

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): DAVID L. OSIAS (BAR NO. 91287) MARK J. HATTAM (BAR NO. 173667) ALLEN MATKINS LECK GAMBLE & MALLORY LLP 501 West Broadway, 15th Floor San Diego, CA 92101-3541 TELEPHONE NO.: (619) 233-1155 FAX NO. (Optional): (619) 233-1158 E-MAIL ADDRESS (Optional): dosias@allenmatkins.com/mhattam@allenmatkins.com ATTORNEY FOR (Name): Defendant and Cross-Defendant SPC Del Sur Ranch LLC		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: Same CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central District		
PLAINTIFF/PETITIONER: Coordination Proceeding Special Title (Rule 1550(b)) DEFENDANT/RESPONDENT: ANTELOPE VALLEY GROUNDWATER CASES		
CASE MANAGEMENT STATEMENT (Check one): <input checked="" type="checkbox"/> UNLIMITED CASE <input type="checkbox"/> LIMITED CASE (Amount demanded exceeds \$25,000) (Amount demanded is \$25,000 or less)		CASE NUMBER: JCCP 4408 Santa Clara Case No. 1-05-CV-049053

A **CASE MANAGEMENT CONFERENCE** is scheduled as follows:

Date: April 28, 2006 Time: 10 a.m. Dept.: One Div.: Room:
 Address of court (if different from the address above):
 Same.

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

- Party or parties (answer one):**
 - ☒ This statement is submitted by party (name): Defendant and Cross-Defendant SPC Del Sur Ranch LLC
 - ☐ This statement is submitted jointly by parties (names):
- Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)**
 - The complaint was filed on (date):
 - ☐ The cross-complaint, if any, was filed on (date):
- Service (to be answered by plaintiffs and cross-complainants only)**
 - ☐ All parties named in the complaint and cross-complaint have been served, or have appeared, or have been dismissed.
 - ☐ The following parties named in the complaint or cross-complaint
 - ☐ have not been served (specify names and explain why not):
 - ☐ have been served but have not appeared and have not been dismissed (specify names):
 - ☐ have had a default entered against them (specify names):
 - ☐ The following additional parties may be added (specify names, nature of involvement in case, and the date by which they may be served):
- Description of case**
 - Type of case in ☒ complaint ☒ cross-complaint (describe, including causes of action):
 Declaratory and Injunctive Relief and Adjudication of Water Rights

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4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*

Plaintiff contends its water rights are superior to those of defendants, which is denied.

☐ *(If more space is needed, check this box and attach a page designated as Attachment 4b.)*

5. **Jury or nonjury trial**

The party or parties request ☒ a jury trial ☐ a nonjury trial *(if more than one party, provide the name of each party requesting a jury trial):*

6. **Trial date**

- a. ☐ The trial has been set for *(date)*:
b. ☒ No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain)*:
c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability)*:

7. **Estimated length of trial**

The party or parties estimate that the trial will take *(check one)*:

- a. ☒ days *(specify number)*: Unknown at this time
b. ☐ hours (short causes) *(specify)*:

8. **Trial representation** *(to be answered for each party)*

The party or parties will be represented at trial ☒ by the attorney or party listed in the caption ☐ by the following:

- a. Attorney:
b. Firm:
c. Address:
d. Telephone number:
e. Fax number:
f. E-mail address:
g. Party represented:

☐ Additional representation is described in Attachment 8.

9. **Preference**

☐ This case is entitled to preference *(specify code section)*:

10. **Alternative Dispute Resolution (ADR)**

- a. Counsel ☒ has ☐ has not provided the ADR information package identified in rule 201.9 to the client and has reviewed ADR options with the client.
b. ☐ All parties have agreed to a form of ADR. ADR will be completed by *(date)*:
c. ☐ The case has gone to an ADR process *(indicate status)*:

PLAINTIFF/PETITIONER: Coordination Proceeding Special Title (Rule 1550(b))	CASE NUMBER: JCCP 4408
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10. d. The party or parties are willing to participate in *(check all that apply)*:

