FOR (Name) LOS ANGELES COUNTY WATERWORKS DISTRICT NO.		FOR COURT USE ONLY CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles AUG 11 2015 Sherri R. Carter, Executive Officer/Clerk By Anita Pergler, Deputy					
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS 111 No. Hill Street MAILING ADDRESS SAME CITY AND ZIP CODE Los Angeles, CA 90012 BRANCH NAME CENTRAL DISTRICT							
PLAINTIFF/PETITIONER: ANTELOPE VALLEY GROUND WATER CASES LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, et al. DEFENDANT/RESPONDENT: DIAMOND FARMING CO., et al.							
<table style="width: 100%;"> <tr> <td style="width: 30%;">REQUEST FOR (Application)</td> <td style="width: 30%;"> <input checked="" type="checkbox"/> Entry of Default <input type="checkbox"/> Clerk's Judgment </td> <td style="width: 40%;"> CASE NUMBER JCCP No. 4408 - CLASS ACTION - Santa Clara Case No. 1-05-CV-049053 - Assigned to Hon. Jack Komar </td> </tr> <tr> <td></td> <td> <input type="checkbox"/> Court Judgment </td> <td></td> </tr> </table>			REQUEST FOR (Application)	<input checked="" type="checkbox"/> Entry of Default <input type="checkbox"/> Clerk's Judgment	CASE NUMBER JCCP No. 4408 - CLASS ACTION - Santa Clara Case No. 1-05-CV-049053 - Assigned to Hon. Jack Komar		<input type="checkbox"/> Court Judgment
REQUEST FOR (Application)	<input checked="" type="checkbox"/> Entry of Default <input type="checkbox"/> Clerk's Judgment	CASE NUMBER JCCP No. 4408 - CLASS ACTION - Santa Clara Case No. 1-05-CV-049053 - Assigned to Hon. Jack Komar					
	<input type="checkbox"/> Court Judgment						

1. TO THE CLERK: On the complaint or cross-complaint filed
- on (date): 6/11/14
 - by (name): Los Angeles County Waterworks District No. 40
 - ☒ Enter default of defendant (names): Joshua Acres Mutual Water Company, ROE 2316 (See attached signed Notice and Acknowledgment)
 - ☐ I request a court judgment under Code of Civil Procedure sections 585(b), 585(c), 989, etc., against defendant (names):
 (Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code Civ. Proc., § 585(d).)
 - ☐ Enter clerk's judgment
 - (1) ☐ for restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc., § 1169.)
☐ Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The Prejudgment Claim of Right to Possession was served in compliance with Code of Civil Procedure section 415.46.
 - (2) ☐ under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)
 - (3) ☐ for default previously entered on (date):
2. Judgment to be entered.
- | | Amount | Credits acknowledged | Balance |
|--|---------|----------------------|---------|
| a. Demand of complaint.....\$ | \$ | \$ | 0.00 |
| b. Statement of damages * | | | |
| (1) Special.....\$ | \$ | \$ | 0.00 |
| (2) General.....\$ | \$ | \$ | 0.00 |
| c. Interest.....\$ | \$ | \$ | 0.00 |
| d. Costs (see reverse).....\$ | 0.00 \$ | \$ | 0.00 |
| e. Attorney fees.....\$ | \$ | \$ | 0.00 |
| f. TOTALS.....\$ | 0.00 \$ | 0.00 \$ | 0.00 |
| g. Daily damages were demanded in complaint at the rate of: \$ _____ per day beginning (date): _____ | | | |
| (* Personal injury or wrongful death actions; Code Civ. Proc., § 425.11.) | | | |
3. ☐ (Check if filed in an unlawful detainer case) Legal document assistant or unlawful detainer assistant information is on the reverse (complete item 4).
- Date: September 2, 2014

Wendy Y. Wang

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(1) ☒ Default entered as requested on (date): **AUG 11 2015**(2) ☐ Default NOT entered as requested (state reason):**FOR COURT
USE ONLY**

Clerk, by

A. PERGLER

Deputy

SHERRI R. CARTER

PLAINTIFF/PETITIONER: ANTELOPE VALLEY GROUND WATER CASES
 DEFENDANT/RESPONDENT: DIAMOND FARMING CO., et al.

CASE NUMBER
 JCCP No. 4408

4. Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.). A legal document assistant or unlawful detainer assistant ☐ did ☐ did not for compensation give advice or assistance with this form.
 (If declarant has received any help or advice for pay from a legal document assistant or unlawful detainer assistant, state):

a. Assistant's name:
 b. Street address, city, and zip code:

c. Telephone no.:
 d. County of registration:
 e. Registration no.:
 f. Expires on (date):

5. ☐ Declaration under Code of Civil Procedure Section 585.5 (required for entry of default under Code Civ. Proc., § 585(a)). This action
- a. ☐ is ☐ is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act),
 b. ☐ is ☐ is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).
 c. ☐ is ☐ is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).

