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11 **Attorneys for Cross-Defendant**
12 **Copa De Oro Land Company**

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

15 **Coordination Proceeding Special Title**
16 **(Rule 1550(b))**

17 **ANTELOPE VALLEY GROUNDWATER**
18 **CASES**

19 **Included Actions:**

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

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

28 **Wm. Bolthouse Farms, Inc. v. City of**
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

CASE MANAGEMENT STATEMENT
OF COPA DE ORO LAND COMPANY

Date: March 25, 2013
Time: 9 a.m.
Dept.: Rm. 222, 111 N. Hill Street
Judge: Hon. Judge Komar (assigned)

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The Court established procedures to seek to streamline and shorten the Phase IV trial by encouraging factual stipulations on land ownership and water use that would minimize the need for the presentation of live testimony during that trial. The Court has:

- Dozens of parties posted discovery responses by December 21 and declarations by January 31. As a result, there has been some success in negotiating stipulations among adverse parties concerning facts about parties' land ownership. Copa de Oro negotiated one such stipulation with Los Angeles County Waterworks District No. 40 and Palmdale Water District and is seeking court approval of that stipulation.

The current circumstances therefore indicate that there will need to be a very substantial amount of testimony, and presumably cross-examination, concerning the water use of each party that is participating in the Phase IV trial. The Court therefore should provide the parties

1 guidance concerning how the Court will structure the Phase IV trial so that all parties and
2 counsel can begin now to determine what portions of that trial they will need to attend and to
3 arrange their schedules accordingly.

4 It is likely that the issues of rights to return flows from imported water and the federal
5 reserved right will be more succinct and tightly organized portions of the trial with fewer
6 parties participating. The portion of the trial concerning parties' water use will necessarily
7 involve many parties making relatively short presentations involving one or a few witnesses.
8 This portion of the trial probably will be elongated, but it could be scheduled in a series of short
9 blocks if necessary to accommodate the schedules of individual parties and counsel.
10 Accordingly, Copa de Oro proposes that the Court do the following:

- 11 A. Schedule return flows from imported water use as the first subject to be
12 addressed in the Phase IV trial, with the first week (May 28-May 31) or two
13 weeks of trial (May 28-June 7) being devoted to this subject;
- 14 B. Schedule the federal reserved right as the second subject to be addressed, either
15 beginning the week of June 3 or the week of June 24, the Court having indicated
16 that it is not available the weeks of June 10 and 17;
- 17 C. Schedule parties' water use as the third subject to be addressed, at a time to be
18 determined; and
- 19 D. Direct the Liaison Committee to begin consulting with the parties on a schedule
20 for when individual parties will present evidence of their water use during the
21 trial concerning issues related to water use on those parties' properties.

22 Dated: March 21, 2013

Respectfully submitted,

23 BARTKIEWICZ, KRONICK & SHANAHAN
24 A Professional Corporation

25 By: 
26 Ryan S. Bezerra

27 Attorneys for Copa de Oro Land Company
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