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Attorneys for Cross-Defendants  
eSolar, Inc., Red Dawn SunTower, LLC,  
Sierra SunTower, LLC, Gaskell SunTower,  
LLC, and Tumbleweed SunTower, LLC

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

ANTELOPE VALLEY  
GROUNDWATER CASES

**INCLUDED ACTIONS:**

LOS ANGELES COUNTY  
WATERWORKS DISTRICT NO. 40 v.  
DIAMOND FARMING COMPANY, et  
al., Los Angeles Superior Court Case No.  
BC325201;

LOS ANGELES COUNTY  
WATERWORKS DISTRICT NO. 40 v.  
DIAMOND FARMING COMPANY, et  
al., Kern County Superior Court Case  
No. S-1500-CV-254-348;

DIAMOND FARMING COMPANY,  
and W.M. BOLTHOUSE FARMS, INC.,  
v. CITY OF LANCASTER, et al.,  
Riverside Superior Court Case No. RIC  
344436 [c/w case no. RIC 344668 and  
355840]

Judicial Council Coordination No. 4408

**NON-EXPERT WITNESS DESIGNATION**

Case No. 1-05-CV-049053  
Assigned to The Honorable Jack Komar

Trial Date: February 11, 2013  
Time: 9:00 a.m.

1 Pursuant to paragraph 3 of the Court's December 12, 2012, Case Management Order,  
2 Cross-Defendant eSolar, Inc. ("eSolar") and its wholly-owned subsidiaries Red Dawn  
3 SunTower, LLC, Sierra SunTower, LLC, Gaskell SunTower, LLC, and Tumbleweed SunTower,  
4 LLC, also Cross-Defendants, designate the following non-expert witness(es): Michael Bass.  
5 Mr. Bass will be made available for deposition upon reasonable request to eSolar's counsel of  
6 record. eSolar reserves the right to call this person as a witness at the Phase 4 trial. eSolar  
7 further reserves the right to call additional witnesses at that trial based on facts and information  
8 that became available to it since the date of this Designation.

9  
10 Dated: January 4, 2013

ALSTON & BIRD LLP

11  
12 By: 

EDWARD J. CASEY

13 Attorneys for Cross-Defendants eSolar, Inc., Red  
14 Dawn SunTower, LLC, Sierra SunTower, LLC,  
15 Gaskell SunTower, LLC, and Tumbleweed SunTower,  
16 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. 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 January 4, 2013, I served the document(s) described as **NON-EXPERT WITNESS DESIGNATION** on the interested parties in this action 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.scefiling.org](http://www.scefiling.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 under the laws of the United States of America that the foregoing is true and correct.

Executed on January 4, 2013, at Los Angeles, California.

  
YOLANDA S. RAMOS