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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

Coordination Proceeding

Case No. 105 CV 049053

**ANTELOPE VALLEY
GROUNDWATER CASES**

Judicial Council Coordination Proceeding
No. 4408

Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.

Hon. Jack Komar

Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.

**RESPONSE OF CITY OF LOS ANGELES
TO PUBLIC WATER SUPPLIERS'
MOTION FOR CLASS CERTIFICATION**

Wm. Bolthouse Farms, Inc. v. City of
Lancaster

Hearing:

Diamond Farming Co. v. City of
Lancaster

Date: April 16, 2007
Time: 9:00 a.m.
Dept.: 1

Diamond Farming Co. v. Palmdale Water
District

1 Defendant City of Los Angeles ("the City"), a public entity, by and through its
2 Department of Water and Power and on behalf of its Department of Airports, responds to the
3 Motion for Class Certification made by Los Angeles County Waterworks District No. 40 and
4 others.

5 City of Los Angeles agrees that this case should be simplified by certification of a
6 defendant class and supports the class designation offered by Plaintiff, which now excludes
7 public entities.

8 The goal of this litigation is to provide all parties a determination of their right to pump
9 groundwater, and to ensure that the Antelope Valley Groundwater Basin ("Basin") is not subject
10 in the future to unregulated pumping by parties not subject to the court's judgment. There are
11 many thousands of landowners who own land within the vast area that comprises the Basin who
12 do not currently pump but could do so in the future if not subject to the court's judgment. It is in
13 all parties' interest that the rights of these landowners be decreed, and that their due process rights
14 be rigorously protected in the process, so that the final judgment is unassailable. Approval of the
15 defendant classes proposed by Plaintiff, together with appropriate notice and service of process
16 will promote this goal.

17
18 Dated: April 6, 2007

19
20 ROCKARD J. DELGADILLO, City Attorney
Richard M. Brown, Senior Assistant City Attorney for
Water and Power

21
22 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
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23
24 By



Janet K. Goldsmith

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1 **PROOF OF SERVICE**

2 I, Do Gentry, declare:

3 I am a resident of the State of California and over the age of eighteen years, and
4 not a party to the within action; my business address is 400 Capitol Mall, 27th Floor, Sacramento,
CA 95814-4416. On April 6, 2007, I served the within documents:

5 **Response to Motion for Class Certification**

- 6 ☐ by transmitting via facsimile from (916) 321-4555 the above listed document(s)
7 without error to the fax number(s) set forth below on this date before 5:00 p.m. A
copy of the transmittal/confirmation sheet is attached.
- 8 ☒ By e-filing.
- 9 ☐ by causing personal delivery by messenger of the document(s) listed above to the
10 person(s) at the address(es) set forth below.
- 11 ☐ by placing the document(s) listed above in a sealed Federal Express envelope and
12 affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal
Express agent for delivery
- 13 ☐ by personally delivering the document(s) listed above to the person(s) at the
address(es) set forth below.

14 I am readily familiar with the firm's practice of collection and processing
15 correspondence for mailing. Under that practice it would be deposited with the U.S. Postal
16 Service on that same day with postage thereon fully prepaid in the ordinary course of business. I
17 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.

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

19 Executed on April 6, 2007, at Sacramento, California.

20 
21 Do Gentry

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