

EXHIBIT “9”

1 **LAW OFFICES OF**
2 **SHELDON R. BLUM**
3 2242 CAMDEN AVENUE, SUITE 201
4 SAN JOSE, CALIFORNIA 95124
5 TEL: (408) 377-7320
6 FAX: (408) 377-2199
7 STATE BAR NO. 83304

5 **Attorney for Cross-Complainant**
6 **SHELDON R. BLUM, Trustee For**
7 **The SHELDON R. BLUM TRUST**

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

9 Coordinated Proceedings Special Title
10 {Rule 1550 (b)}

) Judicial Council Coordination Proceeding
) No. 4408

11 **ANTELOPE VALLEY GROUNDWATER**
12 **CASES**

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

12 Included Actions:

13 SHELDON R. BLUM, Trustee For The
14 SHELDON R. BLUM TRUST,
15 Cross-Complainant,
16 vs.
17 WM. BOLTHOUSE FARMS, INC., a Michigan
18 Corporation; BOLTHOUSE PROPERTIES,
19 LLC., a California Limited Liability Company;
20 and DOES I Through 200, Inclusive,
21 Cross-Defendants.

) **BLUM TRUSTEE'S FIRST SET OF**
) **SPECIAL INTERROGATORIES TO WM.**
) **BOLTHOUSE FARMS, INC.**

19 **AND RELATED CROSS ACTIONS**

21 **PROPOUNDING PARTY:** Cross-Complainant SHELDON R. BLUM, Trustee For The
22 **SHELDON R. BLUM TRUST**

22 **RESPONDING PARTY:** - Cross-Defendant WM. BOLTHOUSE FARMS, INC.

23 **SET NUMBER:** ONE

24 Cross-Complainant SHELDON R. BLUM, Trustee For The SHELDON R. BLUM

1 **SPECIAL INTERROGATORY NO. 89:**

2 Please IDENTIFY each and every DOCUMENT or WRITING that evidences, refers to or
3 relates in any way to such notification in support of YOUR response to Special Interrogatory
4 No. 87.

5 **SPECIAL INTERROGATORY NO. 90:**

6 If you contend that YOU notified any of the PERSONS identified as record fee owners of
7 LEASED PARCELS in Exhibit "A", of YOUR pending Cross-Complaint action, please fully state
8 the PERSONS response to YOUR notification.

9 **SPECIAL INTERROGATORY NO. 91:**

10 Please IDENTIFY each and every DOCUMENT or WRITING that evidences, refers to or
11 relates in any way to YOUR response to Special Interrogatory No. 90.

12 **SPECIAL INTERROGATORY NO. 92:**

13 If you contend that the Lease Agreement date August 2, 2001, expressly authorizes YOU
14 to deliver groundwater from YOUR adjacent property water wells onto the SUBJECT PROPERTY,
15 please quote the lease terms which supports YOUR response.

16 **SPECIAL INTERROGATORY NO. 93:**

17 Have YOU ever constructed a groundwater pipeline delivery system from YOUR adjacent
18 property(s) onto any other LEASED PARCEL(S) identified in Exhibit "A", to the Second Amended
19 Complaint, that utilizes the same or similar delivery system as installed on Cross-Complaint's
20 SUBJECT PROPERTY.

21 **SPECIAL INTERROGATORY NO. 94:**

22 If YOU contend that the Lease Agreement which was executed with other record fee
23 owner(s) PERSONS of LEASED PARCEL(S), expressly authorizes YOU to deliver groundwater

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
ELECTRONIC FILING - WWW.SCEFILING.ORG

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EMAIL: Info@Glotrans.com

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA

Antelope Valley Groundwater Cases (JCCP 4408)

Plaintiff,

vs.

Defendant.

AND RELATED ACTIONS

Antelope Valley Groundwater Cases

Lead Case No. 1-05-CV-049053

Hon. Jack Komar

PROOF OF SERVICE
Electronic Proof of Service

I am employed in the County of Alameda, State of California.

I am over the age of 18 and not a party to the within action; my business address is 2915 McClure Street, Oakland, CA 94609.

The documents described on page 2 of this Electronic Proof of Service were submitted via the worldwide web on Wed. February 20, 2008 at 11:33 AM PST and served by electronic mail notification.

I have reviewed the Court's Order Concerning Electronic Filing and Service of Pleading Documents and am readily familiar with the contents of said Order. Under the terms of said Order, I certify the above-described document's electronic service in the following manner:

The document was electronically filed on the Court's website, <http://www.scefiling.org>, on Wed. February 20, 2008 at 11:33 AM PST

Upon approval of the document by the Court, an electronic mail message was transmitted to all parties on the electronic service list maintained for this case. The message identified the document and provided instructions for accessing the document on the worldwide web.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on February 20, 2008 at Oakland, California.