- (1) ☒ Mediation
- (2) ☐ Nonbinding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to close 15 days before arbitration under Cal. Rules of Court, rule 1612)
- (3) ☐ Nonbinding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to remain open until 30 days before trial; order required under Cal. Rules of Court, rule 1612)
- (4) ☐ Binding judicial arbitration
- (5) ☐ Binding private arbitration
- (6) ☐ Neutral case evaluation
- (7) ☐ Other *(specify)*:

e. ☐ This matter is subject to mandatory judicial arbitration because the amount in controversy does not exceed the statutory limit.

f. ☐ Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.

g. ☐ This case is exempt from judicial arbitration under rule 1601(b) of the California Rules of Court *(specify exemption)*:

11. Settlement conference

☐ The party or parties are willing to participate in an early settlement conference *(specify when)*:

12. Insurance

a. ☐ Insurance carrier, if any, for party filing this statement *(name)*:

b. Reservation of rights: ☐ Yes ☐ No

c. ☐ Coverage issues will significantly affect resolution of this case *(explain)*:

13. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case, and describe the status.

☐ Bankruptcy ☐ Other *(specify)*:

Status:

14. Related cases, consolidation, and coordination

a. ☒ There are companion, underlying, or related cases.

- (1) Name of case: Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.
- (2) Name of court: Superior Court of California, County of Los Angeles
- (3) Case number: BC325201
- (4) Status: Unknown

☒ Additional cases are described in Attachment 14a.

b. ☐ A motion to ☐ consolidate ☐ coordinate will be filed by *(name party)*:

15. Bifurcation

☐ The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action *(specify moving party, type of motion, and reasons)*:

16. Other motions

☐ The party or parties expect to file the following motions before trial *(specify moving party, type of motion, and issues)*:

PLAINTIFF/PETITIONER: Coordination Proceeding Special Title (Rule 1550(b))	CASE NUMBER: JCCP 4408
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17. Discovery

- a. ☐ The party or parties have completed all discovery.
- b. ☒ The following discovery will be completed by the date specified (*describe all anticipated discovery*):
- | <u>Party</u> | <u>Description</u> | <u>Date</u> |
|-----------------------|----------------------|-------------|
| SPC Del Sur Ranch LLC | Unknown at this time | |

- c. ☐ The following discovery issues are anticipated (*specify*):

18. Economic Litigation

- a. ☐ This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90 through 98 will apply to this case.
- b. ☐ This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (*if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case*):

19. Other issues

- ☐ The party or parties request that the following additional matters be considered or determined at the case management conference (*specify*):

20. Meet and confer

- a. ☒ The party or parties have met and conferred with all parties on all subjects required by rule 212 of the California Rules of Court (*if not, explain*): The multitude of parties, and our recent appearance in the action, makes this difficult.
- b. After meeting and conferring as required by rule 212 of the California Rules of Court, the parties agree on the following (*specify*):

21. Case management orders

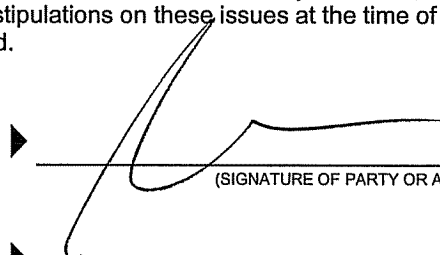
Previous case management orders in this case are (*check one*): ☐ none ☐ attached as Attachment 21.

22. Total number of pages attached (*if any*): 1

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and ADR, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: April 5, 2006

Mark J. Hattam
(TYPE OR PRINT NAME)

▶ 
(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

☐ Additional signatures are attached

SHORT TITLE: Coordination Proceeding Special Title (Rule 1550(b))
 — ANTELOPE VALLEY GROUNDWATER CASES

CASE NUMBER:
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ATTACHMENT (Number): 14a.

Page 1 of 1

(This Attachment may be used with any Judicial Council form.)

(Add pages as required)

14.a. Related cases, consolidation, and coordination (cont'd):

Name of case: Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.

Name of court: Superior Court of California, County of Kern

Case number: S-1500-CV-254-348

Status: Unknown

Name of case: Wm. Bolthouse Farms, Inc. v. City of Lancaster

Name of case: Diamond Farming Co. v. City of Lancaster

Name of case: Diamond Farming Co. v. Palmdale Water Dist.

Name of court: Superior Court of California, County of Riverside

Case numbers: Consolidated Actions, Nos. RIC 353 840, RIC 344 436, RIC 344 668

Status: Unknown

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)