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10 a California corporation, and CRYSTAL ORGANIC
11 FARMS, a limited liability company
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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

Coordination Proceeding Special Title
(Rule 1550 (b))

ANTELOPE VALLEY GROUNDWATER
CASES

Included actions:

Los Angeles County Waterworks District No.
40 vs. Diamond Farming Company
Los Angeles Superior Court
Case No. BC 325201

Los Angeles County Waterworks District No.
40 vs. Diamond Farming Company
Kern County Superior Court
Case No. S-1500-CV 254348 NFT

Diamond Farming Company vs. City of
Lancaster
Riverside County Superior Court
Lead Case No. RIC 344436 [Consolidated
w/Case Nos. 344668 & 353840]

Judicial Council Coordination No. 4408

Case No.: 1-05-CV-049053

DIAMOND FARMING COMPANY AND
CRYSTAL ORGANIC FARMS'
OBJECTIONS TO PLAINTIFF WOOD'S
MOTION FOR CLASS CERTIFICATION;
JOINDER IN BOLTHOUSE PROPERTIES,
LLC AND WM. BOLTHOUSE FARMS,
INC.'S OBJECTION TO MOTION FOR
CLASS CERTIFICATION

Date: August 11, 2008
Time: 9:00 a.m.
Dept.: 1

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1 DIAMOND FARMING COMPANY and CRYSTAL ORGANIC FARMS hereby objects to
2 the Motion for Class Certification by Plaintiff Richard A. Wood. As we have previously briefed *ad*
3 *nauseam* and in full, it is believed that litigation of claims of prescription by the Purveyors and/or
4 inverse condemnation claims by the class are not suitable to class treatment. (See *City of San Jose v.*
5 *Superior Court* (1974) 12 Cal.3d 447, 461-462.) However, we have recently propounded discovery upon
6 the Purveyor parties as contemplated by *Louis E. Carabini, et al. vs. The Superior Court of Orange*
7 *County* (1994) 26 Cal.App.4th 239, and the responses to that discovery are due prior to the scheduled
8 hearing on this Motion for Class Certification of the small pumpers class. It is conceivable that the
9 Purveyors' responses to that discovery may sufficiently resolve the concerns previously articulated and
10 incorporated herein as if set forth fully. Our receipt and review of the Purveyors' responses to that
11 discovery may result in a withdrawal of this Objection.

12 DIAMOND FARMING COMPANY and CRYSTAL ORGANIC FARMS also hereby joins
13 in Objection to Motion for Class Certification filed by Bolthouse Properties, LLC and Wm. Bolthouse
14 Farms, Inc., on July 10, 2008.

15 Dated: July 11, 2008

LeBEAU • THELEN, LLP

16
17 By: 

18 BOB H. JOYCE, Esq.,
19 Attorneys for DIAMOND FARMING COMPANY,
20 a California corporation, and CRYSTAL ORGANIC
21 FARMS, a limited liability company
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PROOF OF SERVICE

ANTELOPE VALLEY GROUNDWATER CASES
JUDICIAL COUNCIL PROCEEDING NO. 4408
CASE NO.: 1-05-CV-049053

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within action; my business address is: 5001 E. Commercenter Drive, Suite 300, Bakersfield, California 93309. On July 11, 2008, I served the within DIAMOND FARMING COMPANY AND CRYSTAL ORGANIC FARMS' OBJECTIONS TO PLAINTIFF WOOD'S MOTION FOR CLASS CERTIFICATION; JOINDER IN BOLTHOUSE PROPERTIES, LLC AND WM. BOLTHOUSE FARMS, INC.'S OBJECTION TO MOTION FOR CLASS CERTIFICATION

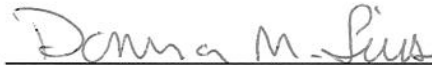
☒ **(BY POSTING)** I am "readily familiar" with the Court's Clarification Order. Electronic service and electronic posting completed through www.scefilng.org ; All papers filed in Los Angeles County Superior Court and copy sent to trial judge and Chair of Judicial Council.

Los Angeles County Superior Court
111 North Hill Street
Los Angeles, CA 90012
Attn: **Department 1**
(213) 893-1014

Chair, Judicial Council of California
Administrative Office of the Courts
Attn: Appellate & Trial Court Judicial Services
(Civil Case Coordinator)
Carlotta Tillman
455 Golden Gate Avenue
San Francisco, CA 94102-3688
Fax (415) 865-4315

☐ **(BY MAIL)** 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 at Bakersfield, California, in the ordinary course of business.

☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that the foregoing was executed on July 11, 2008, in Bakersfield, California.



DONNA M. LUIS