Dated: February 20, 2008

For WWW.SCEFILING.ORG

Andy Jamieson

**THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
ELECTRONIC FILING SYSTEM - WWW.SCEFILING.ORG**

**Electronic Proof of Service
Page 2**

**Document(s) submitted by Sheldon R. Blum of Law Offices of Sheldon R. Blum on Wed. February 20, 2008 at 11:33
AM PST**

1. Discovery (e-service only): Blum Trustee's First Set Of Special Interrogatories To Boldhouse Properties, LLC

1 RICHARD G. ZIMMER - SBN 107263
2 T. MARK SMITH - SBN 162370
3 JEREMY J. SCHROEDER - SBN 223118
4 CLIFFORD & BROWN
5 A Professional Corporation
6 Attorneys at Law
7 Bank of America Building
8 1430 Truxtun Avenue, Suite 900
9 Bakersfield, CA 93301-5230
10 (661) 322-6023 [Tel] (661) 322-3508 [Fax]

11 Attorneys for WM. BOLTHOUSE FARMS, INC.
12 and BOLTHOUSE PROPERTIES, LLC

13 SUPERIOR COURT OF CALIFORNIA
14 COUNTY OF SANTA CLARA

15 * * *

16 COORDINATION PROCEEDING)	Judicial Council Coordination
17 SPECIAL TITLE (Rule 1550(b)))	Proceeding No. 4408
18 ANTELOPE VALLEY GROUNDWATER)	CASE NO. 1-05-CV-049053
19 CASES)	
20 INCLUDED ACTIONS:)	
21 LOS ANGELES COUNTY WATERWORKS)	BOLTHOUSE PROPERTIES, LLC'S
22 DISTRICT NO. 40 v. DIAMOND)	RESPONSE TO SPECIAL
23 FARMING COMPANY, et al.,)	INTERROGATORIES, SET ONE
24 Los Angeles Superior Court)	
25 Case No. BC325201)	
26 LOS ANGELES COUNTY WATERWORKS)	
DISTRICT NO. 40 v. DIAMOND)	
FARMING COMPANY, et al.,)	
Kern County Superior Court)	
Case No. S-1500-CV-254348)	
DIAMOND FARMING COMPANY, and)	
WM. BOLTHOUSE FARMS, INC., v.)	
CITY OF LANCASTER, et al.,)	
Riverside Superior Court)	
Case No. RIC 344436 [c/w case no.)	
RIC 344668 and 353840])	
ROSAMOND COMMUNITY SERVICES)	
DISTRICT,)	
CROSS-COMPLAINANT,)	

"2"

1 92. Objection. This interrogatory is vague, ambiguous,
2 premature and overbroad. Notwithstanding the foregoing
3 objections, and reserving same, WM. BOLTHOUSE FARMS, INC. is a
4 lessee of the SUBJECT PROPERTY. WM. BOLTHOUSE FARMS, INC. lease
5 water rights regarding the SUBJECT PROPERTY are set forth in the
6 lease agreement and are contractual in nature. BOLTHOUSE
7 PROPERTIES, LLC does not lease any property from BLUM, and does
8 not have any leasehold or contractual water rights relationship
9 with BLUM.

10 93. Objection. This interrogatory is vague, ambiguous,
11 overbroad, not reasonably calculated to lead to the discovery of
12 admissible evidence, calls for the disclosure of private or
13 proprietary corporate information/documents.

14 94. Objection. This interrogatory is vague, ambiguous,
15 overbroad, not reasonably calculated to lead to the discovery of
16 admissible evidence, calls for the disclosure of private or
17 proprietary corporate information/documents.

18 95. Objection. This interrogatory is vague, ambiguous,
19 overbroad, not reasonably calculated to lead to the discovery of
20 admissible evidence, calls for the disclosure of private or
21 proprietary corporate information/documents.

22 96. Objection. This interrogatory is vague, ambiguous,
23 overbroad, not reasonably calculated to lead to the discovery of
24 admissible evidence, calls for the disclosure of private or
25 proprietary corporate information/documents.

26 ///

1 DATED: April 28, 2008

2 CLIFFORD & BROWN

3
4 By: 

5 RICHARD G. ZIMMER, ESQ.

6 T. MARK SMITH, ESQ.

7 JEREMY J. SCHROEDER, ESQ.

8 Attorneys for

9 BOLTHOUSE FARMS, INC. and

10 BOLTHOUSE PROPERTIES, LLC

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VERIFICATION

STATE OF CALIFORNIA, COUNTY OF SANTA CLARA

I have read the foregoing BOLTHOUSE PROPERTIES, LLC's SPECIAL INTERROGATORIES, SET ONE and know its contents.

☐ CHECK APPLICABLE PARAGRAPHS

☐ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☒ I am ☐ an Officer ☐ a partner ☒ a N AUTHORIZED AGENT of BOLTHOUSE PROPERTIES, LLC

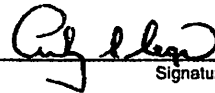
a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. ☒ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. ☐ The matters stated in the foregoing document are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for _____ a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on May 9, 2008, at Bakersfield, California.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Anthony L. Leggio

Type or Print Name



Signature

PROOF OF SERVICE

1013a (3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of _____, State of California.

I am over the age of 18 and not a party to the within action; my business address is: _____

On, _____ I served the foregoing document described as _____

_____ on _____ in this action

☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:

☐ by placing ☐ the original ☐ a true copy thereof enclosed in sealed envelopes addressed as follows:

☐ BY MAIL

☐ *I deposited such envelope in the mail at _____, California.

The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at _____ California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on _____, at _____, California.

☐ *(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on _____, at _____, California.

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

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Type or Print Name

Signature

*(BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)

*(FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)

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