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*Exempt from filing fee pursuant to
Gov't. Code Section 6103*

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11 ANTELOPE VALLEY-EAST KERN WATER AGENCY

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

14 Coordination Proceeding
15 Special Title (Rule 1550(b))

Judicial Council Coordination Proceeding
No. 4408

16 **ANTELOPE VALLEY**
17 **GROUNDWATER CASES**

Santa Clara Case No.
1-05-CV-049053
The Honorable Jack Komar, Dept. 17

18 **Included Actions:**

ANTELOPE VALLEY-EAST KERN
WATER AGENCY'S CASE
MANAGEMENT STATEMENT

19 Los Angeles County Waterworks District
20 No. 40 vs. Diamond Farming Company, a
21 corporation, Superior Court of California,
22 County of Los Angeles, Case No.
23 BC325201;

Date: October 12, 2011
Time: 10:00 a.m.
Room: 1515 (Los Angeles)

24 Los Angeles County Waterworks District
25 No. 40 vs. Diamond Farming Company, a
26 corporation., Superior Court of California,
27 County of Kern, Case No. S-1500-CV-254-
28 348;

Wm. Bolthouse Farms, Inc. vs. City of
Lancaster, Diamond Farming Company, a
corporation, vs. City of Lancaster, Diamond
Farming Company, a corporation vs.
Palmdale Water District, Superior Court of
California, County of Riverside, Case Nos.
RIC 353840, RIC 344436, RIC 344668.

1 The Antelope Valley-East Kern Water Agency (AVEK) hereby submits its Case
2 Management Statement for the hearing on October 12, 2011 in Department 316 of the Los
3 Angeles County Superior Court.

4 Pursuant to the Minute Order of the Court entered August 30, 2011 and reconfirmed on
5 September 2, 2011, Antelope Valley-East Kern Water Agency ("AVEK") submits its
6 suggestions regarding the setting of the case for trial in the next phase of the Antelope Valley
7 Groundwater Litigation.

8 1. AVEK suggests the next phase of trial be set in January 2012.

9 2. AVEK believes this phase of trial should result in the imposition of a physical
10 solution as requested in AVEK's second cause of action in its cross-complaint
11 by the Court.

12 3. Prior to trial and before the next mediation, AVEK will meet with all parties to
13 consider their input and suggestions as to a proposed physical solution to present
14 to Justice Robie on November 9, 2011. These meetings as to the terms and
15 concepts of the physical solution would continue to take place both before and
16 after the mediation.

17 4. If agreement cannot be reached as to the terms of the physical solution, trial
18 should be held in January.

19 5. AVEK believes it can present elements of a physical solution pled in its cross-
20 complaint in less than two trial days.

21 6. AVEK believes that meeting with all parties simultaneously as suggested by
22 Justice Robie as to the physical solution may lead to issues being narrowed or
23 resolved prior to trial. Certainly the next three months allows this to happen
24 among parties wishing to attend both the meeting at AVEK and the mediation in
25 Sacramento.

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7. AVEK assumes the mediation process will continue as to the division of individual pumping production rights, but that the next phase of trial establishing a physical solution be set now allowing sufficient time for discovery.

Dated: September 30, 2011

**BRUNICK, McELHANEY, BECKETT, DOLEN
& KENNEDY PLC**

By: W-J R
WILLIAM J. BRUNICK
Attorneys for Cross-Complainant,
ANTELOPE VALLEY-EAST KERN
WATER AGENCY


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I am employed in the County of the San Bernardino, State of California. I am over the age of 18 and not a party to the within action; my business address is 1839 Commercenter West, San Bernardino, California.

■ **BY ELECTRONIC SERVICE AS FOLLOWS** by posting the document(s) listed above to the Santa Clara website in the action of the *Antelope Valley Groundwater Litigation*, Judicial Council Coordination Proceeding No. 4408, Santa Clara Case No. 1-05-CV-049053.

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

Executed on September 30, 2011, at San Bernardino, California.


P. Jo Anne Quihuis