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Attorneys for Defendants
GEORGE C. STEVENS, JR. (served as Doe 161)
and GEORGE C. STEVENS, JR. AS TRUSTEE
OF THE GEORGE C. STEVENS, JR. TRUST
(served as Doe 162)

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

Coordination Proceeding
Special Title (Rule 1550 (b))

**ANTELOPE VALLEY GROUNDWATER
CASES**

Included Actions:

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

Superior Court of California
County of Los Angeles, Case No. BC 325 201

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

Superior Court of California
County of Kern, Case No. S-1500-CV-254-348

Wm. Bolthouse Farms, Inc. v. City of Lancaster
Diamond Farming Co. v. City of Lancaster;
Diamond Farming Co. v. Palmdale Water Dist.
Superior Court of California, County of Riverside,
consolidated actions, Case Nos. RIC 353 840,
RIC 344 436, RIC 344 668

AND RELATED CROSS-ACTIONS.

Judicial Council Coordination Proceeding
No. 4408

**CASE MANAGEMENT STATEMENT OF
DEFENDANTS GEORGE C. STEVENS, JR.
AND GEORGE C. STEVENS, JR. AS
TRUSTEE OF THE GEORGE C.
STEVENS, JR. TRUST**

DATE: September 21, 2006
TIME: 10:00 a.m.
DEPT: 1

Defendants George C. Stevens, Jr. and George C. Stevens, Jr. as Trustee of the George C.

Stevens Jr. Trust submit the following Case Management Statement:

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1 No provision has been made in this litigation for the burden of the cost of this litigation on
2 parties, like these defendants, owning small parcels that are not currently economically productive
3 and are lying fallow but nonetheless will need water in the future. In order to address this problem,
4 we suggest the following:

5 Any landowner seeking to take advantage of the following program (a "Small Landowner")
6 must file an election to do so, stating therein that it elects to engage in the Small Landowners'
7 Program and waives any and all procedural rights except as provided in this Small Landowners'
8 Program. Upon such election being filed, the following will apply to the electing Small Landowner:

- 9 A. The electing Small Landowner will be deemed to have denied all allegations of
10 complaints naming it as a defendant and cross-complaints naming it as a
11 cross-defendant, and to have pled an affirmative defense seeking a reasonable
12 allocation of water;
- 13 B. The electing Small Landowner will be excused from discovery until such time as that
14 Small Landowner makes or joins in an objection to a ruling by the Court as provided
15 in Paragraphs D and/or E below;
- 16 C. The electing Small Landowner will be excused from taking part in court proceedings
17 until that Small Landowner makes an objection under Paragraphs D and/or E below;
- 18 D. Each time the Court makes a ruling on an issue, the electing Small Landowner may
19 object to the ruling within fifteen (15) days from service of notice of that ruling by
20 making a motion and setting it for hearing with respect to that ruling. When an
21 electing Small Landowner makes such an objection, that Small Landowner shall
22 become obligated to respond to and may engage in discovery on that issue;
- 23 E. Within thirty (30) days after this Court issues its Tentative Decision in this case (and
24 this will constitute a request for a tentative decision), the electing Small Landowner
25 may object in writing to any portion of the Tentative Decision. Such objection shall
26 be heard by the Court and, if approved by the Court, evidentiary hearings may be
27 conducted thereon. In connection with such evidentiary hearings, the objecting Small
28 Landowner shall be obligated to respond to and may engage in discovery;

1 F. Notwithstanding the foregoing, upon application to and approval by the Court, any
2 party, including but not limited to any Small Landowner, may engage in discovery
3 with any and all parties herein; and

4 G. Notwithstanding participation in this program, Small Landowners shall be served
5 with all papers and documents in this action as if they were full participants herein.

6 The foregoing program, or something similar, will ease the burden of this litigation on Small
7 Landowners, and should enhance the efficiency of these proceedings.

8 Dated: September 12, 2006

Respectfully submitted.

9 MARVIN G. BURNS
10 MARVIN G. BURNS, A LAW CORPORATION

11 By: 
12

Marvin G. Burns
Attorneys for Defendants
13 GEORGE C. STEVENS, and
14 GEORGE C. STEVENS, JR. AS TRUSTEE OF
15 THE GEORGE C. STEVENS, JR. TRUST
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