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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

Coordination Proceeding
Special Title (Rule 1550(b))

ANTELOPE VALLEY GROUNDWATER CASES

Included Actions:

**Los Angeles County Waterworks District No. 40 v.
Diamond Farming Co.**
Superior Court of California, County of Los Angeles,
Case No. BC 325 201

**Los Angeles County Waterworks District No. 40 v.
Diamond Farming Co.**
Superior Court of California, County of Kern,
Case No. S-1500-CV-254-348

**Wm. Bolthouse Farms, Inc. v. City of Lancaster
Diamond Farming Co. v. City of Lancaster
Diamond Farming Co. v. Palmdale Water Dist.**
Superior Court of California, County of Riverside,
Case Nos. RIC 353 840, RIC 344 436, RIC 344 668
(Consolidated Actions)

Judicial Council Coordination
Proceeding No. 4408

Santa Clara Case No. 1-05-CV-
049053

Assigned to
The Honorable Jack Komar

**DECLARATION OF
WILLIAM M. SLOAN IN
SUPPORT OF DEFENDANTS'
NOTICE OF MOTION AND
MOTION TO DISMISS
PUBLIC WATER SUPPLIERS'
CROSS-COMPLAINT**

Date: June 19, 2009
Time: 2:00 p.m.
Dept: 17C

1 *List of Counsel (Continued):*

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13 California corporation, CRYSTAL ORGANIC
14 FARMS, a limited liability company, GRIMMWAY
15 Enterprises, Inc., and LAPIS LAND COMPANY,
16 LLC.

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Attorneys for the ANTELOPE VALLEY
GROUNDWATER AGREEMENT ASSOCIATION
("AGWA")

1 I, WILLIAM SLOAN, hereby declare as follows:

2 1. I am an attorney at Morrison and Foerster, LLP, counsel of record for cross-defendant
3 U.S. Borax, Inc., and I am licensed to practice law in the state of California. The facts contained in
4 this declaration are known personally to me and, if called as a witness, I could and would testify
5 competently thereto under oath.

6 2. Attached hereto as **Exhibit A** is a true and correct copy of First-Amended Cross-
7 Complaint of Public Water Suppliers for Declaratory and Injunctive Relief and Adjudication of
8 Water Rights, as filed on the Court's electronic docket maintained at www.scefiling.org on
9 January 10, 2007.

10 3. Attached hereto as **Exhibit B** is a true and correct copy of Federal Defendants'
11 Response in Opposition to Sheep Creek Water Co.'s Motion to be Excluded from the Antelope
12 Valley Groundwater Adjudication, or In the Alternative, For Recognition of Its Prior Rights to the
13 Waters of Sheep Creek, as filed on the Court's electronic docket maintained at www.scefiling.org on
14 May 15, 2009.

15 4. Attached hereto as **Exhibit C** is a true and correct copy of the Palmdale Water
16 District, Los Angeles County Waterworks District No. 40, Rosamond Community Services District,
17 and the City of Palmdale's Opposition to Richard Wood's Motion for Order Allocating Costs of
18 Court-Appointed Expert Witness, as filed on the Court's electronic docket maintained at
19 www.scefiling.org on May 22, 2009.

20 5. Attached hereto as **Exhibit D** is a true and correct copy of this Court's Order Granting
21 Petition for Coordination of Add-On Case, as filed on the Court's electronic docket maintained at
22 www.scefiling.org on April 13, 2007.

23 6. Attached hereto as **Exhibit E** is a true and correct copy of this Court's Order
24 Certifying Plaintiff Class, as filed on the Court's electronic docket maintained at www.scefiling.org
25 on September 11, 2007.

26 7. Attached hereto as **Exhibit F** is a true and correct copy of Judge Lichtman's Order
27 Transferring Wood Class Action to Judge Komar, as filed on the Court's electronic docket
28 maintained at www.scefiling.org on June 25, 2008.

8. Attached hereto as **Exhibit G** is a true and correct copy of this Court's Order Certifying Small Pumper Class, dated September 2, 2008, as obtained from the Court's electronic docket maintained at www.scefilings.org.

9. Attached hereto as **Exhibit H** is a true and correct copy of Richard Wood's Notice of Motion and Motion for Order Allocating Costs of Court-Appointed Expert Witness, as filed on the Court's electronic docket maintained at www.scefiling.org on May 12, 2009.

10. Attached hereto as **Exhibit I** is a true and correct copy of Plaintiff's *Ex Parte* Application for Order Staying Class Notice, as filed on the Court's electronic docket maintained at www.scefiling.org on May 18, 2009.

11. Attached hereto as **Exhibit J** is a true and correct copy of Plaintiff's *Ex Parte* Application for Order Staying Class Notice and Lifting Stay on Court Appointed Expert, as filed on the Court's electronic docket maintained at www.scefiling.org on May 5, 2009.

12. Attached hereto as **Exhibit K** is a true and correct copy of the Second Amended Class Action Compliant for Damages and Equitable Relief (“Willis Compl.”), as filed on the Court’s electronic docket maintained at www.scefiling.org on May 6, 2008.

13. Attached hereto as **Exhibit L** is a true and correct copy of Plaintiff Willis' Second Order Modifying Definition of Plaintiff Class, as filed on the Court's electronic docket maintained at www.scefiling.org on September 2, 2008.

14. On May 6, 2009, this Court held a telephonic hearing. Attached as **Exhibit M** is a true and correct copy of an excerpt from the hearing transcript.

15. On April 24, 2009, this Court held a hearing on Richard Wood's Renewed Motion for Appointment of [an] Expert. I took part in the Court's hearing telephonically, and attached hereto as **Exhibit N** is a true and correct copy of an excerpt from the hearing transcript.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this document was executed on May 28, 2009, at San Francisco, California.

William M. Sloan
WILLIAM M. SLOAN

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