

JANET K. GOLDSMITH, State Bar No. 065959  
STANLEY C. POWELL, State Bar No. 254057  
KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation  
400 Capitol Mall, 27th Floor  
Sacramento, CA 95814-4416  
Telephone: (916) 321-4500  
Facsimile: (916) 321-4555

ROCKARD J. DELGADILLO, City Attorney  
RICHARD M. BROWN, Senior Assistant  
City Attorney for Water and Power  
S. DAVID HOTCHKISS (Bar No. 076821)  
Assistant City Attorney  
JULIE CONBOY RILEY (Bar No. 197407)  
Deputy City Attorney  
111 North Hope Street, Suite 340  
P. O. Box 51111  
Los Angeles, California 90051-0100  
Telephone: (213)367-4500

Exempt from Filing Fee Pursuant to  
Government Code Section 6103

Attorneys for Defendant CITY OF LOS ANGELES

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

**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 325201; Los  
Angeles County Waterworks District No.  
40 v. Diamond Farming Co., Superior  
Court of California, County of Kern, Case  
No. S-1500-CV-234348; Wm. Bolthouse  
Farms, Inc. v. City of Lancaster Diamond  
Farming Co. v. City of Lancaster v.  
Palmdale Water District, Superior Court of  
California, County of Riverside,  
consolidated actions, Case Nos. RIC  
353840, RIC 344436, RIC 344668  
[Include class actions]

**Judicial Council Coordination**

**Proceeding No. 4408**

**[Santa Clara Superior Court Case No. 1-05-CV-  
049053]**


[Assigned for All Purposes to the  
Honorable Jack Komar]

**CITY OF LOS ANGELES' JOINDER IN  
OPPOSITION TO PEREMPTORY  
CHALLENGE TO ASSIGNED JUDGE  
(CCP § 170.6)**

1           The City of Los Angeles hereby joins in the opposition presented on behalf of the  
2 public water suppliers<sup>1</sup> to the peremptory challenge to Judge Komar filed by certain landowner  
3 parties. This peremptory challenge must be overruled because it is untimely.

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

7                           KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
8                           A Professional Corporation

9                           By   
10                           Janet K. Goldsmith (By LL)  
11                           Attorneys for Defendant CITY OF LOS ANGELES

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28           <sup>1</sup>       Opposing parties are as follows: Littlerock Creek Irrigation District, Palm Ranch Irrigation District, North Edwards  
Water District, Desert Lakes Community Services District, Llano Del-Rio Water Co., Llano Mutual Water Co., Big Rock Mutual  
Water Co., and Little Baldy Water Co. [...]

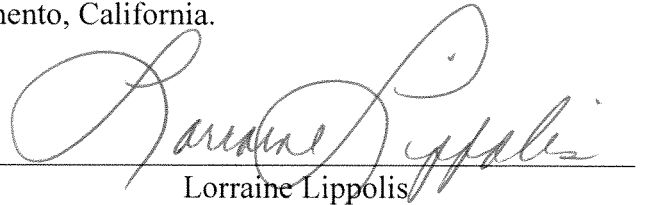
**PROOF OF SERVICE**

I, Lorraine Lippolis, declare:

I am a citizen of the United States and employed in Sacramento County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 400 Capitol Mall, 27th Floor, Sacramento, California 95814. On May 16, 2009, I served a copy of the within document: City of Los Angeles' Joinder in Opposition to Peremptory Challenge to Assigned Judge. via electronic posting to the Santa Clara Superior Court E-Filing website, <http://www.scefiling.org/cases/casehome.jsp?caseId=19>."

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

Executed on October 19, 2009 at Sacramento, California.

  
Lorraine Lippolis

**EXHIBIT "A"**

Robert H. Joyce  
Law Offices of Lebeau Thelen, LLP  
5001 East Commerce Center Drive,  
Suite 300  
P.O. Box 12092  
Bakersfield, CA 93389-2092  
[bjoyce@lebeauthelen.com](mailto:bjoyce@lebeauthelen.com),  
[DLuis@lebeauthelan.com](mailto:DLuis@lebeauthelan.com)

Attorneys for Diamond Farming Company

Douglas J. Evertz  
Stradling, Yocca, Carlson & Rauth  
660 Newport Center Drive, Suite 1600  
Newport Beach, CA 92660-6522  
[devertz@sycr.com](mailto:devertz@sycr.com)

Attorneys for City of Lancaster

James L. Markman  
Richards Watson & Gershon  
P.O. Box 1059  
Brea, CA 92822-1059  
[jmarkman@rwglaw.com](mailto:jmarkman@rwglaw.com)

