

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Jeffrey V. Dunn (131926) Wendy Y. Wang (228923) BEST BEST & KRIEGER LLP 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): Cross-Complainant Los Angeles Co Waterworks Dist. 40	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 900012 BRANCH NAME: Stanley Mosk Courthouse	
PLAINTIFF/PETITIONER: Los Angeles County Waterworks District No 40, et al. DEFENDANT/RESPONDENT: Diamond Farming Company, et al.	
REQUEST FOR (Application) <input checked="" type="checkbox"/> Entry of Default <input type="checkbox"/> Clerk's Judgment <input type="checkbox"/> Court Judgment	CASE NUMBER: JCCP No. 4408-CLASS ACTION Santa Clara Case No. 1-05-CV-049053

1. TO THE CLERK: On the complaint or cross-complaint filed
- on (date): August 21, 2008
 - by (name): Los Angeles County Waterworks District No. 40, et al.
 - ☒ Enter default of defendant (names): James Hemming, Roe 1195
 - ☐ 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
 - ☐ 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.
 - ☐ under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)
 - ☐ 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. 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: 9/17/2015

Wendy Y. Wang

(TYPE OR PRINT NAME)


 (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

FOR COURT USE ONLY	(1) <input type="checkbox"/> Default entered as requested on (date): (2) <input type="checkbox"/> Default NOT entered as requested (state reason):	Clerk, by _____, Deputy
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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): 9-18-15

(2) To (specify names and addresses shown on the envelopes):
James Hemming
P.O. Box 5039
Niceville, FL 32578-5039

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: 9/18/2015

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: 9/18/2015

Wendy Wang

(TYPE OR PRINT NAME)

► 
(SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) Jeffrey V. Dunn/SBN 131926 Stefanie D. Hedlund/SBN 239787 Best Best & Krieger LLP 5 Park Plaza, Suite 1500, Irvine, California 92614 TELEPHONE NO: (949) 263-2600 FAX NO (Optional) (949) 260-0972 E-MAIL ADDRESS (Optional) jeffrey.dunn@bbklaw.com ATTORNEY FOR (Name): Los Angeles County Waterworks District No. 40		FOR COURT USE ONLY CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles FEB 01 2010 John A. Clarke, Executive Officer/Clerk By <u>d. sn</u> Deputy I. FLORES
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central Branch		
PLAINTIFF/PETITIONER: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, et al. DEFENDANT/RESPONDENT DIAMOND FARMING COMPANY, et al.		
NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL		CASE NUMBER Judicial Council Coordination Proceeding No. 4408

 TO (insert name of party being served): JAMES HEMMING (Hemming)

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: June 10, 2009

Stefanie D. Hedlund

(TYPE OR PRINT NAME)

(SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

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, First Amended Cross-Complaint, Model Answer to Complaint and All Cross-Complaints

(To be completed by recipient):

Date this form is signed: 4/17/09

James Hemming

 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)

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 – JAMES HEMMING, ROE 1195



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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