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JOINT CASE MANAGEMENT CONFERNECE STATEMENT (JCCP 4408)

- 1		
1	ELLISON, SCHNEIDER & HARRIS LLP	
2	Christopher M. Sanders, Bar No. 195990 2600 Capitol Avenue, Suite 400	
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4	Facsimile: (916) 447-3512 Attorneys for Cross-Defendant	
5	COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY NOS. 14&20	
6	CLIDEDIOD COLIDA OF TH	
7		E STATE OF CALIFORNIA
8	COUNTY OF	LOS ANGELES
9		
10	Coordination Proceeding	Judicial Council Coordination Proceeding No. 4408
11	Special Title (Rule 3.550(c)) ANTELOPE VALLEY GROUNDWATER	Santa Clara Case No. 1-05-CV-049053
12	CASES Included Actions:	JOINT CASE MANAGEMENT CONFERENCE STATEMENT
13	Los Angeles County Waterworks District	
14	No. 40 v. Diamond Farming Co. Superior Court of California County of Los	[Assigned for All Purposes to the Honorable Jack Komar]
15	Angeles, Case No. BC 325 201	Trial Date: May 28, 2013
16	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co.	March 15, 2013
17	Superior Court of California County of Kern, Case No. S-1500-CV-254-348	Time: 9:00 a.m. Dept: 1
18	Wm. Bolthouse Farms, Inc. v. City of	Action Filed: October 26, 2005
19	Lancaster, Diamond Farming Co. v. City of Lancaster, Diamond Farming Co. v.	2000000
20	Palmdale Water Dist. Superior Court of California, County of Riverside,	
21	consolidated Actions, Case Nos. RIC 353 840, RIC 344 436, RIC 344 668	
22		
23	AND RELATED ACTIONS.	
24		•
25	Cross-Defendants, State of California,	State of California 50th District Agricultural
26	Association (Collectively State of California),	the City of Los Angeles, by and through its
27	Department of Airports, Los Angeles World	Airports (LAWA), and the County Sanitation
28		

Districts of Los Angeles County Nos. 14 and 20 (LA County Sanitation), and Cross-Complainant, Antelope Valley-East Kern Water Agency (AVEK) (collectively Public Parties) submit this Case Management Conference Statement for the March 15, 2013 Case Management Conference.

In this connection, the Court's March 1, 2013 Minute Order mandates that "All applications/requests for approval of stipulation shall be submitted to the Court by March 15, 2013," and the "Order to Show Cause hearing, set for March 15, 2013,[is] rescheduled to March 25, 2013, and [is] re-designated as "hearings on approval of stipulations of the parties on evidence relevant to the Phase 4 Trial."

Pursuant to the Court's various orders, certain of the parties have now filed and served (1) responses to court-ordered discovery; (2) declarations in lieu of depositions; (3) stipulations to various facts relevant to the Phase IV Trial (including water usage, property ownership, etc.); and (4) applications for approval of the filed stipulations.

A question has been raised, however, as to what is to happen if a non-party to a proposed stipulation objects to other parties' application for approval of the stipulation. The following procedure is suggested for the Court's consideration:

- 1. Any person who wishes to object to an application for approval of a stipulation should file and serve specific objections thereto not later than March 21, 2013; objections should specify the particular part of the stipulation to which objection is made, and identify the specific grounds for objection.
- 2. At the March 25, 2013 hearing, the Court will (a) identify each application filed for approval of a stipulation, and (b) identify the specific objections asserted thereto, if any.
- 3. Facts set forth in a stipulation to which no objection is filed and served by March 21, 2013, will be deemed to be established for the Phase IV Trial (recognizing again that water rights will not be adjudicated in the Phase IV Trial).
- 4. If objections are served and filed in compliance with the requirements set forth in paragraph 2(b) above, then: (a) facts in the stipulation which are objected to will not be deemed establish, but will be subject to evidence and proof during the Phase IV trial;

