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12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

14 **ANTELOPE VALLEY GROUNDWATER
15 CASES**

16 **INCLUDED ACTIONS:**

17 Los Angeles County Waterworks District No.
18 40 v. Diamond Farming Co., Superior Court
19 of California, County of Los Angeles, Case
20 No. BC 325201;

21 Los Angeles County Waterworks District No.
22 40 v. Diamond Farming Co., Superior Court
23 of California, County of Kern, Case No. S-
24 1500-CV-254348;

25 Wm. Bolthouse Farms, Inc. v. City of
26 Lancaster, Diamond Farming Co. v.
27 Lancaster, Diamond Farming Co. v. Palmdale
28 Water Dist., Superior Court of California,
County of Riverside, Case No. RIC 353840,
RIC 344436, RIC 344668

Rebecca Lee Willis v. Los Angeles County
Waterworks District No. 40
Superior Court of California, County of Los
Angeles, Case No. BC 364553

Wood v. A.V. Materials, Inc., et al., Superior
Court of California, County of Los Angeles,
Case No. BC 509546

Little Rock Sand and Gravel, Inc. v. Granite
Construction Co., Superior Court of
California, County of Los Angeles, North
Judicial District, Case No. MC026932

Judicial Council Coordination No. 4408

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

**GRANITE CONSTRUCTION
COMPANY'S SUPPLEMENTAL
RESPONSES TO FORM
INTERROGATORIES, SET ONE**

1 RESPONDING PARTY: GRANITE CONSTRUCTION COMPANY
2 DEMANDING PARTY: LITTLE ROCK SAND AND GRAVEL, INC.
3 SET NUMBER: ONE

4 **I. INTRODUCTION**

5 LITTLE ROCK SAND AND GRAVEL, INC. (the "Demanding Party") served its Form
6 Interrogatories, Set One (the "Interrogatories"), on GRANITE CONSTRUCTION COMPANY
7 (the "Responding Party"). The Responding party objected to the Demanding Party's
8 Interrogatories on July 5, 2017. These are the Responding Party's supplemental responses to the
9 Interrogatories.

10 **II. DEFINITIONS**

11 The following words and phrases, in addition to the words and phrases defined in Part I
12 hereof, shall govern the construction of these answers and objections unless the context
13 otherwise requires:

14 1. "Ground 1" means that the matter sought is neither admissible in evidence nor
15 reasonably calculated to lead to the discovery of admissible evidence. (Code Civ. Proc., §
16 2017.010.)

17 2. "Ground 2" means that the Interrogatory is not timely. (Code Civ. Proc., §
18 2024.020.)

19 3. "Ground 3" means that the Interrogatory contains a preface or instruction not
20 approved under Chapter 17 of the Civil Discovery Act. (Code Civ. Proc., § 2030.060(d).)

21 4. "Ground 4" means that the Interrogatory is not full and complete in and of itself.
22 (Code Civ. Proc., § 2030.060(d).)

23 5. "Ground 5" means that the Interrogatory contains subparts, or a compound,
24 conjunctive, or disjunctive question. (Code Civ. Proc., § 2030.060(f).)

25 6. "Ground 6" means that the information sought is equally available to the
26 Demanding Party. (Code Civ. Proc., § 2030.220(c).)

27 7. "Ground 7" means that the information sought would necessitate the preparation
28 or the making of a compilation, abstract, audit, or summary of or from the documents of the

1 Responding Party and the burden or expense of preparing or making it would be substantially the
2 same for the Propounding Party as for the Responding Party. (Code Civ. Proc., § 2030.230.)

3 8. "Ground 8" means that the information sought comes within the lawyer-client
4 privilege. (Code Civ. Proc., § 2030.240(b).)

5 9. "Ground 9" means that the information sought is protected work-product under
6 Code of Civil Procedure section 2018.030. (Code Civ. Proc., § 2030.240(b).)

7 10. "Ground 10" means that the Interrogatory is vague, ambiguous and unintelligible.