Attorneys for City of Palmdale

Steve R. Orr  
Bruce G. McCarthy  
Richards Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071-3101  
[sorr@rwglaw.com](mailto:sorr@rwglaw.com)

Attorneys for City of Palmdale

Michael Fife  
Hatch and Parent  
21 East Carrillo Street  
Santa Barbara, CA 93101-2782  
[mfife@hatchparent.com](mailto:mfife@hatchparent.com)

Attorneys for Eugene B. Nebeker on behalf  
of Nebeker Ranch, Inc., Bob Jones on behalf  
of R&M Ranch, Inc., Forrest G. Godde and  
Steve Godde, Gailen Kyle on behalf of  
Kyle & Kyle Ranch, Inc. and John Calandri  
on behalf of Canandri/Sonrise Farms,  
collectively known as the Antelope Valley  
Groundwater Agreement Association  
("AGWA")

Richard Zimmer  
Clifford & Brown  
1430 Truxtun Avenue, Suite 900  
Bakersfield, CA 93301  
[rzimmer@clifford-brownlaw.com](mailto:rzimmer@clifford-brownlaw.com)

Attorneys for Bolthouse Properties, Inc.

Julie A. Conboy  
Department of Water and Power  
111 North Hope Street  
P.O. Box 111  
Los Angeles, CA 90012  
[Julie.Conboy@ladwp.com](mailto:Julie.Conboy@ladwp.com)

Attorneys for Department of Water and  
Power

1	Wayne K. Lemieux	Attorneys for Littlerock Creek Irrigation
2	Lemieux & O'Neill	District and Palm Ranch Irrigation District
3	2393 Townsgate Road, Suite 201	
4	Westlake Village, CA 91361	
5	<a href="mailto:Wayne@Lemieux-oneill.com">Wayne@Lemieux-oneill.com</a>	
6	Thomas Bunn	Attorneys for Palmdale Water District and
7	Lagerlof, Senecal, Bradley, Gosney & Kruse	Quartz Hill Water District
8	301 North Lake Avenue, 10th Floor	
9	Pasadena, CA 91101-4108	
10	<a href="mailto:TomBunn@lagerlof.com">TomBunn@lagerlof.com</a>	
11	Henry Weinstock	Attorneys for Tejon Ranch
12	Nossaman, Guthner, Knox, Elliott LLP	
13	445 South Figueroa Street, 31st Floor	
14	Los Angeles, CA 90071	
15	<a href="mailto:hweinstock@nossaman.com">hweinstock@nossaman.com</a>	
16	<a href="mailto:ffudacz@nossaman.com">ffudacz@nossaman.com</a>	
17	John Tootle	Attorneys for City of Palmdale
18	California Water Service Company	Attorneys for California Water Service
19	3625 Del Amo Boulevard, Suite 350	Company
20	Torrance, CA 90503	
21	<a href="mailto:jtootle@calwater.com">jtootle@calwater.com</a>	
22	Eric Garner	Attorneys for Los Angeles County
23	Best, Best & Krieger, LLP	Waterworks District No. 40 and Rosamond
24	P.O. Box 1028	Community Services District and on behalf
25	Riverside, CA 92502-1028	of City of Palmdale, City of Lancaster,
26	<a href="mailto:ELGarner@bbklaw.com">ELGarner@bbklaw.com</a>	Palmdale Water District and Quartz Hill
27	<a href="mailto:Lynda.Serwy@bbklaw.com">Lynda.Serwy@bbklaw.com</a>	Water District
28	<a href="mailto:JVDunn@bbklaw.com">JVDunn@bbklaw.com</a>	
	<a href="mailto:kkeefe@bbklaw.com">kkeefe@bbklaw.com</a>	
29	Raymond G. Fortner, Jr.	
30	County Counsel	
31	Frederick W. Pfaeffle, Sr. Deputy Counsel	
32	Office of County Counsel	
33	County of Los Angeles	
34	500 West Temple Street	
35	Los Angeles, CA 90012	
36	<a href="mailto:fpfaeffle@counsel.co.la.ca.us">fpfaeffle@counsel.co.la.ca.us</a>	
37	Chair, Judicial Council of California	
38	Administrative Office of the Courts	
39	Attn: Appellate & Trial Court Judicial	
40	Services	
41	(Civil Case Coordination)	
42	455 Golden Gate Avenue	
43	San Francisco, CA 94102	

1 Honorable Jack Komar  
2 Judge of the Superior Court of California,  
3 County of Santa Clara  
4 191 North First Street, Dept. 17C  
5 San Jose, CA 95113

