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6 Attorneys for DIAMOND FARMING COMPANY,
7 a California corporation

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 IN AND FOR THE COUNTY OF LOS ANGELES

13 Coordination Proceeding Special Title
14 (Rule 1550 (b))

15 ANTELOPE VALLEY GROUNDWATER
16 CASES

16 Included actions:

17 Los Angeles County Waterworks District No.
18 40 vs. Diamond Farming Company
19 Los Angeles Superior Court
20 Case No. BC 325201

20 Los Angeles County Waterworks District No.
21 40 vs. Diamond Farming Company
22 Kern County Superior Court
23 Case No. S-1500-CV 254348 NFT

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

Judicial Council Coordination No. 4408

Case No.: 1-05-CV-049053

**NOTICE OF MOTION AND MOTION
OF DIAMOND FARMING TO STRIKE
THE CLASS ALLEGATIONS AS TO
THE FIRST CAUSE OF ACTION OF
THE FIRST AMENDED CROSS-
COMPLAINT OF THE PUBLIC
WATER SUPPLIERS, OR, IN THE
ALTERNATIVE, MOTION TO DENY
CERTIFICATION OF ANY
DEFENDANT CLASS AS TO THE
FIRST CAUSE OF ACTION OF THAT
CROSS-COMPLAINT**

Hearing:

Date: May 21, 2007
Time: 9:00 a.m.
Dept.: 1

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that Diamond Farming Company ("Diamond") moves the court for
3 an order striking the class allegations of the First Cause of Action of the First Amended Cross-complaint
4 of the Public Water Suppliers by striking the incorporation of Paragraphs 13 and 14, as incorporated by
5 Paragraph 41. In the alternative, Diamond moves the court for an order denying certification of the class
6 action as to the First Cause of Action of the Cross-complaint. The motion has been set for hearing on
7 May 21, 2007 at 9:00 a.m., or as soon thereafter as counsel can be heard, in Department 1 of the above-
8 entitled court, located at 111 North Hill Street, Los Angeles, California.

9 The Motion is based on this Notice of Hearing, the Memorandum of Points and Authorities
10 Supporting the Motion filed concurrently, on all pleadings, papers, and records in the Superior Court
11 clerk's file pertaining to the action, any reply or supplemental memoranda or Requests for Judicial
12 Notice which may be hereafter filed in support of the Motion, and oral argument presented at the time
13 of the hearing.

14 Dated: April 12, 2007

LeBEAU • THELEN, LLP

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16 By: 

17 BOB H. JOYCE
18 Attorneys for DIAMOND FARMING COMPANY,
19 a California corporation
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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 April 12, 2007, I served the within **NOTICE OF MOTION AND MOTION OF DIAMOND FARMING TO STRIKE THE CLASS ALLEGATIONS AS TO THE FIRST CAUSE OF ACTION OF THE FIRST AMENDED CROSS-COMPLAINT OF THE PUBLIC WATER SUPPLIERS, OR, IN THE ALTERNATIVE, MOTION TO DENY CERTIFICATION OF ANY DEFENDANT CLASS AS TO THE FIRST CAUSE OF ACTION OF THAT CROSS-COMPLAINT**

☒ (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.

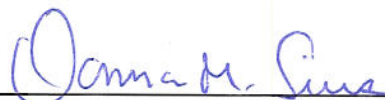
Los Angeles County Superior Court
111 North Hill Street
Los Angeles, CA 90012
Attn: **Department 1**

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.

☐ (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the offices of the addressee(s). Executed on _____, 2007, at Bakersfield, California.

☒ (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 April 12, 2007, in Bakersfield, California.


DONNA M. LUIS