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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

10 ANTELOPE VALLEY
11 GROUNDWATER CASES

12 Included Actions:

13 Los Angeles County Waterworks District No. 40

14 v. Diamond Farming Co., Superior Court of

15 California, County of Los Angeles, Case No. BC

16 325 201; Los Angeles County Waterworks

17 District No. 40 v. Diamond Farming Co., Superior

18 Court of California, County of Kern, Case No. S-

19 1500-CV-254-348; Wm. Bolthouse Farms, Inc.

20 v. City of Lancaster, Diamond Farming Co. v.

21 City of Lancaster, Diamond Farming Co. v.

22 Palmdale Water Dist., Superior Court of

23 California, County of Riverside, Case Nos. RIC

24 353840, RIC 344436, RIC 344668

) Judicial Council Coordination Proceeding No.

) 4408

) Assigned to The Honorable Jack Komar

) PROTECTIVE ORDER RE DISCLOSURE

) OF PRIVATE INFORMATION OTHER

) THAN WELL REPORTS

) Hearing Date: December 15, 2006

) Time: 9:00 a.m.

) Department: 1

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RECITALS

29 A. In order to fairly conduct trials, discovery, and settlement negotiations in this
30 groundwater adjudication, it is necessary for the parties to disclose and exchange many types of private
31 and confidential information, including without limitation: well level data, pumping records, land use
32 information, groundwater chemistry data, etc. The above information is necessary to resolve
33 hydrological, geological, and other issues central to these cases.

34 B. Some requested documents and information may be confidential, private, a trade
35 secret, or subject to other objections and limitations on disclosure.

36 C. Such information must be disclosed to advance the litigation and settlement
37 negotiations, but its use and disclosure should be limited as set forth herein.

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1 NOW, THEREFORE, the Court Orders as follows:

2 1. All documents and data that are relevant to proving the hydrology, geology, water
3 use, and water quality of the Antelope Valley Groundwater Basin shall be discoverable in these
4 consolidated cases, notwithstanding any objections based on privacy, confidentiality, or other similar
5 limitations. *Party shall have right to move for protective order.*

6 2. Any party may mark any documents or data that it produces as
7 "CONFIDENTIAL" on the front page of each such document.

8 3. Any documents or data marked "CONFIDENTIAL" shall be treated as follows:
9 (a) the documents or data may be used only for purposes of this litigation;
10 (b) they may not be disclosed to anyone who is not a party to this litigation, an expert or a consultant
11 retained by a party to this litigation, an attorney for a party, or an employee of one of the above,
12 notwithstanding a request under a Freedom of Information law.


13 4. Upon motion of any party, the Court will determine whether documents or data
14 marked "CONFIDENTIAL" should be deemed confidential and restricted in the manner set forth above.

15 5. In accordance with the "Protective Order Re Confidentiality Of Settlement
16 Discussions" dated March 24, 2006, the parties and their experts/consultants may freely discuss the
17 confidential documents and data described above in their settlement discussions and communications;
18 and such discussions and communications shall continue to be non-discoverable, inadmissible, and
19 subject to all protections and privileges accorded settlement discussions by California law.

20 6. This Order has no effect on the discoverability of any document withheld based
21 on the attorney-client privilege or work-product protection; and it shall not preclude objections based on
22 the form of any document request, unreasonable burden, or other objections unrelated to privacy, trade
23 secrets, and confidentiality.

24 7. This Protective Order shall be binding on all current and future parties to these
25 cases.

26
27 **MAR - 8 2007**
Date: February , 2007


The Honorable Jack Koniar
Judge of the Superior Court