

**LAW OFFICES OF  
SHELDON R. BLUM**

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STATE BAR NO. 83304

**Attorney for . BLUM TRUST**

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF LOS ANGELES**

Coordinated Proceedings  
Special Title {Rule 1550 (b)}

Judicial Council Coordination Proceeding  
No. 4408

**ANTELOPE VALLEY GROUNDWATER  
CASES**

Santa Clara Case No. 1-05-CV-049053  
Assigned to Hon. Jack Komar

Included Actions:

Los Angeles County Waterworks District  
No. 40 v. Diamond Farming Co.

**BLUM TRUST'S NOTICE OF DEPOSITION OF  
WM. BOLTHOUSE FARMS, INC'S  
MANAGEMENT EMPLOYEES DANIEL WILKE;  
STEVE RODRIGUES; MICHAEL KOVACEVICH,  
& REQUEST FOR PRODUCTION OF BUSINESS  
RECORDS AT DEPOSITION  
[CCP §§2025.220; 2025.330; 2025.280; &  
2025.620]**

Los Angeles County Superior Court  
Case No. BC 325 201

Los Angeles County Waterworks District  
No. 40 v. Diamond Farming Co.

Kern County Superior Court  
Case No. S-1500-CV-254-348

Wm. Bolthouse Farms, Inc., v. City of  
Lancaster; Diamond Farming Co. v. City of  
Lancaster; Diamond Farming Co. v. City of  
Palmdale Water District.

Date: January 23, 2013  
Times: 10:00 am; 11:00 am; & 12:00 pm.  
Location: VERITEXT LEGAL SOLUTIONS  
707 Wilshire Blvd.  
Los Angeles, CA 90017

Riverside County Superior Court  
Consolidated Action Nos. RIC 344 840,  
RIC 344 436, RIC 344 668  
Defendants.

TO: WM. BOLTHOUSE FARMS, INC, its Irrigation Department Manager DANIEL WILKE;  
Lancaster Ranch Manager STEVE RODRIGUES; and Agriculture Property Manager MICHAEL  
KOVACEVICH, its attorneys; and all attorneys and parties of record:

PLEASE TAKE NOTICE that pursuant to Code of Civil Procedure §§2025.220, 2025.330, 2025.280, & 2025.620, BLUM TRUST shall take the depositions of WM. BOLTHOUSE FARMS, INC, Irrigation Department Manager **DANIEL WILKE**; Lancaster Ranch Manager **STEVE RODRIGUES**; and Agriculture Property Manager **MICHAEL KOVACEVICH**, on oral examination and recorded by audio technology and video technology through the instant visual display of the testimony which may be used at trial, commencing at 10:00 a.m., or as soon thereafter, at Veritext Legal Solutions, 707 Wilshire Blvd., Suite 3500, Los Angeles, CA 90017, scheduled as follows:

<u>NAME</u>	<u>DATE</u>	<u>TIME</u>
1. DANIEL WILKE	January 23, 2013	10:00 a.m.
2. STEVE RODRIGUES	January 23, 2013	11:00 a.m.
3. MICHAEL KOVACEVICH	January 23, 2013	12:00 p.m.

The depositions shall be taken stenographically before a Certified Court Reporter who is authorized to administer oaths, and will continue from day to day until completed.

Pursuant to Code of Civil Procedure §§2025.220(a)(4), & 2025.280(a), *each deponent* shall also produce and permit for examination, inspection, copying and/or production, the following business records and other tangible things, as specified in the below-described 'Documents To Be Produced' which are in WM. BOLTHOUSE FARMS, INC's possession, custody or under or subject to its control.

#### DEFINITIONS

For purposes of this herein Deposition Subpoena, the following terms are defined:

1. The term "DOCUMENT(S)" shall be defined as having the same broad meaning as it has under California Evidence Code §§250, and Code of Civil Procedure §2031.010, et seq, and includes all letters, correspondence, reports, papers, records, emails, electronically stored

1 information, memorandum, journals, diaries, log books, worksheets, internal office data, interoffice  
2 and intra-office communications, notes, minutes of meetings or conferences, whether computer  
3 generated, typewritten or handwritten. It includes all forms of communication, including all  
4 originals, copies, duplicates, or other recordings whether inscribed by hand, or by mechanical,  
5 electronic, microfilm, photographic, pictures, videos, phonic, laser disks, computer disks, diskettes  
6 and tapes and any other electronic or storage media. It includes architectural blueprints, drawings,  
7 plans, specifications, sketches, charts, graphs, summaries and compilations, computations, bids,  
8 consultant reports or studies, analysis of any kind, financial statements or calculations, purchase  
9 orders, estimates, expense records, contracts, agreements, assignments or transfers.  
10

11 2. The term "SUBJECT PROPERTY" as used herein, shall refer to the BLUM TRUST  
12 parcels bearing Los Angeles County APN: 3384-009-001, & 3384-009-006, located on Avenue J and  
13 70<sup>th</sup> Street East, Lancaster, CA, which were leased to Lessee WM. BOLTHOUSE FARMS, INC.  
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15 3. The terms "YOU" or "YOUR" as used herein, refers to Yourself; WM. BOLTHOUSE  
16 FARMS, INC.; BOLTHOUSE PROPERTIES, LLC, and any natural person, firm, corporation,  
17 limited liability company, joint venture, partnership, association, trust or organization acting or  
18 purporting to act on its behalf, including but not limited to their agents, employees, representatives,  
19 assignees, transferees, sublessees, consultants, contractors and/or sub-contractors.  
20

#### 21 DOCUMENTS TO BE PRODUCED

22 1. Produce all groundwater pumping meter records and other related DOCUMENT(S) which  
23 evidences, verifies and/or identifies the amount of groundwater pumped from any and all water wells  
24 onto the SUBJECT PROPERTY during WM. BOLTHOUSE FARMS, INC's lease term, for each  
25 calendar year commencing from 2001, up through 2009.