6. Declaration of mailing (Code Civ. Proc., § 587). A copy of this Request for Entry of Default was

a. ☐ not mailed to the following defendants, whose addresses are unknown to plaintiff or plaintiff's attorney (names):

b. ☒ mailed first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:

(1) Mailed on (date): September 2, 2014

(2) To (specify names and addresses shown on the envelopes):

Joshua Acres Mutual Water Company, 36540 40th St East, Palmdale, CA 93552

I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.
 Date: September 2, 2014

Sandra K. Sandoval
 (TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

7. Memorandum of costs (required if money judgment requested). Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):

a. Clerk's filing fees.....\$
 b. Process server's fees\$
 c. Other (specify): \$
 d. \$
 e. TOTAL.....\$ 0.00

f. ☒ Costs and disbursements are waived.

g. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

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

Date: September 2, 2014

Wendy Y. Wang
 (TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

8. ☒ Declaration of nonmilitary status (required for a judgment). No defendant named in item 1c of the application is in the military service so as to be entitled to the benefits of the Servicemembers Civil Relief Act (50 U.S.C. App. § 501 et seq.).

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

Date: September 2, 2014

Wendy Y. Wang
 (TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) ERIC L. GARNER, Bar No. 130665 JEFFREY V. DUNN, Bar No. 131926 WENDY Y. WANG, Bar No. 228923 BEST BEST & KRIEGER LLP 18101 VON KARMAN AVENUE, SUITE 1000, IRVINE, CALIFORNIA 92612 TELEPHONE NO (949) 263-2600 FAX NO (Optional) (949) 260-0972 E-MAIL ADDRESS (Optional) ATTORNEY FOR (Name) Attorneys for LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40		FOR COURT USE ONLY CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles AUG 11 2015 Sherri R. Carter, Executive Officer/Clerk By Anita Pergler, Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS 111 No Hill Street MAILING ADDRESS SAME CITY AND ZIP CODE Los Angeles, CA 90012 BRANCH NAME CENTRAL DISTRICT		
PLAINTIFF/PETITIONER: Los Angeles County Waterworks District No. 40 DEFENDANT/RESPONDENT: Diamond Farming Co		
NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL		
CASE NUMBER JCCP No. 4408 - CLASS ACTION Santa Clara Case No. 1-05-CV-049053 - Assigned to: Hon. Jack Komar		

TO (insert name of party being served): JOSHUA ACRES MUTUAL WATER COMPANY
 36540 40th Street East, Palmdale, CA 93552


NOTICE

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: July 11, 2014

Wendy Y. Wang
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT WITH TITLE IF
 ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

ACKNOWLEDGMENT OF RECEIPT

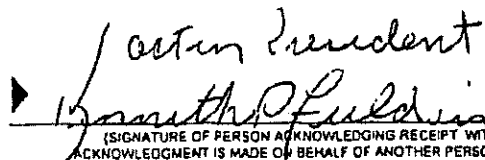
This acknowledges receipt of (to be completed by sender before mailing):

- ☒ A copy of the summons and of the complaint.
- ☒ Other (specify): SUMMONS ON FIRST AMENDED CROSS-COMPLAINT, REVISED AMENDMENT TO PUBLIC WATER SUPPLIERS' FIRST AMENDED CROSS-COMPLAINT (FICTITIOUS NAME) [ROES 2310-2316], FIRST AMENDED CROSS-COMPLAINT OF PUBLIC WATER SUPPLIERS FOR DECLARATORY AND INJUNCTIVE RELIEF AND ADJUDICATION OF WATER RIGHTS; ELECTRONIC FILING AND SERVICE STANDING ORDER, MODEL ANSWER TO COMPLAINT AND ALL CROSS-COMPLAINTS; COVER LETTER DATED 7/1/14

(To be completed by recipient):

Date this form is signed:

17-21-14
 (TYPE OR PRINT YOUR NAME AND NAME OF ENTITY IF ANY
 ON WHOSE BEHALF THIS FORM IS SIGNED)


 (SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT WITH TITLE IF
 ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

