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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 COUNTY OF LOS ANGELES

Coordination Proceeding  
 Special Title (Rule 1550(b))

Judicial Council Coordination Proceeding  
 No. 4408

ANTELOPE VALLEY GROUNDWATER  
 CASES

SC Case No. 105CV 049053

Included Actions:

Los Angeles County Waterworks District  
 No. 40 v. Diamond Farming Co.  
 Superior Court of California  
 County of Los Angeles, Case No. BC  
 325201

ANSWERS OF CROSS-DEFENDANT  
 GERTRUDE J. VAN DAM TO SPECIAL  
 INTERROGATORIES

Los Angeles County Waterworks District  
 No. 40 v. Diamond Farming Co.  
 Superior Court of California, County of  
 Kern, Case No. S-1500-CV 254348

Honorable Jack Komar

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, consolidated actions,  
 Case Nos. RIC 353840, RIC 344436, RIC  
 344668

PROPOUNDING PARTIES: City of Palmdale, City of Lancaster, Los Angeles County  
 Waterworks District No. 40, Palmdale Water District, Quartz Hill Water District, Littlerock

1 Creek Irrigation District, Palm Ranch Irrigation District, Rosamond Community Services  
2 District, California Water Service Company, successor in interest to Antelope Valley Water  
3 Company

4 RESPONDING PARTY: Cross-Defendant Gertrude J. Van Dam

5 SET NUMBER: One

6 Gertrude J. Van Dam ("Van Dam") hereby responds to the above-captioned special  
7 interrogatories ("Request") propounded by the above listed "Propounding Parties"  
8 ("Propounding Parties"), as required by Code of Civil Procedure Section 2030.010 et seq.:

### 9 GENERAL OBJECTIONS

10 These general objections are applicable to each and every special interrogatory and  
11 response unless otherwise specified and are incorporated into each response as though set forth  
12 in full. These responses are made solely for the purposes of this action.

13 1. Each response is subject to all objections as to competence, relevance, materiality,  
14 propriety, admissibility, and exclusion of any statement herein if any portion of the requests were  
15 asked of, or if any statement contained herein was made by, a witness present and testifying in  
16 court, all of which objections and grounds are reserved and may be interposed at the time of trial.

17 2. The responses contained herein are based upon information presently known and  
18 ascertained by Van Dam. However, Van Dam has not yet completed her investigation of all the  
19 circumstances relating to this dispute and has not completed discovery or preparation for trial.  
20 Accordingly, the responses herein are without prejudice to utilizing subsequently discovered or  
21 recalled documents or information; and Van Dam reserves the right to amend, add to, delete  
22 from, or in any other manner modify these responses after she has completed her discovery and  
23 investigation efforts and has ascertained all relevant facts.

24 3. Van Dam objects to each interrogatory (and any portion thereof) to the extent that  
25  
26  
27  
28

it purports to call for information and/or documents protected from discovery by the attorney-client privilege and/or work product privilege as to whether any person not joined is indispensable or necessary party to this litigation. Van Dam's attorneys join in this objection to the extent that the right to protect items from discovery pursuant to the "work product" doctrine belongs to said attorneys.

4. Van Dam reserves the right to make any and all evidentiary objections to the introduction of any of these responses and/or documents into evidence at the trial of this case or otherwise, and reserves the right to raise these objections as a bar to introduction of any of these response, information identified in these responses, or documents at the trial or otherwise.

5. Van Dam objects to any and all interrogatories on the ground that they are unduly burdensome and oppressive to the extent it asks for identification of all landowners and/or groundwater pumpers because this information is equally available to the Propounding Parties and the answering party is not required to search public records to ascertain answers to interrogatories and to create a compilation of data that does not exist and is unknown to this answering party.

Without waiving or limiting any objections stated herein, Van Dam submits the following responses to the special interrogatories subject to the foregoing objections.

### **RESPONSES TO SPECIAL INTERROGATORIES**

#### **SPECIAL INTERROGATORY NO. 1:**

If you have asserted an affirmative defense in response to any complaint or cross-complaint in these proceedings that alleges that the complaining party has failed to join an indispensable party, please IDENTIFY any such indispensable party.

**RESPONSE TO SPECIAL INTERROGATORY NO. 1:**

Based on representations by Propounding Parties at prior hearings in this action, Van Dam is informed and believes there exist indispensable and necessary parties that have not been joined in this action. Such would include all those to be affected by any judgment herein, namely all persons claiming right to use groundwater of the Antelope Valley Groundwater Basin ("Basin") Other than as stated below, Van Dam does not currently know the names of all such unnamed persons, but believes that Propounding Parties and other may have this information.

A. Craig Van Dam; Van Dam Farms, 7316 West D-8, Lancaster, California, 93536; (661) 946-7720; Property, APN # 3382-024-016, 3382-024-015, 3382-018-028, 3382-018-026, 3382-018-025, 3382-017-016, 3382-017-015, 3382-017-014, 3307-015-024, 3307-012-026, 3307-009-038, 3307-009-084, 3307-009-083, 3220-006-097, 3220-006-099, 3220-066-006.

