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Exempt from Filing Fee Pursuant to
Government Code Section 6103

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Attorneys for Defendant CITY OF LOS ANGELES

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

DESIGNATION OF EXPERT WITNESS

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

Riverside County Superior Court
Lead Case No. RIC 344436
Case No. RIC 344668
Case No. RIC 353840

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

Diamond Farming Co. v. City of
Lancaster

Los Angeles Superior Court
Case No. BC 325201

Diamond Farming Co. v. Palmdale Water
District

Kern County Superior Court
Case No. S-1500-CV-254348

1 COMES NOW Defendant CITY OF LOS ANGELES ("Defendant" herein), by and
2 through its attorney of record, Stanley C. Powell, Esq. of Kronick, Moskowitz, Tiedemann &
3 Girard, a Professional Corporation, who declares under penalty of perjury that the following
4 individual(s) may be called to testify at the time of trial as an expert witness:

5 Timothy J. Durbin
6 West Yost Associates, Inc.
7 2020 Research Park Drive, Suite 100
8 Davis, California, 95618.

9 Mr. Durbin will testify at the Phase 2 trial scheduled to commence on October 6, 2008
10 concerning the characteristics of the Antelope Valley groundwater basin, particularly on whether
11 it contains sub-basins. Mr. Durbin is prepared to submit to a meaningful oral deposition
12 concerning the specific testimony, including any opinion and its basis, that he is expected to give
13 at the Phase 2 trial. Mr. Durbin is available for deposition during the August 21 through
14 September 26 period, except for August 21, 2008, August 22, 2008, or September 18, 2008.

15 Mr. Durbin's résumé, and his report Antelope Valley Groundwater Basin - Subbasin
16 Analysis containing his opinions on these subjects are filed concurrently herewith, attached as
17 Exhibits A and B.

18 Counsel is informed and believes that Mr. Durbin charges \$190 per hour for any
19 deposition or trial testimony, including travel time and expenses.

20 Defendant hereby designates as its own expert witness any and all experts designated by
21 other parties hereto and reserves the right to claim such experts as its own and call them as its
22 own witnesses at trial if desired.

23 Defendant reserves the rights expressly set forth in California Code of Civil Procedure
24 section 2034.210, *et seq.* concerning the retention, designation and use of expert witnesses.

25 Defendant reserves all rights to subsequently name expert witnesses as provided by
26 California Code of Civil Procedure section 2034, *et seq.*

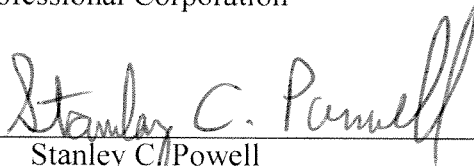
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1 I declare under the penalty of perjury that the foregoing is true and correct and that this
2 Designation was executed on August 15, 2008, at Sacramento, California.

3
4 ROCKARD J. DELGADILLO, City Attorney
Richard M. Brown, Senior Assistant City Attorney for
Water and Power

5
6 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation

7
8 By 
9 Stanley C. Powell
Attorneys for Defendant CITY OF LOS ANGELES

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Judicial Counsel Coordination Proceeding No. 4408

I, Sandra L. Zellhart, declare:

DESIGNATION OF EXPERT WITNESS INCLUDING EXHIBITS A AND B

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

Sandra L. Zellhart
Sandra L. Zellhart