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11 Attorneys for Cross-Defendants Northrop Grumman
12 Corporation, SGS Antelope Valley, LLC, Sempra
13 Energy, eSolar, Inc., Red Dawn SunTower, LLC,
14 Sierra SunTower, LLC, Gaskell SunTower, LLC,
15 AV Solar Ranch 1, LLC, High Desert Investments,
16 LLC, Southern California Edison Company, and
17 Defendants and Cross-Defendants enXco Development
18 Corporation and Palmdale Hills Property, LLC

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF LOS ANGELES**
13

14 ANTELOPE VALLEY
15 GROUNDWATER CASES,

16 Included Actions:

17 Los Angeles County Waterworks District
18 No. 40 v. Diamond Fanning Co.
19 Los Angeles County Superior Court
20 Case No. BC 325201

21 Los Angeles County Waterworks District
22 No. 40 v. Diamond Farming Co.
23 Kern County Superior Court
24 Case No. S-1500-CV -254-348

25 Wm. Bolthouse Farms, Inc. v. City of
26 Lancaster, Diamond Farming Co. v. City
27 of Lancaster, Diamond Fanning Co. v.
28 Palmdale Water Dist.
Riverside County Superior Court
Consolidated actions
Case Nos. RIC 353 840, RIC 344 436,
RIC 344 668

Judicial Council Coordination No. 4408

For filing purposes only:
Case No.: 1-05-CV-049053
LASC Case No. BC 325201

Assigned to the Honorable Jack Komar

**TRIAL SETTING CONFERENCE
STATEMENT**

Date: April 17, 2012
Time: 9:00 a.m.
Dept.: 316, Room 1515

1 This Trial Setting Conference Statement is submitted by the following parties: (1) Cross-
2 Defendant Northrop Grumman Corporation, (2) Cross-Defendants SGS Antelope Valley, LLC and
3 Sempra Energy, (3) Cross-Defendants eSolar, Inc., Red Dawn SunTower, LLC, Sierra SunTower,
4 LLC and Gaskell SunTower, LLC, (4) Cross-Defendant AV Solar Ranch 1, LLC, (5) Defendant and
5 Cross-Defendant enXco Development Corporation, and (6) Cross-Defendant Southern California
6 Edison Company.

7 These parties understand that a tentative settlement has been reached among the larger
8 groundwater producers concerning a proposed allocation of groundwater production rights. The
9 above-referenced parties support that tentative settlement, subject to receiving and considering
10 additional details concerning the overall "physical solution" that would be proposed pursuant to the
11 tentative settlement. Accordingly, the above-referenced parties have no suggestions concerning the
12 setting of the next phase of trial or the issues that would be tried in the next phase of trial.

13 Finally, the above-referenced defendants reserve their rights to pursue all of their claims in
14 this matter, included but not limited to current and future rights of overlying property owners. (See
15 *City of Barstow v. Mojave Water Agency* (2000) 23 Cal.4th 1224, 1247-49; see also 1-11 California
16 Water Law and Policy § 11.12 [Bender 2011].)

17
18 DATED: April 10, 2012

EDWARD J. CASEY
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20 

21 Edward J. Casey
22 Attorneys for Cross-Defendants Northrop Grumman
23 Corporation, SGS Antelope Valley, LLC, Sempra
24 Energy, eSolar, Inc., Red Dawn SunTower, LLC,
25 Sierra SunTower, LLC, Gaskell SunTower, LLC,
26 AV Solar Ranch 1, LLC, High Desert Investments,
27 LLC, Southern California Edison Company, and
28 Defendants and Cross-Defendants enXco Development
Corporation and Palmdale Hills Property, LLC

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PROOF OF SERVICE

I, Yolanda S. Ramos, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Alston & Bird LLP, 333 South Hope Street, Sixteenth Floor, Los Angeles, CA 90071. I am over the age of eighteen years and not a party to the action in which this service is made.

On April 10, 2012, I served the document(s) described as TRIAL SETTING CONFERENCE STATEMENT on the interested parties in this action by enclosing the document(s) in a sealed envelope addressed as follows:

☐ BY MAIL: I am "readily familiar" with this firm's practice for the collection and the processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, the correspondence would be deposited with the United States Postal Service at 333 South Hope Street, Los Angeles, California 90071 with postage thereon fully prepaid the same day on which the correspondence was placed for collection and mailing at the firm. Following ordinary business practices, I placed for collection and mailing with the United States Postal Service such envelope at Alston & Bird LLP, 333 South Hope Street, Los Angeles, California 90071.

☒ BY ELECTRONIC MAIL: By posting the document listed above to the Santa Clara Superior Court website: www.scefilings.org regarding the ANTELOPE VALLEY GROUNDWATER matter.

☐ BY FEDERAL EXPRESS ☐ UPS NEXT DAY AIR ☐ OVERNIGHT DELIVERY: I deposited such envelope in a facility regularly maintained by ☐ FEDERAL EXPRESS ☐ UPS ☐ Overnight Delivery [specify name of service:] with delivery fees fully provided for or delivered the envelope to a courier or driver of ☐ FEDERAL EXPRESS ☐ UPS ☐ OVERNIGHT DELIVERY [specify name of service:] authorized to receive documents at Alston & Bird LLP, 333 South Hope Street, Los Angeles, California 90071 with delivery fees fully provided for.

☐ BY FACSIMILE: I telecopied a copy of said document(s) to the following addressee(s) at the following number(s) in accordance with the written confirmation of counsel in this action.

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

☐ [Federal] I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 10, 2012, at Los Angeles, California.


YOLANDA S. RAMOS