6 Daniel V. Hyde  
7 Lewis, Brisbois, Bisgaard & Smith, LLP  
8 221 N. Figueroa Street, Suite 1200  
9 Los Angeles, CA 90012  
10 [hyde@lbbslaw.com](mailto:hyde@lbbslaw.com)

11 Lee Leininger  
12 Environment and Natural Resources Division  
13 Department of Justice  
14 999 – 18<sup>th</sup> Street, Suite 945  
15 Denver, CO 80202  
16 [Lee.leininger@usdoj.gov](mailto:Lee.leininger@usdoj.gov)  
17 [Judy.Tetreault@usdoj.gov](mailto:Judy.Tetreault@usdoj.gov)

18 Debra W. Yang  
19 United States Attorney's Office  
20 Central District of California  
21 300 North Los Angeles Street  
22 Los Angeles, CA 90012

23 Alberto Gonzales  
24 United States Attorney General  
25 Department of Justice  
26 950 Pennsylvania Avenue, NW  
27 Washington, DC 20530-0001

28 John Slezak, Esq.  
Iverson, Yoakum, Papiano & Hatch  
One Wilshire Boulevard., 27<sup>th</sup> Floor  
624 S. Grand Avenue  
Los Angeles, CA 90017  
[Jslezak@iyph.com](mailto:Jslezak@iyph.com)

Attorneys for City of Los Angeles  
Department of Water and Power

Janet K. Goldsmith  
Kronick, Moskovitz, Tiedemann & Girard  
400 Capitol Mall, 27<sup>th</sup> Floor  
Sacramento, CA 95814-4417  
[jgoldsmith@kmtg.com](mailto:jgoldsmith@kmtg.com)

Attorneys for City of Los Angeles  
Department of Water and Power

**PROOF OF SERVICE**

I, Lorraine Lippolis, declare:

I am a citizen of the United States and employed in Sacramento County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 400 Capitol Mall, 27th Floor, Sacramento, California 95814. On May 16, 2009, I served a copy of the within document: City of Los Angeles' Joinder in Opposition to Peremptory Challenge to Assigned Judge. via electronic posting to the Santa Clara Superior Court E-Filing website, <http://www.scefiling.org/cases/casehome.jsp?caseId=19> .”

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

Executed on October 19, 2009 at Sacramento, California.

---

Lorraine Lippolis

**EXHIBIT "A"**

Robert H. Joyce  
Law Offices of Lebeau Thelen, LLP  
5001 East Commerce Center Drive,  
Suite 300  
P.O. Box 12092  
Bakersfield, CA 93389-2092  
[bjoyce@lebeauthelen.com](mailto:bjoyce@lebeauthelen.com),  
[DLuis@lebeauthelan.com](mailto:DLuis@lebeauthelan.com)

Attorneys for Diamond Farming Company

Douglas J. Evertz  
Stradling, Yocca, Carlson & Rauth  
660 Newport Center Drive, Suite 1600  
Newport Beach, CA 92660-6522  
[devertz@sycr.com](mailto:devertz@sycr.com)

Attorneys for City of Lancaster

James L. Markman  
Richards Watson & Gershon  
P.O. Box 1059  
Brea, CA 92822-1059  
[jmarkman@rwglaw.com](mailto:jmarkman@rwglaw.com)

Attorneys for City of Palmdale

Steve R. Orr  
Bruce G. McCarthy  
Richards Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071-3101  
[sorr@rwglaw.com](mailto:sorr@rwglaw.com)

Attorneys for City of Palmdale

Michael Fife  
Hatch and Parent  
21 East Carrillo Street  
Santa Barbara, CA 93101-2782  
[mfife@hatchparent.com](mailto:mfife@hatchparent.com)

Attorneys for Eugene B. Nebeker on behalf  
of Nebeker Ranch, Inc., Bob Jones on behalf  
of R&M Ranch, Inc., Forrest G. Godde and  
Steve Godde, Gailen Kyle on behalf of  
Kyle & Kyle Ranch, Inc. and John Calandri  
on behalf of Canandri/Sonrise Farms,  
collectively known as the Antelope Valley  
Groundwater Agreement Association  
("AGWA")

Richard Zimmer  
Clifford & Brown  
1430 Truxtun Avenue, Suite 900  
Bakersfield, CA 93301  
[rzimmer@clifford-brownlaw.com](mailto:rzimmer@clifford-brownlaw.com)

Attorneys for Bolthouse Properties, Inc.