8 11. "Ground 11" means that the Interrogatory is oppressive, harassing and
9 burdensome.

10 12. "Ground 12" means that the Interrogatory is overbroad.

11 13. "Ground 13" means that the Interrogatory seeks confidential and/or trade secret
12 information.

13 14. "Ground 14" means that the information is protected by the right of privacy.
14

15 15. "Ground 15" means that the Interrogatory seeks matter protected from premature
16 disclosure by Code of Civil Procedure section 2034.210 et. seq.

17 16. "Ground 16" means that the excessive use of definitions and instructions makes
18 the Interrogatory vague, ambiguous and unintelligible, overly burdensome and oppressive. (See
19 e.g., *Calcor Space Facility v. Superior Court* (1997) 53 Cal.App.4th 216.)

20 17. "Ground 17" means that the Interrogatory seeks discovery in a matter in which
21 the court lacks jurisdiction over the subject matter of the action and any discovery in the
22 proceeding at this stage is premature and improper.

23 III. GENERAL OBJECTIONS

24 The Responding Party objects to the Interrogatories on the grounds that this action should
25 have been filed, if at all, as a post-judgment motion proceeding in the Antelope Valley
26 Groundwater Cases before Judge Komar and not as a separate action, therefore discovery in this
27 action, if any, should be conducted only to the extent authorized by Judge Komar. In other
28 words, the improper filing of this separate action should not operate to require the Responding

1 Party to respond to discovery pertaining to the subject matter of the Antelope Valley
2 Groundwater Cases except as authorized by Judge Komar.

3 The Responding Party objects to each of the Interrogatories on Grounds 8 and 9. The
4 Responding Party objects to the definition of the word "INCIDENT" on Ground 10.

5 **IV. RESPONSES**

6 Without waiving the general objections contained in Part III hereof or the specific
7 objections contained in this part, the Responding Party responds to the Interrogatories as follows:

8 **FORM INTERROGATORY NO. 15.1:**

9 Identify each denial of a material allegation and each special or affirmative defense in
10 your pleadings and for each:

- 11 (a) state all facts upon which you base the denial or special or affirmative defense;
- 12 (b) state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who
13 have knowledge of those facts; and
- 14 (c) identify all **DOCUMENTS** and other tangible things that support your denial or
15 special or affirmative defense, and state the name, **ADDRESS**, and telephone
16 number of the **PERSON** who has each **DOCUMENT**.

17 **RESPONSE TO FORM INTERROGATORY NO. 15.1:**

18 In addition to and without waiving the General Objections stated in Part III above,
19 Responding Party objects to this Interrogatory on grounds 1, 3, 8, 9, 10, 11, 12, and 17.

20 **SUPPLEMENTAL RESPONSE TO FORM INTERROGATORY NO. 15.1:**

21 Responding Party's denials and affirmative defenses 1-13 are contained in the "Verified
22 Answer to First Amended Complaint" ("Answer") filed on or about May 17, 2017, which is
23 incorporated herein by this reference.

24 (a) Supporting facts known to Responding Party at this time are stated in (i) the Answer,
25 the Exhibits attached thereto and documents referenced therein, (ii) the Opposition of Granite
26 Construction Company to Lane Family Motion for Post-Judgment Supplemental Order re
27 Granite Construction Company and the Declarations of Robert G. Kuhs, William Taylor,
28 Richard Zimmer, Joseph D. Hughes, Bob Joyce, and Mike McLachlan filed concurrently

1 therewith, (iii) the Petition for Coordination of Add-On Case and Request for Immediate Stay of
2 Add-on Case Pending Decision on Petition, and the Memorandum of Points and Authorities and
3 Supporting Declaration filed concurrently therewith, and (iv) Granite Construction Company's
4 Reply to Little Rock Sand and Gravel, Inc.'s Response to Petition for Coordination of Add-on
5 Case. The foregoing documents, which were previously served on the Demanding Party, are
6 incorporated herein by this reference.


