1 2	CHRISTOPHER P. BURGER, SBN 158461 SCHOOLS LEGAL SERVICE Post Office Box 2445 (93303) 1300 17 <sup>th</sup> Street		
3	Bakersfield, CA 93301 661-636-4830		
4	661-636-4843 (Facsimile) chburger@kern.org		
5	Attorneys for Southern Kern Unified School	Exempt from filing fee	
6	District (Rosamond High School Water System)	Government Code § 6103	
7			
8	SUPERIOR COURT OF THE STATE OF CALIFORNIA		
9	FOR THE COUNTY OF LOS ANGELES		
10	ANTELOPE VALLEY GROUNDWATER CASES	JUDICIAL COUNCIL COORDINATION PROCEEDING NO. 4408	
11	Included Actions:	CLASS ACTION	
12	Los Angeles County Waterworks District	Santa Clara Case No. 1-05-CV-049053	
13	No. 40 v. Diamond Farming Co. Superior Court of California, County of	Assigned to The Honorable Jack Komar	
14 15	Los Angeles, Case No. BC325201;  Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.	NOTICE OF DESIGNATION OF EXPERT WITNESS BY SOUTHERN KERN UNIFIED SCHOOL DISTRICT	
16	Superior Court of California, County of Kern, Case No. S-1500-CV-254-348	(ROSAMOND HIGH SCHOOL WATER SYSTEM); DECLARATION OF	
17	Wm. Bolthouse Farms, Inc. v. City of	CHRISTOPHER P. BURGER REGARDING DESIGNATION OF	
18	Lancaster, Diamond Farming Co. v. City of Lancaster, Diamond Farming Co. v. Palmdale	EXPERT WITNESS	
19	Water Dist., Superior Court of California County of Riverside, consolidated actions; Case	TRIAL DATE: October 14-15, 2015	
20	Nos. ŘIC 353 840, ŘIC 344 436, RIC 344 668.		
21			
22	PLEASE TAKE NOTICE that pursuant to	the provisions of Code of Civil Procedure Section	
23	2034.010 et seq., the Southern Kern Unified School District (Rosamond High School Water System)		
24	(hereinafter "SKUSD"), by and through its attorneys of record, hereby submits a list containing the		
25	name and address of each person whose expert opinion testimony SKUSD expects to offer at trial,		
26	whether orally or by deposition testimony. At this time, the expert listed below has not prepared any		
27	discoverable reports or writings concerning his opinions in this matter.		
i	L		

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SKUSD designates the following expert witness based on the allegations and contentions known to it at this time. Should new allegations and contentions be made, SKUSD reserves the right to designate and call at the time of trial such other expert witnesses as may be appropriate.

## RETAINED EXPERT WITNESS

1. Michael Day Provost & Pritchard Consulting Group 1800 30<sup>th</sup> Street, Suite 280 Bakersfield, California 93301-1918

The above does not include any witnesses to be called for rebuttal and impeachment, if any. In addition to the witness listed above, SKUSD reserves the right to supplement or add to this list of witnesses if necessary.

The following Declaration of Christopher P. Burger is submitted in compliance with Code of Civil Procedure Section 2034.260(c).

SKUSD reserves all rights to call rebuttal expert witnesses once the expert witnesses of other parties have been designated, deposed, or have testified at the time of trial.

SKUSD reserves the right to submit a supplemental expert witness list pursuant to Code of Civil Procedure Section 2034.280.

Pursuant to Code of Civil Procedure Section 2034.310, SKUSD expressly reserves the right to call expert witnesses disclosed by any other party in this lawsuit.

DATED: October 9, 2015.

SCHOOLS LEGAL SERVICE

By TOPHER P. BURGER, Autorneys for Southern Kern Unified School District

(Rosamond High School Water System)

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## **DECLARATION**

- I, Christopher P. Burger, declare:
- 1. I am an attorney authorized to practice law before all courts of the state of California and an attorney for the Southern Kern Unified School District ("SKUSD"). I am providing this Declaration pursuant to California Code of Civil Procedure Section 2034.260(c).
- SKUSD designates and identifies Michael Day, Provost & Pritchard Consulting Group, pursuant to Code of Civil Procedure Section 2034.260 and intends to offer his testimony at trial either orally or by deposition testimony.
- 3. The named expert has agreed to testify as an expert witness at the upcoming trial currently scheduled for October 14-15, 2015.
- 4. Mr. Day holds a B.S. degree in civil engineering from Fresno State University. He has been a registered civil engineer in the state of California for over 30 years. He is currently employed by Provost & Pritchard Consulting Group as a Principal Engineer. His areas of expertise include, but are not limited to, electric billing records and pump testing and repair, irrigation system design and evaluation, groundwater and surface water investigations.
- 5. Mr. Day may be called to offer direct and/or rebuttal testimony concerning the amount of SKUSD's estimated groundwater pumping in 2011 and 2012 and the bases of his opinions.
- 6. Mr. Day will be sufficiently familiar with the pending action to submit a meaningful oral deposition concerning this testimony, including his expert opinions and the bases for those opinions.
  - 7. Mr. Day's fee for deposition and trial testimony is \$362 per hour.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

Dated this 9<sup>th</sup> day of October, 2015, at Bakersfield, California.

hristopher P. Burger, Declarant

1		PROOF OF SERVICE	
2		LOPE VALLEY GROUNDWATER CASES  l Council Coordination, Proceeding No. 4408	
3	Assign	Clara Case No. 1-05-CV 049053 ed to the Honorable Jack Komar geles County Superior Court, Central, Dept. 1	
5 6	I am employed in the County of Kern, State of California. I am over 18 years of age and not a party to this action. My business address is 1300 17 <sup>th</sup> Street, Bakersfield, California, 93301.		
7		On October 9, 2015, I served the foregoing document(s) entitled:	
8 9 10	KERN UNIFIED SCHOOL DISTRICT (ROSAMOND HIGH SCHOOL WATER SYSTEM); DECLARATION OF CHRISTOPHER P. BURGER		
11			
12 13	×	By Santa Clara Superior Court E-Filing In Complex Litigation Pursuant to Clarification Order Dated October 27, 2005 ( <a href="http://www.scefiling.org">http://www.scefiling.org</a> ,).	
14 15		By placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list.	
16 17		By placing the original, a true copy thereof, enclosed in a sealed envelope addressed as follows:	
18 19	×	(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.	
20 21		(Federal) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.	
22		Executed on October 9, 2015, at Bakersfield, California.	
23 24		Cathy Rother	
25			
26			
27			
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PROOF OF SERVICE