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8792-14

JAMES M. BOYD, JR., Of Counsel

April 30, 2013

Counsel in Antelope Valley Groundwater Adjudication

**VIA POSTING TO WEB SITE**

Re: Proposed Stipulation of Copa de Oro Land Company

Dear Counsel:

Pursuant to the Court's direction during this morning's case management conference, Copa de Oro Land Company ("Copa de Oro") offers the attached stipulation to all parties who have not signed both of the existing stipulations to facts concerning Copa de Oro. Those existing stipulations are as follows:

- (1) The Stipulation Regarding Facts Pertaining To Copa De Oro Land Company For Trial (<http://www.scefilng.org/document/document.jsp?documentId=77782>) ("Ownership Stipulation"); and
- (2) The Stipulation for Phase IV Trial Regarding Water Use on Copa de Oro Land Company's Property, posted to the Court's Web site on April 19, 2013 (<http://www.scefilng.org/document/document.jsp?documentId=79881>).

Under the attached one-page stipulation, Copa de Oro and any party that signs that stipulation would stipulate to the facts covered by the above-referenced stipulations and would reserve legal arguments concerning each other's water rights for a future phase of this matter. (The Declaration of Elliot Joelson referenced in the attached stipulation is incorporated by reference in the Ownership Stipulation.) If you would like to sign the attached stipulation, please insert your firm's name, your name and your clients' names in the space provided and then sign that stipulation. Please then either e-mail me a PDF of the signed stipulation or fax a copy of it to me at (916) 446-4018.

Thank you for your consideration of the attached proposed stipulation.

Kind regards,

  
Ryan S. Bezerra

RSB:tmo  
Enclosure

8792/L043013rsb All Parties Stip.wpd

1 **RYAN S. BEZERRA, State Bar No. 178048**  
2 **JOSHUA M. HOROWITZ, State Bar No. 186866**  
3 **KATRINA C. GONZALES, State Bar No. 258412**  
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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)**

**STIPULATION FOR PHASE IV TRIAL**  
**CONCERNING COPA DE ORO LAND**  
**COMPANY**

8792/P043013rsb Stipulation

PHASE IV STIPULATION CONCERNING COPA DE ORO LAND COMPANY

**STIPULATION**

This Stipulation establishes facts stated below between Copa de Oro Land Company ("Copa de Oro") and the undersigned party(ies). Subject to the reservation of rights below, the undersigned party(ies) hereby stipulate that the facts stated in the following documents are undisputed, may be treated by the Court as facts proven in open court and shall be binding for all purposes in this action as between Copa de Oro and the undersigned party(ies):

1. The Declaration of Elliot Joelson for Copa de Oro Land Company and all exhibits incorporated therein, posted to the Court's Web site on January 31, 2013 (<http://www.scefiling.org/document/document.jsp?documentId=76507>); and
2. The Stipulation for Phase IV Trial Regarding Water Use on Copa de Oro Land Company's Property, posted to the Court's Web site on April 19, 2013 (<http://www.scefiling.org/document/document.jsp?documentId=79881>).

Copa de Oro and the undersigned party(ies) reserve their respective rights to make all legal arguments concerning each other's water rights, and introduce related evidence that does not contradict the stipulated facts above, in any future phase of this matter.

Dated: April 30, 2013

BARTKIEWICZ, KRONICK & SHANAHAN

By: \_\_\_\_\_

Ryan S. Bezerra

Attorneys for Copa de Oro Land Company

Dated: \_\_\_\_\_, 2013

\_\_\_\_\_ (Firm name)

By: \_\_\_\_\_

\_\_\_\_\_ (Attorney name)

Attorneys for \_\_\_\_\_

\_\_\_\_\_ (Client(s))