B. Gary Van Dam; Van Dam Farms, 7316 West D-8, Lancaster, California, 93536; (661) 946-7720; Property, APN # 3382-024-016, 3382-024-015, 3382-018-028, 3382-018-026, 3382-018-025, 3382-017-016, 3382-017-015, 3382-017-014, 3307-015-024, 3307-012-026, 3307-009-038, 3307-009-084, 3307-009-083.

**SPECIAL INTERROGATORY NO. 2:**

If you have asserted an affirmative defense in response to any complaint or cross-complaint in these proceedings that alleges that the complaining party has failed to join a necessary party, please IDENTIFY any such necessary party.

**RESPONSE TO SPECIAL INTERROGATORY NO. 2:**

See Response to Special Interrogatory No. 1, above.

**SPECIAL INTERROGATORY NO. 3:**

Are you aware of any PROPERTY within the BASIN for which the PROPERTY OWNER has not been named as a party to these proceedings?

**RESPONSE TO SPECIAL INTERROGATORY NO. 3:**

See Response to Special Interrogatory No. 1, above.

**SPECIAL INTERROGATORY NO. 4:**

If your response to Interrogatory No. 3 is affirmative, please IDENTIFY the PROPERTY.

**RESPONSE TO SPECIAL INTERROGATORY NO. 4:**

See Response to Special Interrogatory No. 1, above.

**SPECIAL INTERROGATORY NO. 5**

If your response to Interrogatory No. 3 is affirmative, please IDENTIFY the PROPERTY OWNER.

**RESPONSE TO SPECIAL INTERROGATORY NO. 5:**

See Response to Special Interrogatory No. 1, above.

**SPECIAL INTERROGATORY NO. 6:**

If your response to Interrogatory No. 3 is affirmative, please state whether you believe that groundwater has been pumped from that PROPERTY.

**RESPONSE TO SPECIAL INTERROGATORY NO. 6:**

See Response to Special Interrogatory No. 1, above.

**SPECIAL INTERROGATORY NO. 7:**

If your response to Interrogatory No. 3 is affirmative, please state whether you believe that groundwater is currently being pumped from that property.

**RESPONSE TO SPECIAL INTERROGATORY NO. 7:**

See Response to Special Interrogatory No. 1, above.

**SPECIAL INTERROGATORY NO. 8:**

Please state the name of any other person or entity you believe is an indispensable party to these proceedings.

**RESPONSE TO SPECIAL INTERROGATORY NO. 8:**

See Response to Special Interrogatory No. 1, above.

**SPECIAL INTERROGATORY NO. 9:**


Please state the name of any other person or entity you believe is a necessary party to these proceedings.

**RESPONSE TO SPECIAL INTERROGATORY NO. 9**

See Response to Special Interrogatory No. 1, above.

Dated: July 6, 2007

THE LAW OFFICES OF YOUNG WOOLDRIDGE, LLP

By:   
SCOTT K. KUNEY, Esq., Attorneys for Gertrude  
J. Van Dam and Delmar D. Van Dam

**VERIFICATION**

STATE OF CALIFORNIA, COUNTY OF KERN

I have read the foregoing **FIRST SET OF SPECIALLY PREPARED INTERROGATORIES** and know its contents.

/X/ I am a party to the action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

// I am // and officer // a partner // a \_\_\_\_\_ of

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. // I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. // I am informed and believe and on that ground allege that the matters stated in the foregoing document are stated on information and belief, and as to those matters I believe them to be true.

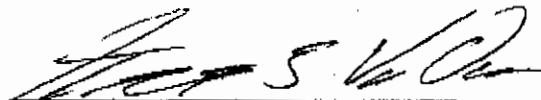
// I am one of the attorneys for \_\_\_\_\_ plaintiff in this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on 7-6-07 at Lancaster, California.  
(Date) (City where executed)

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

GERTRUDE J. VAN DAM

Name



Signature

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF KERN

I, LEANN BANDUCCI, declare: I am and was at the times of the service hereunder mentioned, over the age of eighteen (18) years, and not a party to the within cause. My business address is The Law Offices of Young Wooldridge LLP, 1800 30th Street, Fourth Floor, Bakersfield, CA 93301.

On July 6, 2007, I caused the foregoing document(s) entitled as: ANSWERS OF CROSS-DEFENDANT GERTRUDE J. VAN DAM TO SPECIAL INTERROGATORIES to be served on the parties via the following service:

X By Posting: I posted the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter pursuant to the Court's Clarification Order. Electronic service and electronic posting completed through [www.scefiling.org](http://www.scefiling.org).

Executed on July 6, 2007, at Bakersfield, California.

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

  
LEANN BANDUCCI