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12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

13 **COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

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

Judicial Council Coordination
Proceeding No. 4408

16 ANTELOPE VALLEY GROUNDWATER
17 CASES

18 RICHARD A. WOOD, an individual, on behalf of
19 himself and all others similarly situated,

20 Plaintiff,

21 v.

22 A.V. MATERIALS, INC., et al.

23 Defendants.

Case No. BC 509546

**NOTICE OF OPPOSITION AND
OPPOSITION TO PETITION OF WD
40 FOR INCLUSION OF ADD-ON
CASE IN THE ANTELOPE VALLEY
GROUNDWATER CASES**

24 **I. NOTICE OF OBJECTION**

25 COMES NOW, TEJON RANCHCORP, GRANITE CONSTRUCTION COMPANY,
26 DIAMOND FARMING COMPANY, CRYSTAL ORGANIC FARMS, LLC, GRIMMWAY
27 ENTERPRISES, INC., LAPIS LAND COMPANY, LLC (collectively "Objectors") and give
28 notice pursuant to California Rules of Court, Rule 3.544(b) of their opposition to the Petition of
Los Angeles County Water Works District No 40 (WD 40) for Inclusion of Add-On Case
(Petition), *Wood v. A.V. Materials, Inc.*, Los Angeles County Superior Court Case No. BC

1 509546 (Case BC 509546), in the Antelope Valley Groundwater Cases, Judicial Council
2 Coordinated Proceeding No. 4408.


3 This opposition relates solely to the adequacy of the Petition and shall not be deemed a
4 general appearance in Case BC 509546. The Objectors reserve the right to (a) oppose any
5 amended or revised petition, and (b) attack the proposed complaint when and if the summons and
6 complaint are properly served.

7 **II. POINTS AND AUTHORITIES IN OPPOSITION**

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9 Petitioner WD 40 filed its Petition pursuant to California Rules of Court, Rule 3.544(a).
10 A petition to "coordinate an add-on case must comply with the requirements of rules 3.520
11 through 3.523, . . ." (CRC, Rule 3.544(a).) Rule 3.520 requires that a petition be supported by
12 a memorandum and declarations showing, *inter alia*, (a) the names of the parties to all included
13 actions, and the name and address of each party's attorney of record, (b) whether the summons
14 and complaint have been served on all parties, (c) the status of each included action, including
15 the status of any pretrial or discovery motions or orders in that action, if known to the petitioner,
16 and (d) the facts relied upon to show that each included action meets the coordinated standard
17 specified in the Code of Civil Procedure section 4.04.1. (CRC, Rule 3.521(a).) The Petition fails
18 to meet these basic requirements and therefore should be denied.


19 Dated: July 22, 2013

KUHS & PARKER

20
21 By 
22 Robert G. Kuhs, Attorney for Tejon
23 Ranchcorp and Granite Construction
Company

24 Dated: July 22, 2013

LEBEAU-THELEN LLP

25
26 By 
27 Bob H. Joyce, Attorney for Diamond
28 Farming Company, Crystal Organic Farms,
LLC, Grimmway Enterprises, Inc. and Lapis
Land Company, LLC