

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Jeffrey V. Dunn (131926) Wendy Y. Wang (228923)</b> <b>BEST BEST &amp; KRIEGER LLP</b> 18101 Von Karman Ave, Suite 1000 Irvine, CA 92612 TELEPHONE NO.: (949) 263-2600 FAX NO. (Optional): (949) 260-0972 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b>Cross-Complainant Los Angeles Co Waterworks Dist. 40</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles</b> STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse	CASE NUMBER: <b>JCCP No. 4408-CLASS ACTION</b> <b>Santa Clara Case No. 1-05-CV-049053</b>
PLAINTIFF/PETITIONER: Los Angeles County Waterworks District No 40, et al. DEFENDANT/RESPONDENT: Diamond Farming Company, et al.	
<b>REQUEST FOR</b> <input checked="" type="checkbox"/> <b>Entry of Default</b> <input type="checkbox"/> <b>Clerk's Judgment</b> <b>(Application)</b> <input type="checkbox"/> <b>Court Judgment</b>	

1. TO THE CLERK: On the complaint or cross-complaint filed
- a. on (date): August 21, 2008
  - b. by (name): Los Angeles County Waterworks District No. 40, et al.
  - c. ☒ Enter default of defendant (names): Chitea Family Trust, Roe 425
  - d. ☐ 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).)*
  - e. ☐ 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.**
- |   | <u>Amount</u> | <u>Credits acknowledged</u> | <u>Balance</u> |
|---|---------------|-----------------------------|----------------|
| 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. <b>TOTALS</b> .....  | 0.00 \$       | 0.00 \$                     | 0.00           |
| g. <b>Daily damages</b> were demanded in complaint at the rate of: \$             |               | per day beginning (date):   |                |
| (* <i>Personal injury or wrongful death actions; Code Civ. Proc., § 425.11.</i> ) |               |                             |                |
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 18, 2015

Wendy Y. Wang

(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

- (1) ☐ Default entered as requested on (date):  
 (2) ☐ Default NOT entered as requested (state reason):

**FOR COURT  
USE ONLY**

Clerk, by \_\_\_\_\_, Deputy

PLAINTIFF/PETITIONER: Los Angeles County Waterworks District No. 40, et al	CASE NUMBER: JCCP No. 4408-CLASS ACTION Santa Clara Case No. 1-05-CV-049053
DEFENDANT/RESPONDENT: Diamond Farming Company, et al.	

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 18, 2015

(2) To (specify names and addresses shown on the envelopes):  
Chitea Family Trust  
2935 Shadow Brook Lane  
Westlake Village, CA 91361

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 18, 2015

Rosanna R. Perez

(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:

(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 18, 2015

Wendy Y. Wang

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Above, State Bar number, and address): <b>ERIC L. GARNER 130688</b> <b>Best Best &amp; Yotter (PPI)</b> <b>5 PARK PLAZA, SUITE 1500 IRVINE CA</b> TELEPHONE NO.: _____ FAX NO. (Optional): _____ EMAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): <b>ANTELOPE VALLEY GROUNDWATER CASES</b>		<b>UNFORMED COPY</b> <b>OF ORIGINAL FILED</b> <b>Los Angeles Superior Court</b> <b>SEP 18 2008</b> John A. Clarke, Executive Officer/Clerk By <i>[Signature]</i> <b>STORIETTA ROBINSON</b> , Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: <b>111 N. HILL ST</b> MAILING ADDRESS: <b>ROOM 100</b> CITY AND ZIP CODE: <b>LOS ANGELES 90012</b> BRANCH NAME: <b>STANLEY MOSK UNLIMITED CIVIL</b>		
PLAINTIFF/PETITIONER: <b>ANTELOPE VALLEY GROUNDWATER CASES</b>		CASE NUMBER: <b>4408</b>
DEFENDANT/RESPONDENT: _____		Ref. No. or File No.: <b>261140016</b>
<b>PROOF OF SERVICE OF SUMMONS</b>		

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the (specify documents):  
**Summons on First Amended Cross-complaint; Notice of Trial; First-amended Cross-complaint of Public Water Suppliers for Declaratory and Injunctive Relief and Adjudication of Water Rights; Model Answer to Complaint and Cross-complaints; Letter Dated 8/20/08**
3. a. Party served (specify name of party as shown on documents served):  
**CHITIEA FAMILY TRUST**
- b. ☒ 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):  
**VIVIAN A. CHITIEA, A white female approx. 45-55 years of age 5'2"-5'4" in height weighing 140-160 lbs with blonde**
4. Address where the party was served:  
**2935 SHADOW BROOK Lane, WESTLAKE VILLAGE, CA 91361**
5. I served the party (check proper box)
  - a. ☒ 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): **8/8/2008** (2) at (time): **7:50 AM**
  - b. ☐ by substituted service. On (date): (2) at (time): 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):
    - (1) ☐ (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.
    - (2) ☐ (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.
    - (3) ☐ (physical address unknown) a person of 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.
    - (4) ☐ 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): \_\_\_\_\_ or ☐ a declaration of mailing is attached.
    - (5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.



PLAINTIFF/PETITIONER: ANTELOPE VALLEY GROUNDWATER CASES	CASE NUMBER: 4408
DEFENDANT/RESPONDENT:	

- c. ☐ by mail and acknowledgment 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 Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment 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): CHITIEA FAMILY TRUST  
 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"/> 415.48 (occupant)
	<input type="checkbox"/> other

7. Person who served papers

- a. Name: Nancy Banfield  
 b. Address: 801 South Victoria Avenue, Suite 302, Ventura, CA 93003  
 c. Telephone number: 805-477-4321  
 d. The fee for service was: \$185.00  
 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.: 5034  
 (iii) ☒ County: Ventura

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: 9/10/2008

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

*Nancy Banfield*



**PROOF OF SERVICE**

I, Rosanna R. Pérez, 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 S. Grand Avenue, 25th Floor, Los Angeles, California 90071. On September 18, 2015, I served the following document(s):

**REQUEST FOR ENTRY OF DEFAULT – CHITIEA FAMILY TRUST, ROE 425**



by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on September 18, 2015, at Los Angeles, California.



Rosanna R. Pérez

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