1	and (b) facts in the stipulation wh	nich are not objected to will be deemed to be
2	established for the Phase IV trial.	
3	Dated: March 13, 2013	OFFICE OF THE ATTORNEY GENERAL STATE OF CALIFORNIA
4		GENERAL STATE OF CALIFORNIA
5		By: Marilyn Levin/Noah Golden-Krasner
6		Attorneys for the State of California
7		Santa Monica Mountains Conservancy, and State of California 50 th District Agricultural Association
8		
9	Dated: March 13, 2013	ELLISON, SCHNEIDER & HARRIS L.L.P.
11		
12	е	By:
13	*	Christopher M. Sanders Attorneys for the County Sanitation
14		Districts of Los Angeles County Nos. 14 and 20
15		
16	Dated: March 13, 2013	BRUNICK, MCELHANEY & KENNEDY PLC
17		~
18		By: Www WILLIAM J. BRUNICK
19		Attorneys for the ANTELOPE VALLEY-
20		EAST KERN WATER AGENCY
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1	and (b) facts in the stipulation which	are not objected to will be deemed to be
2	established for the Phase IV trial.	
3 4	Dated: March 13, 2013	OFFICE OF THE ATTORNEY GENERAL STATE OF CALIFORNIA
5		By: Marilyn Levin/Noah Golden-Krasner
6	•	Attorneys for the State of California, Santa Monica Mountains Conservancy, and State of California 50 th District
7		and State of California 50 th District Agricultural Association
8		
9	Dated: March 13, 2013	ELLISON, SCHNEIDER & HARRIS L.L.P.
10		Ω
11		By: http://male
12		Christopher M. Sanders Attorneys for the County Sanitation
13		Districts of Los Angeles County Nos. 14 and 20
14		20
15	Dated: March 13, 2013	BRUNICK, MCELHANEY & KENNEDY
16	,	PLC
17		D
18		By: WILLIAM J. BRUNICK
19	E .	Attorneys for the ANTELOPE VALLEY- EAST KERN WATER AGENCY
20	Dated: March 13, 2013	KRONICK, MOSKOVITZ, TIEDEMANN
21		& GIRARD
22	8	
23		By: JANET K. GOLDSMITH
24		Attorneys for the CITY OF LOS ANGELES BY AND THROUGH ITS DEPARTMENT
25		OF AIRPORTS, LOS ANGELES WORLD
26		AIRPORTS
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1		are not objected to will be deemed to be
2	established for the Phase IV trial.	
3	Dated: March 13, 2013	OFFICE OF THE ATTORNEY GENERAL STATE OF CALIFORNIA
4		
5		By: Marilyn Levin/Noah Golden-Krasner
6		Attorneys for the State of California,
7		Santa Monica Mountains Conservancy, and State of California 50 th District Agricultural Association
8		rigitoutular rissociation
9	Dated: March 13, 2013	ELLISON, SCHNEIDER & HARRIS L.L.P.
10		
11		By:
12		Christopher M. Sanders Attorneys for the County Sanitation
13		Districts of Los Angeles County Nos. 14 and
14		20
15	Dated: March 13, 2013	BRUNICK, MCELHANEY & KENNEDY
16	Dated. Watch 13, 2013	PLC
17		7
18		By: WILLIAM J. BRUNICK
19		Attorneys for the ANTELOPE VALLEY- EAST KERN WATER AGENCY
20	Dated: March 13, 2013	KRONICK, MOSKOVITZ, TIEDEMANN
21	201001 1141011 10, 2010	& GIRARD
22		a Hold Ca
23		By: Janet 12 Holdsmith JANET K. GOLDSMITH
24		Attorneys for the CITY OF LOS ANGELES BY AND THROUGH ITS DEPARTMENT
25		OF AIRPORTS, LOS ANGELES WORLD
26		AIRPORTS
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1	and (b) facts in the stipulation which	are not objected to will be deemed to be
2	established for the Phase IV trial.	The same and the s
3	Dated: March 13, 2013	OFFICE OF THE ATTORNEY
4		GENERAL STATE OF CALIFORNIA
5		By: 5
6	e a	Marilyn Levin/Noah Golden-Krasner Attorneys for the State of California,
7	of the state of th	Santa Monica Mountains Conservancy, and State of California 50 th District
8	, *	Agricultural Association
9	Dated: March 13, 2013	ELLISON, SCHNEIDER & HARRIS L.L.P.
10		
11		D
12		By: Christopher M. Sanders
13		Attorneys for the County Sanitation Districts of Los Angeles County Nos. 14 and
14		20
15		DDIDITOR MODITIANDY & KENNIEDY
16	Dated: March 13, 2013	BRUNICK, MCELHANEY & KENNEDY PLC
17	e ·	
18	,	By: WILLIAM J. BRUNICK
19		Attorneys for the ANTELOPE VALLEY-
20		EAST KERN WATER AGENCY
21	Dated: March 13, 2013	KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
22		,
23		By:JANET K. GOLDSMITH
24		Attorneys for the CITY OF LOS ANGELES
25		BY AND THROUGH ITS DEPARTMENT OF AIRPORTS, LOS ANGELES WORLD
26		AIRPORTS
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PROOF OF SERVICE

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STATE OF CALIFORNIA COUNTY OF SAN BERNARDINO

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 92408-3303.

On March 13, 2013, I served the foregoing document(s) described as: **JOINT CASE** MANAGEMENT CONFERENCE STATEMENT on the interested parties in this action served in the following manner:

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 March 13, 2013, at San Bernardino, California.

P. Jo Anne Quihuis