Julie A. Conboy  
Department of Water and Power  
111 North Hope Street  
P.O. Box 111  
Los Angeles, CA 90012  
[Julie.Conboy@ladwp.com](mailto:Julie.Conboy@ladwp.com)

Attorneys for Department of Water and  
Power



1	Wayne K. Lemieux Lemieux & O'Neill 2393 Townsgate Road, Suite 201 Westlake Village, CA 91361 <a href="mailto:Wayne@Lemieux-oneill.com">Wayne@Lemieux-oneill.com</a>	Attorneys for Littlerock Creek Irrigation District and Palm Ranch Irrigation District
4	Thomas Bunn Lagerlof, Senecal, Bradley, Gosney & Kruse 301 North Lake Avenue, 10th Floor Pasadena, CA 91101-4108 <a href="mailto:TomBunn@lagerlof.com">TomBunn@lagerlof.com</a>	Attorneys for Palmdale Water District and Quartz Hill Water District
7	Henry Weinstock Nossaman, Guthner, Knox, Elliott LLP 445 South Figueroa Street, 31st Floor Los Angeles, CA 90071 <a href="mailto:hweinstock@nossaman.com">hweinstock@nossaman.com</a> <a href="mailto:ffudacz@nossaman.com">ffudacz@nossaman.com</a>	Attorneys for Tejon Ranch
11	John Tootle California Water Service Company 3625 Del Amo Boulevard, Suite 350 Torrance, CA 90503 <a href="mailto:jtootle@calwater.com">jtootle@calwater.com</a>	Attorneys for City of Palmdale Attorneys for California Water Service Company
14	Eric Garner Best, Best & Krieger, LLP P.O. Box 1028 Riverside, CA 92502-1028 <a href="mailto:ELGarner@bbkllaw.com">ELGarner@bbkllaw.com</a> <a href="mailto:Lynda.Serwy@bbkllaw.com">Lynda.Serwy@bbkllaw.com</a> <a href="mailto:JVDunn@bbkllaw.com">JVDunn@bbkllaw.com</a> <a href="mailto:kkeefe@bbkllaw.com">kkeefe@bbkllaw.com</a>	Attorneys for Los Angeles County Waterworks District No. 40 and Rosamond Community Services District and on behalf of City of Palmdale, City of Lancaster, Palmdale Water District and Quartz Hill Water District
19	Raymond G. Fortner, Jr. County Counsel Frederick W. Pfaeffle, Sr. Deputy Counsel Office of County Counsel County of Los Angeles 500 West Temple Street Los Angeles, CA 90012 <a href="mailto:fpfaeffle@counsel.co.la.ca.us">fpfaeffle@counsel.co.la.ca.us</a>	
24	Chair, Judicial Council of California Administrative Office of the Courts Attn: Appellate & Trial Court Judicial Services (Civil Case Coordination) 455 Golden Gate Avenue San Francisco, CA 94102	

28

1 Honorable Jack Koma r  
2 Judge of the Superior Court of California,  
3 County of Santa Clara  
4 191 North First Street, Dept. 17C  
5 San Jose, CA 95113

6 Daniel V. Hyde  
7 Lewis, Brisbois, Bisgaard & Smith, LLP  
8 221 N. Figueroa Street, Suite 1200  
9 Los Angeles, CA 90012  
10 [hyde@lbbslaw.com](mailto:hyde@lbbslaw.com)

11 Lee Leininger  
12 Environment and Natural Resources Division  
13 Department of Justice  
14 999 – 18<sup>th</sup> Street, Suite 945  
15 Denver, CO 80202  
16 [Lee.leininger@usdoj.gov](mailto:Lee.leininger@usdoj.gov)  
17 [Judy.Tetreault@usdoj.gov](mailto:Judy.Tetreault@usdoj.gov)

Attorneys for Edwards Air Force Base,  
United States Department of the Air Force

18 Debra W. Yang  
19 United States Attorney's Office  
20 Central District of California  
21 300 North Los Angeles Street  
22 Los Angeles, CA 90012

23 Alberto Gonzales  
24 United States Attorney General  
25 Department of Justice  
26 950 Pennsylvania Avenue, NW  
27 Washington, DC 20530-0001

28 John Slezak, Esq.  
Iverson, Yoakum, Papiano & Hatch  
One Wilshire Boulevard., 27<sup>th</sup> Floor  
624 S. Grand Avenue  
Los Angeles, CA 90017  
[Jslezak@iyph.com](mailto:Jslezak@iyph.com)

Attorneys for City of Los Angeles  
Department of Water and Power

Janet K. Goldsmith  
Kronick, Moskovitz, Tiedemann & Girard  
400 Capitol Mall, 27<sup>th</sup> Floor  
Sacramento, CA 95814-4417  
[jgoldsmith@kmtg.com](mailto:jgoldsmith@kmtg.com)

Attorneys for City of Los Angeles  
Department of Water and Power