

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

CARMEN A. TRUTANICH, Los Angeles City Attorney
RICHARD M. BROWN, General Counsel, Water and
Power
RAYMOND ILGUNAS, General Counsel, Los Angeles
World Airports
1 World Way, Room 104
Los Angeles, CA 90045-5803
Attorneys for Defendant CITY OF LOS ANGELES and
LOS ANGELES WORLD AIRPORTS

Exempt from Filing Fee Pursuant to
Government Code Section 6103

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.

The Honorable Jack Komar
Santa Clara Case No. Case No. 105 CV 049053

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

**CITY OF LOS ANGELES'
SUPPLEMENTAL DESIGNATION OF
WITNESSES FOR PHASE 4 TRIAL**

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

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

Diamond Farming Co. v. City of
Lancaster

Los Angeles Superior Court
Case No. BC 325201
Kern County Superior Court
Case No. S-1500-CV-254348

Diamond Farming Co. v. Palmdale Water
District

Date: January 10, 2013

1 City of Los Angeles, by and through its Department of Airports, Los Angeles World
2 Airports ("LAWA"), Cross-Defendant herein, hereby files this supplemental designation of
3 witnesses for the Phase 4 trial of this matter, naming Carl F. Voss Jr. as an additional percipient
4 witness and the person most knowledgeable to provide testimony regarding methods of collecting
5 and recording extraction information for leaseholds on LAWA land.

6 As stated in Los Angeles' Response to the Court's Discovery Order, because of the short
7 time period between the Discovery Order and the date for response, it was possible that not all of
8 the available information was included therein. LAWA responded to the Discovery Order to the
9 best of its knowledge, information and belief, with a good faith effort to be as comprehensive as
10 possible at the time the response was made. However, in response to Discovery Request 3(C),
11 LAWA indicated that it was continuing to collect documentation of water usage and that if
12 additional facts or documents were to become known to LAWA after the date of the Response, it
13 would supplement the Discovery Response such information became available. LAWA reserved
14 the right to make use of, or to introduce at the Phase 4 Trial, any information or documents
15 responsive to the Discovery Order but discovered subsequent to the Response.

16 Upon reviewing the other parties' submissions under the Discovery Order, including the
17 Designations of Witnesses, LAWA became aware that Carl Voss, Jr., a witness designated by
18 Diamond Farming, Grimmway Enterprises, Inc. and Wheeler Farms is in possession of the
19 primary records documenting the water extraction reported to the City of Los Angeles by certain
20 of its lessees, notably Grimmway Enterprises, Inc., Diamond Farming, Inc. and Wheeler Farms.
21 The water usage was reported by LAWA in the Notices of Extraction and Diversion for wells
22 operated by those lessees of LAWA. The subsequently discovered information and witness do
23 not change the amount of water reported by LAWA, but provide additional supporting evidence
24 of those amounts.

25 Counsel deposing Mr. Voss on January 10, 2013, were informed at the outset of the
26 deposition that Mr. Voss would be designated as a percipient witness pursuant to a Supplemental
27 Designation of Witnesses by LAWA and that LAWA intended to call him for testimony

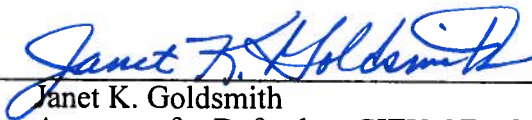
1 concerning underlying documentation of the LAWA lessees' extraction of water. In questioning
2 by at that deposition, Mr. Voss confirmed that he is the Land Manager for all the lands owned and
3 leased by Grimmway Enterprises and Diamond Farming, and that his methods of collecting and
4 recording extraction information for leaseholds on LAWA land is substantially the same as his
5 methodology for the collection of extraction data for lands owned in fee by the LAWA lessees
6 and other lands leased from other parties to this litigation.

7
8 Respectfully submitted.

9
10 Dated: January 10, 2013.

11 CARMEN A. TRUTANICH, City Attorney
12 Richard M. Brown, General Counsel, Water and Power
13 Raymond Ilgunas, General Counsel, Los Angeles World
14 Airports

15 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
16 A Professional Corporation

17 By 
18 Janet K. Goldsmith
19 Attorneys for Defendant CITY OF LOS ANGELES
20 and LOS ANGELES WORLD AIRPORTS
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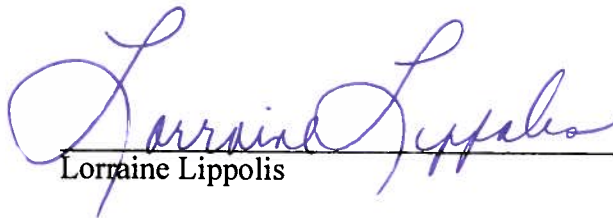
PROOF OF SERVICE

I DECLARE THAT:

I am employed in the County of Sacramento, State of California. I am over the age of eighteen years and not a party to the within action. My business address is 400 Capitol Mall, 27th Floor, Sacramento, California 95814.

On January 10, 2013, I served the attached CITY OF LOS ANGELES' SUPPLEMENTAL DESIGNATION OF WITNESSES FOR PHASE 4 TRIAL by posting the document to the Santa Clara Superior Court website www.scefiling.org. in regard to the Antelope Valley Groundwater matter.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this document was executed on January 10, 2013.


Lorraine Lippolis

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