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Attorneys for Cross-Defendants
AV SOLAR RANCH 1, LLC; ESOLAR,
INC.; RED DAWN SUNTOWER, LLC;
SIERRA SUNTOWER, INC.;
TUMBLEWEED SUNTOWER, LLC;
NORTHROP GRUMMAN SYSTEMS
CORPORATION; SGS ANTELOPE
VALLEY DEVELOPMENT, LLC; AND
SOUTHERN CALIFORNIA EDISON
COMPANY

**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

**JOINT TRIAL BRIEF OF AV SOLAR RANCH
1, LLC; ESOLAR, INC.; RED DAWN
SUNTOWER, LLC; SIERRA SUNTOWER,
INC.; TUMBLEWEED SUNTOWER, LLC;
NORTHROP GRUMMAN SYSTEMS
CORPORATION; SGS ANTELOPE VALLEY
DEVELOPMENT, LLC; AND SOUTHERN
CALIFORNIA EDISON COMPANY**

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

Trial Date: May 28, 2013
Time: 1:00 p.m.

1 AV Solar Ranch 1, LLC, eSolar, Inc. (including its wholly-owned subsidiaries Red
2 Dawn SunTower, LLC, Sierra SunTower, Inc., and Tumbleweed SunTower, LLC), Northrop
3 Grumman Systems Corporation, SGS Antelope Valley Development, LLC, and Southern
4 California Edison Company (collectively, the "Alston Parties") submit this Joint Trial Brief for
5 the Fourth Trial Phase in this proceeding, which is scheduled to commence May 28, 2013.

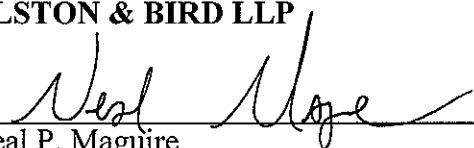
6 Each of the Alston Parties, except SGS Antelope Valley Development, LLC, entered into
7 stipulations with certain public water suppliers regarding land ownership as well as the 2011 and
8 2012 groundwater production figures listed below. With regard to SGS Antelope Valley
9 Development, LLC, certain public water suppliers executed a stipulation regarding land
10 ownership only. SGS Antelope Valley Development, LLC did not produce groundwater in 2011
11 or 2012.

Party	Stipulated 2011 Pumping	Stipulated 2012 Pumping
AV Solar Ranch 1, LLC	129 acre-feet per year ("AFY")	147 AFY
eSolar, Inc. and Red Dawn SunTower, LLC	0 AFY	0 AFY
eSolar, Inc. and Sierra SunTower, Inc.	5.76 AFY	5.76 AFY
eSolar, Inc. and Tumbleweed SunTower, LLC	0 AFY	0 AFY
North Grumman Systems Corporation	1-2 AFY	1 AFY
SGS Antelope Valley Development, LLC	0 AFY	0 AFY
Southern California Edison Company	30.49 AFY	5 AFY

20 None of the public water suppliers objected to the Alston Parties' declarations or
21 stipulations. Several large landowners collectively objected to the declaration of Daniel
22 Wusinich in support of AV Solar Ranch 1, LLC's groundwater production claims (but not AV
23 Solar Ranch 1, LLC's stipulation).

24 DATED: May 27, 2013

EDWARD J. CASEY
NEAL MAGUIRE
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Neal P. Maguire
Attorneys for Cross-Defendants
AV SOLAR RANCH 1, LLC; ESOLAR,

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VALLEY DEVELOPMENT, LLC; AND
SOUTHERN CALIFORNIA EDISON
COMPANY

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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 May 28, 2013, I served the document(s) described as **JOINT TRIAL BRIEF OF AV SOLAR RANCH 1, LLC; ESOLAR, INC.; RED DAWN SUNTOWER, LLC; SIERRA SUNTOWER, INC.; TUMBLEWEED SUNTOWER, LLC; NORTHROP GRUMMAN SYSTEMS CORPORATION; SGS ANTELOPE VALLEY DEVELOPMENT, LLC; AND SOUTHERN CALIFORNIA EDISON COMPANY** 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.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 that the foregoing is true and correct.

Executed on May 28, 2013, at Los Angeles, California.


YOLANDA S. RAMOS