1 2 3 4 5 6 7 8	RYAN S. BEZERRA, State Bar No. 178048 JOSHUA M. HOROWITZ, State Bar No. 186 KATRINA C. GONZALES, State Bar No. 258 BARTKIEWICZ, KRONICK & SHANAHAN A PROFESSIONAL CORPORATION 1011 TWENTY-SECOND STREET SACRAMENTO, CALIFORNIA 95816-4907 TELEPHONE: (916) 446-4254 TELECOPIER: (916) 446-4018 E-MAIL: rsb@bkslawfirm.com Attorneys for Cross-Defendant Copa De Oro Land Company	8412 N	
10	COUNTY OF LOS ANGELES		
11	Coordination Proceeding Special Title (Rule 1550(b))		AL COUNCIL COORDINATION EDING NO. 4408
12		Case No.	BC 391869
13	ANTELOPE VALLEY GROUNDWATER	Assigned	l to Hon. Jack Komar
14	CASES	(Santa Clara Case No. 01-05-CV-049053)	
15	Included Actions:		IANAGEMENT STATEMENT
16	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co., Superior	OF COP	A DE ORO LAND COMPANY
17	Court of California, County of Los Angeles, Case No. BC 325 201;	Date: Time:	March 25, 2013 9 a.m.
18		Dept.: Judge:	Rm. 222, 111 N. Hill Street Hon. Judge Komar (assigned)
19	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co., Superior	Judge.	non. Judge Komar (assigned)
20	Court of California, County of Kern, Case No. S-1500-CV-254-348;		
21	Www. Doldhouse Former I		
22	Wm. Bolthouse Farms, Inc. v. City of Lancaster, Diamond Farming Co. v.		
23	Lancaster, Diamond Farming Co. v.	11	
24	Palmdale Water Dist., Superior Court of California, County of Riverside, Case No.		
25	RIC 353 840, RIC 344 436, RIC 344 668		
26			
		_	
27			
28			

CASE MANAGEMENT STATEMENT

The Court and the parties should begin preparing for a 'ery long Phase IV trial by identifying how the Court should phase the three aspects of Phase iv – parties' water use, the federal reserved right and imported-water return flows.

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:

- Required parties to post sworn discovery responses by December 21, 2012;
- Required parties that sought factual stipulations to post sworn declarations as to the facts on which they sought stipulations by January 31, 2013;
- Required the submission of any applications for court approval of any stipulations to be posted by March 15, 2013; and
- Scheduled the March 25, 2013 hearing to consider applications for court approval of stipulations.

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.

There has been, however, little success in negotiating stipulations concerning the issue that is likely to take the most time during the Phase IV trial, namely determining parties' water use. Based on the review of the Court's Web site by Copa de Oro's counsel, it appears that there are only two stipulations concerning parties' water use executed by adverse parties, namely stipulations among Rosamond Ranch, L.P., Elias and Shirley Shorkian and Palmdale Water District and a stipulation between Landiny, Inc. and Palmdale Water District.

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

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

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

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

Dated: March 21, 2013

Respectfully submitted.

BARTKIEWICZ, KRONICK & SHANAHAN A Professional Corporation

By:

Ryan S. Bezerra

Attorneys for Copa de Oro Land Company

I, Terry M. Olson, declare as follows: I am a citizen of the United States and a resident of Sacramento County. I am over the age of 18, not a party to this action and am employed at Bartkiewicz, Kronick & Shanahan, 1011 Twenty-Second Street, Sacramento, California 95816. On March 21, 2013, I served, in the manner described below, the following document: CASE MANAGEMENT STATEMENT OF COPA DE ORO LAND COMPANY I posted this document to the Court's World Wide Website located at www.scefiling.org. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Sacramento, California on March 21, 2013. Terry M. Olson

PROOF OF SERVICE

8792/P032013rsb CMC