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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF LOS ANGELES

11 Coordination Proceeding  
Special Title (Rule 1550(b))

12 **ANTELOPE VALLEY GROUNDWATER CASES**

13 Included Actions:

14 **Los Angeles County Waterworks District No. 40 v.**  
15 **Diamond Farming Co.**

Superior Court of California, County of Los Angeles,  
16 Case No. BC 325 201

17 **Los Angeles County Waterworks District No. 40 v.**  
18 **Diamond Farming Co.**

Superior Court of California, County of Kern,  
19 Case No. S-1500-CV-254-348

20 **Wm. Bolthouse Farms, Inc. v. City of Lancaster**  
**Diamond Farming Co. v. City of Lancaster**  
**Diamond Farming Co. v. Palmdale Water Dist.**

21 Superior Court of California, County of Riverside,  
Case Nos. RIC 353 840, RIC 344 436, RIC 344 668  
22 (Consolidated Actions)

Judicial Council Coordination  
Proceeding No. 4408

Case No. 1-05-CV-049053

**U.S. BORAX'S EXPERT WITNESS  
LIST FOR PHASE 3 TRIAL**

Dept: 1 (L.A. County -Central)  
Judge: Hon. Jack Komar

Trial Date: January 4, 2011

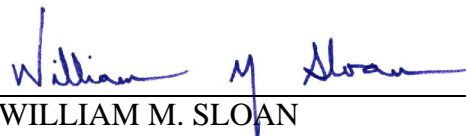
23  
24 U.S. Borax will call Bruce N. Nelson, P.E., at the trial scheduled to commence on January 4,  
25 2011. U.S. Borax estimates that Mr. Nelson's direct testimony will take approximately two to three  
26 hours, but that time estimate does not include any rebuttal testimony that Mr. Nelson may be asked to  
27 provide. Mr. Nelson will testify regarding the groundwater hydrologic balance of the Antelope  
28 Valley Groundwater Basin ("Basin"). He will also testify about the inherent uncertainties in

1 estimating the groundwater storage coefficient, aquifer recharge, water use/extraction from the Basin,  
2 return flow travel times, the extent of aquifer compartmentalization, and the role of subsidence and  
3 aquifer compaction in order to accurately determine the hydrologic balance of the Basin for the  
4 purposes of establishing a safe yield and whether the basin is in overdraft. Mr. Nelson will further  
5 testify regarding the available hydrologic data and its limitations, as well as the data that could be  
6 obtained through monitoring that would enable a defensible estimate of the hydrologic balance of the  
7 Basin, safe yield and overdraft. Finally, Mr. Nelson will offer his opinion on the engineering  
8 principle of the factor of safety, which ensures that the public will be protected in the face of  
9 uncertainty, and how that principle is applied to the Antelope Valley until the data uncertainties are  
10 sufficiently lessened to practically determine the water balance in the Basin. Mr. Nelson will also be  
11 asked to respond to and rebut the relevant testimony of other expert witnesses.

12 Dated: December 14, 2010

EDGAR B. WASHBURN  
WILLIAM M. SLOAN  
MORRISON & FOERSTER LLP

13  
14  
15 By:

  
WILLIAM M. SLOAN

Attorneys for Defendant  
U.S. BORAX, INC.

1 **PROOF OF SERVICE**

2 I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is  
3 425 Market Street, San Francisco, California 94105-2482. I am not a party to the within cause, and I  
4 am over the age of eighteen years.

5 I further declare that on December 14, 2010, I served a copy of:

6 **U.S. BORAX'S EXPERT WITNESS LIST FOR PHASE 3 TRIAL**

7 ☒ **BY ELECTRONIC SERVICE** by electronically posting a true copy thereof to Santa Clara County Superior  
8 Court's electronic filing website for complex civil litigation cases (Judge Jack Komar, Dept. 17C -  
9 <http://www.scefilng.org>) with respect to Judicial Council Coordination Proceeding No. 4408 (Antelope  
10 Valley Groundwater matter).


11 ☐ **BY U.S. MAIL** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully  
12 prepaid, addressed as follows, for collection and mailing at Morrison & Foerster LLP, 425 Market Street, San  
13 Francisco, California 94105-2482 in accordance with Morrison & Foerster LLP's ordinary business practices.  
14 I am readily familiar with Morrison & Foerster LLP's practice for collection and processing of correspondence  
15 for mailing with the United States Postal Service, and know that in the ordinary course of Morrison & Foerster  
16 LLP's business practice the document(s) described above will be deposited with the United States Postal  
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19 ☐ **BY FACSIMILE** by sending a true copy from Morrison & Foerster LLP's facsimile transmission telephone  
20 number 415.268.7522 to the fax number(s) set forth below, or as stated on the attached service list. The  
21 transmission was reported as complete and without error. The transmission report was properly issued by the  
22 transmitting facsimile machine. I am readily familiar with Morrison & Foerster LLP's practice for sending  
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24 the document(s) described above will be transmitted by facsimile on the same date that it (they) is (are) placed  
25 at Morrison & Foerster LLP for transmission.

26 I declare under penalty of perjury under the laws of the State of California that the foregoing  
27 is true and correct.

28 Executed at San Francisco, California, December 14, 2010.

\_\_\_\_\_  
Catherine L. Berté  
(typed)

  
\_\_\_\_\_  
(signature)