Page 1 of 1

Attorney or Party without Attorney BEST BEST & KRIEGER LLP 18101 VON KARMAN AVENUE SUITE 1000 IRVINE, CA 92612 Telephone No. 949-263-2600 FAX: No. 949-260-0972				For Court Use Only CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles AUG 11 2015	
Attorney for: Cross Complainant				Ref No or File No.:	
Insert name of Court, and Judicial District and Branch Court: LOS ANGELES COUNTY SUPERIOR COURT, CENTRAL DISTRICT					
Cross Complainant: ANTELOPE VALLEY GROUNDWATER ADJUDICATION CASES Cross Defendant: CLASS A					
AFFIDAVIT OF REASONABLE DILIGENCE		Hearing Date:		Time:	
		Dept Div:		Case Number: JCCP 4408	

1. I, ALEX MENDEZ, and any employee or independent contractors retained by FIRST LEGAL SUPPORT SERVICES are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant ROE 2316: JOSHUA ACRES MUTUAL WATER COMPANY as follows:

2. **Documents:** Summons On First Amended Cross-Complaint; Revised Public Water Suppliers' Amendment To Public Water Suppliers' First Amended Cross-Complaint (Fictitious Name) [Roes 2310 - 2316]; First-Amended Cross-Complaint Of Public Water Suppliers For Declaratory And Injunctive Relief And Adjudication Of Water Rights; Electronic Filing And Service Standing Order; Model Answer To Complaint And All Cross-Complaints.

Day	Date	Time	Location	Results
Thu	07 03 14	1:10pm	Home	THERE WAS NO ANSWER AT THE DOOR. Attempt made by: ALEX MENDEZ, Registration #5799 Los Angeles County. Attempt at: 36540 40TH STREET EAST PALMDALE, CA 93552.
Sat	07 05 14	10:10am	Home	THERE WAS NO ANSWER AT THE DOOR. OLD CARS PARKED AROUND THE HOUSE. Attempt made by: ALEX MENDEZ. Attempt at: 36540 40TH STREET EAST PALMDALE, CA 93552.
Sun	07 06 14	6:45pm	Home	THERE WAS NO ANSWER AT THE DOOR. Attempt made by: ALEX MENDEZ. Attempt at: 36540 40TH STREET EAST PALMDALE, CA 93552.
Mon	07 07 14	7:25pm	Home	THERE WAS NO ANSWER AT THE DOOR. Attempt made by: ALEX MENDEZ. Attempt at: 36540 40TH STREET EAST PALMDALE, CA 93552.
Mon	08 04 14	5:00pm	Home	Returned Not Served on: ROE 2316: JOSHUA ACRES MUTUAL WATER COMPANY Home - 36540 40TH STREET EAST PALMDALE, CA 93552

3. **Person Executing**

a. ALEX MENDEZ
b. **FIRST LEGAL SUPPORT SERVICES**
 1517 BEVERLY BOULEVARD
 LOS ANGELES, CA 90026
c. (714)541-1110

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d. **The Fee for service was:**

e. I am: (3) registered California process server
 (i) Independent Contractor
 (ii) Registration No.: 5799
 (iii) County: Los Angeles
 (iv) Expiration Date: Tue, Apr. 05, 2016

4. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 Date: Mon, Aug. 04, 2014

AFFIDAVIT OF REASONABLE DILIGENCE (ALEX MENDEZ)

5903432.besbe.628840

LAW OFFICES OF
BEST BEST & KRIEGER LLP
18101 VON KARMAN AVENUE, SUITE 1800
IRVINE, CALIFORNIA 92612

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 August 8, 2014, I served the within document(s):

**NOTICE AND ACKNOWLEDGMENT OF RECEIPT - CIVIL - JOSHUA ACRES
MUTUAL WATER COMPANY**

- ☒ 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 August 8, 2014, at Los Angeles, California.


Sandra K. Sandoval

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

c/o Glotrans
2915 McClure Street
Oakland, CA 94609
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)	Antelope Valley Groundwater Cases (JCCP 4408)
)	Lead Case No. 1-05-CV-049053
Plaintiff,)	Hon. Jack Komar
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)	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 Fri. August 8, 2014 at 3:43 PM PDT 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.sceffiling.org>, on Fri. August 8, 2014 at 3:43 PM PDT

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 August 8, 2014 at Oakland, California.

Dated: August 8, 2014

For WWW.SCEFILING.ORG

Andy Jamieson

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

3 Electronic Proof of Service
4 Page 2

5 Document(s) submitted by Jeffrey Dunn of Best Best & Krieger, LLP on Fri. August 8, 2014 at 3:43 PM PDT

6 1. Acknowledge Receipt: Notice and Acknowledgment of Receipt of Summons and Amendment to PWS First Amended
7 Cross-Complaint - Joshua Acres Mutual Water Company
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