26 2. Produce all agriculture irrigation records and other related DOCUMENT(S) which  
27

1 evidences, verifies or refers in any way to the type of crops irrigated and harvested on the SUBJECT  
2 PROPERTY during WM. BOLTHOUSE FARMS, INC's lease term, for each calendar year  
3 commencing from 2001, up through 2009.  
4

5 3. Produce all DOCUMENT(S) which evidences, verifies and/or identifies the location of the  
6 real property where the water wells were located and used to pump groundwater onto the SUBJECT  
7 PROPERTY during WM. BOLTHOUSE FARMS, INC's lease term, for each calendar year  
8 commencing from 2001, up through 2009.

9 4. Produce all DOCUMENT(S) which evidence, verifies and/or relates to YOUR calculations  
10 of the amount of groundwater pumped from real property onto the SUBJECT PROPERTY during  
11 WM. BOLTHOUSE FARMS, INC's lease term for each calendar year commencing from 2001, up  
12 through 2009.  
13

14 5. Produce all DOCUMENT(S), including all First and Annual Notices for Groundwater  
15 Extraction YOU filed with the State Water Resource Control Board, which evidences, relates to  
16 and/or identifies the amount of groundwater pumped from Lancaster, CA parcel APN: 3384-008-001,  
17 during WM. BOLTHOUSE FARMS, INC's lease term for each calendar year commencing from 2000,  
18 up through 2009.

19 6. Produce all DOCUMENT(S), including all First and Annual Notices for Groundwater  
20 Extraction YOU filed with the State Water Resource Control Board, which evidences, relates to  
21 and/or identifies the amount of groundwater pumped from the water well(s) located on Lancaster, CA  
22 parcel APN: 3384-008-020, during WM. BOLTHOUSE FARMS, INC's lease term for each calendar  
23 year commencing from 2000, up through 2009.  
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25 7. Produce all DOCUMENT(S), including all First and Annual Notices for Groundwater  
26 Extraction YOU filed with the State Water Resource Control Board which evidences, relates to and/or

1 identifies the amount of groundwater pumped from the water well(s) located on Lancaster, CA parcel  
2 APN: 3384-020-001, during WM. BOLTHOUSE FARMS, INC's lease term for each calendar year  
3 commencing from 2000, up through 2009.

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5 8. Produce all DOCUMENT(S), including all First and Annual Notices for Groundwater  
6 Extraction YOU filed with the State Water Resource Control Board which evidences, relates to and/or  
7 identifies the amount of groundwater pumped from the water well(s) located on Lancaster, CA parcel  
8 APN: 3384-004-004, onto the SUBJECT PROPERTY during WM. BOLTHOUSE FARMS, INC's  
9 lease term for each calendar year commencing from 2000, up through 2009.

10 9. Produce all DOCUMENT(S), including all First and Annual Notices for Groundwater  
11 Extraction YOU filed with the State Water Resource Control Board which evidences, relates to and/or  
12 identifies the amount of groundwater pumped from the water well(s) located on Lancaster, CA parcel  
13 APN: 3384-017-003, and APN: 3384-017-002, during WM. BOLTHOUSE FARMS, INC's lease term  
14 for each calendar year commencing from 2000, up through 2009.

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16 10. Produce all DOCUMENT(S), including all First and Annual Notices for Groundwater  
17 Extraction YOU filed with the State Water Resource Control Board which evidences, relates to and/or  
18 identifies the amount of groundwater pumped from the water wells identified by WM. BOLHOUSE  
19 FARMS, INC in its Discovery Order For Phase 4 Trial as "RANCH MINN", "WELL ID" "AVOL 14-3N";  
20 "AVOL 14-3S" and "LAID 13-3" for each calendar year commencing from 2001, up through 2009.

21 11. Produce copies of any water well drawings, blueprints, schematics, photographs, pictures,  
22 videos or other similar DOCUMENT(S) which evidences, refers to and/or relates in any way to the  
23 water wells and/or groundwater pipeline delivery system used by WM. BOLTHOUSE FARMS, INC,  
24 to irrigate its crops on the SUBJECT PROPERTY .

25  
26 12. Produce copies of any and all letters, emails, Agreements, Assignments, Transfers, or

1 other DOCUMENT(S) exchanged by and between WM. BOLTHOUSE FARMS, INC.,  
2 and BOLTHOUSE PROPERTIES, LLC, that evidences, refers to and/or relates in any way to the  
3 terms under which BOLTHOUSE PROPERTIES, LLC's obtained authorization, a license, easement  
4 or otherwise consent from WM. BOLTHOUSE FARMS, INC, to pump groundwater onto the  
5 SUBJECT PROPERTY.  
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7 13. Produce copies of any and all applications, petitions, filings or other DOCUMENT(S) which  
8 YOU submitted to or filed with any state and/or local governmental department, agency or board to  
9 obtain permits, licenses, approval, permission or authorization to construct and/or divert groundwater  
10 from any and all parcels onto the SUBJECT PROPERTY.

11 Dated: January 10, 2013

Law Offices of Sheldon R. Blum

12  
13 By: 

Sheldon R. Blum, Esq.

14 Attorney For BLUM TRUST  
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