7
8 (b) Persons with knowledge of some or all of the foregoing facts are: Theodore A.
9 Chester, Jr., George Lane, William Taylor, Richard Zimmer, Joseph D. Hughes, Bob Joyce,
10 Mike McLachlan, Michael D. Davis, Robert G. Kuhs, counsel for all parties to the Antelope
11 Valley Groundwater Cases and Judge Jack Komar.

12
13 (c) Documents supporting Responding Party's denials and affirmative defenses
14 include: (i) the documents attached to and/or referenced in the Answer, (ii) the documents
15 attached to the Declaration of Robert G. Kuhs in Opposition to Lane Family's Motion for Post
16 Judgment Supplemental Order Re Granite Construction Company; and (iii) the documents
17 attached to the Petition for Coordination of Add-On Case and Request for Immediate Stay of
18 Add-on Case Pending Decision on Petition.

19
20 DATED: October 31, 2017

As to objections only,

KUHS & PARKER

21
22
23 By 
24 Bernard C. Barmann, Jr.
25 Attorneys for Defendant Granite
26 Construction Company
27
28

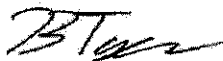
(VERIFICATION — 446, 2015.5 C.C.P.)

STATE OF CALIFORNIA, COUNTY OF KERN

I am an employee of Granite Construction Company, a party in the above-entitled action, and am authorized to make this verification on its behalf; I have read the foregoing **GRANITE CONSTRUCTION COMPANY'S SUPPLEMENTAL RESPONSES TO FORM INTERROGATORIES, SET ONE**, and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters which are therein stated upon my information or belief, and as to those matters I believe it to be true.

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 30, 2017, at Ventura, California.



William Taylor

**PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF KERN**

I, Valerie Hanners, declare:

I am employed in the County of Kern, State of California. I am over the age of 18 and am not a party to the within action; my business address is Kuhs & Parker, 1200 Truxtun Avenue, Suite 200, Bakersfield, California 93301.

On October 31, 2017, I caused the foregoing document(s) described as **GRANITE CONSTRUCTION COMPANY'S SUPPLEMENTAL RESPONSES TO FORM INTERROGATORIES, SET ONE** to be served on the parties in this action, as follows:

Theodore A. Chester, Jr. (U.S. Mail)
Stephen R. Isbell
Musick, Peeler & Garrett, LLP
One Wilshire Boulevard, Suite 2000
Los Angeles, CA 90017-3383

All Parties in the Antelope Valley Groundwater Cases
(Electronic service via Glotrans)

X (BY ELECTRONIC SERVICE) by serving the document(s) listed above via Antelope Valley Watermaster Electronic Document Service – (www.avwatermaster.org) c/o Glotrans, to all parties appearing on the electronic service list for the Antelope Valley Groundwater case. Electronic service is complete at the time of transmission. My electronic notification email address is vhanners@kuhsparkerlaw.com

X (BY U.S. MAIL) on October 31, 2017, at Bakersfield, California, pursuant to C.C.P. section 1013(a), I:
___ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
X placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is place for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.


___ (BY EMAIL TRANSMISSION) on October 31, 2017, at approximately p.m. to:

___ (BY FACSIMILE TRANSMISSION) on October 31, 2017 at approximately ___ p.m., pursuant to Rule 2008 of the California Rules of Court. The telephone number of the sending facsimile machine was 661/322-2906. A transmission report (copy attached hereto) was properly issued by the sending facsimile machine, and the transmission was reported as completed and without error.

___ (BY PERSONAL SERVICE) on October 31, 2017 pursuant to C.C.P. section 1011, I caused such envelope to be delivered by hand personally to the addressee(s):

___ (BY OVERNIGHT COURIER) on October 31, 2017 pursuant to C.C.P. section 1013I(d), I caused such envelope with delivery fees fully prepared to be sent by Federal Express to **Theodore A. Chester, Jr. at Musick, Peeler & Garrett, LLP.**

___ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that the foregoing was executed on October 31, 2017, in Bakersfield, California.


Valerie Hanners