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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

**NOTICE OF NON-PARTICIPATION IN PHASE
5 TRIAL BY 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

NOTICE OF NON-PARTICIPATION IN PHASE 5 TRIAL BY AV SOLAR RANCH 1, LLC; ESOLAR, INC.;
RED DAWN SUNTOWER, LLC; SIERRA SUNTOWER, INC.; TUMBLEWEED SUNTOWER, LLC; ET AL.

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

AV Solar Ranch 1, LLC, eSolar, Inc. (including its wholly-owned subsidiaries Red Dawn SunTower, LLC, Sierra SunTower, Inc., and Tumbleweed SunTower, LLC), Northrop Grumman Systems Corporation, SGS Antelope Valley Development, LLC, and Southern California Edison Company do not plan to participate in Phase 5 of the Trial.

DATED: November 1, 2013

EDWARD J. CASEY
NEAL MAGUIRE
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Neal P. Maguire
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

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PROOF OF SERVICE

I, Patricia Winans, declare:

I am employed in the County of Ventura, State of California. My business address is Alston & Bird LLP, 2801 Townsgate Road, Suite 215, Westlake Village, CA 91361. I am over the age of eighteen years and not a party to the action in which this service is made.

On November 1, 2013, I served the document(s) described as **NOTICE OF NON-PARTICIPATION IN PHASE 5 TRIAL BY 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 in the following manner:

SEE ATTACHED SERVICE LIST

☐ 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 2801 Townsgate Road, Westlake Village, California 91361 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, 2801 Townsgate Road, Westlake Village, California 91361.

☐ 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, 2801 Townsgate Road, Westlake Village, California 91361 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.

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

☒ [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 November 1, 2013, at Westlake Village, California.


PATRICIA WINANS