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

Coordination Proceeding Special Title (Rule 1550 (b)),  <b>ANTELOPE VALLEY GROUNDWATER CASES</b>	Judicial Council Coordination Proceeding No. 4408  [Assigned to the Honorable Jack Komar, Judge Santa Clara County Superior Court, Dept. 17]  Santa Clara Court Case No. 1-05-CV-049053  UNITED STATES' EX PARTE APPLICATION TO FILE A MEMORANDUM IN EXCESS OF FIFTEEN PAGES
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Cross-Defendant United States of America ("United States"), pursuant to California Rules of Court, rule 3.1113 respectfully requests the Court to allow the United States to file a Memorandum in Support of Motion *in Limine* that exceeds 15 pages. In support of this Ex Parte Application, the United States states as follows:

1. The United States is filing a Motion *in Limine* seeking (1) a ruling on the United States' legal entitlement to a reserved water right, (2) to limit or eliminate the need for evidence at trial related to the volume or location of annual pumping from the Antelope Valley aquifer at the time of the reservations or land acquisitions, and (3) to limit the evidence the United States must produce at trial to (a) proof of federal ownership; (b) demonstration of the military purposes at EAFB and the Plant 42; and (c) a showing of the amount of water necessarily reserved for current and future military purposes.

2. The issues involved in the Motion *in Limine* raise significant legal issues that require documentary support as well as explanation of legal authority. The description of the documentary basis, together with the legal argument necessary to support the Motion require more than fifteen pages to fully develop.

3. Because the issues set forth in the Motion involve significant matters that have the potential to materially shorten the trial in this matter, the Court should allow the United States an adequate opportunity to fully develop the argument regarding the existence of the federal reserved water right that will be determined in this phase of the proceeding.

WHEREFORE, the United States respectfully requests that it be allowed to file a Memorandum in Support of its Motion *in Limine* that exceeds 15 pages.

/s/ R. Lee Leininger  
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ATTORNEY FOR THE UNITED  
STATES OF AMERICA