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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

**ANTELOPE VALLEY GROUNDWATER
CASES**

INCLUDED ACTIONS:

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

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

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

**RESPONSE TO LITTLE ROCK
SAND AND GRAVEL, INC.'S
SPECIAL INTERROGATORIES,
SET ONE**

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

I. INTRODUCTION

LITTLE ROCK SAND AND GRAVEL, INC. (the “Demanding Party” or “Little Rock”) served its Special Interrogatories, Set One (the “Interrogatories”), on GRANITE CONSTRUCTION COMPANY (the “Responding Party” or “Granite”). This is the Responding Party's responses and objections to the Interrogatories.

II. DEFINITIONS

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

1. “Ground 1” means that the matter sought is neither admissible in evidence nor reasonably calculated to lead to the discovery of admissible evidence. (Code Civ. Proc., § 2017.010.)
2. “Ground 2” means that the Interrogatories are not timely. (Code Civ. Proc., § 2024.020.)
3. “Ground 3” means that the Interrogatories contain a preface or instruction not approved under Chapter 17 of the Civil Discovery Act. (Code Civ. Proc., § 2030.060(d).)
4. “Ground 4” means that the Interrogatory is not full and complete in and of itself. (Code Civ. Proc., § 2030.060(d).)
5. “Ground 5” means that the Interrogatory contains subparts, or a compound, conjunctive, or disjunctive question. (Code Civ. Proc., § 2030.060(f).)
6. “Ground 6” means that the information sought is equally available to the Propounding Party. (Code Civ. Proc., § 2030.220(c).)
7. “Ground 7” means that the information sought would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from the documents of the Responding Party and the burden or expense of preparing or making it would be substantially the

1 same for the Propounding Party as for the Responding Party. (Code Civ. Proc., § 2030.230.)

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

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

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

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

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

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

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

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

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

18 **III. GENERAL OBJECTIONS**

19 The Responding Party objects to the Interrogatories on Ground 2 and on the grounds that
20 this action should have been filed, if at all, as a post-judgment proceeding before Judge Jack
21 Komar (Ret.), and not as a separate action in a different court. Discovery regarding the subject
22 matter of this action should be conducted only to the extent authorized by Judge Komar. In other
23 words, the improper filing of this separate action should not operate to require the Responding
24 Party to respond to discovery pertaining to the subject matter of the Antelope Valley
25 Groundwater Cases except as directed by Judge Komar.

26 The Responding Party has not fully completed an investigation of the facts relating to this
27 case, has not completed discovery concerning this case, and has not completed trial preparation.
28 The answers herein disclose only those contentions which presently occur to the Responding

1 Party. It is anticipated that further discovery, investigation, legal research and analysis will
2 supply additional facts, add meaning to the known facts, as well as establish entirely new factual
3 contentions and legal contentions. The following responses are given without prejudice to the
4 Responding Party's right to produce evidence of any subsequently discovered fact or facts which
5 the Responding Party may later recall.

6 The Responding Party objects to each of the Interrogatories on Grounds 8 and 9.

7 **IV. RESPONSES**

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

10 **SPECIAL INTERROGATORY NO. 1:**

11 State the residential address of William Taylor sufficiently to enable LITTLE ROCK to
12 determine where to notice his deposition.

13 **RESPONSE TO SPECIAL INTERROGATORY NO. 1:**

14 In addition to and without waiving the General Objections stated in Part III above,
15 Responding Party objects to this Interrogatory on grounds 3, 8, 9, and 14. Responding Party
16 further objects on the ground that William Taylor was previously deposed by the Demanding
17 Party in the Antelope Valley Groundwater Cases, and therefore any further deposition of Mr.
18 Taylor is unnecessary and would be harassing. To the extent Demanding Party intends to depose
19 Mr. Taylor, Mr. Taylor is accessible through counsel for the Responding Party. Without
20 consenting to Mr. Taylor's deposition being taken in this matter and without waiving any
21 objections to the taking of Mr. Taylor's deposition in this matter, if Responding Party issues a
22 notice for Mr. Taylor's deposition, Responding Party would not object to the location of the
23 deposition if it is noticed for a reasonable location in Bakersfield, California.

24 **SPECIAL INTERROGATORY NO. 2:**

25 State the residential address of Richard Zimmer sufficiently to enable LITTLE ROCK to
26 determine where to notice his deposition.

1 **RESPONSE TO SPECIAL INTERROGATORY NO. 2:**

2 In addition to and without waiving the General Objections stated in Part III above,
3 Responding Party objects to this Interrogatory on grounds 3, 6, 9, 11, and 14. Mr. Zimmer's
4 residence information is private to Mr. Zimmer and, to the extent it is publicly available, is
5 equally available to the Demanding Party. Additionally, the Demanding Party is well aware that
6 Mr. Zimmer is counsel for other parties in the Antelope Valley Groundwater Cases and his
7 business contact information is readily available to the Demanding Party and has been for several
8 years.

9 **SPECIAL INTERROGATORY NO. 3:**

10 State the residential address of Joseph D. Hughes sufficiently to enable LITTLE ROCK
11 to determine where to notice his deposition.

12 **RESPONSE TO SPECIAL INTERROGATORY NO. 3:**

13 In addition to and without waiving the General Objections stated in Part III above,
14 Responding Party objects to this Interrogatory on grounds 3, 6, 9, 11, and 14. Mr. Hughes's
15 residence information is private to Mr. Hughes and, to the extent it is publicly available, is
16 equally available to the Demanding Party. Additionally, the Demanding Party is well aware that
17 Mr. Hughes is counsel for another party in the Antelope Valley Groundwater Cases and his
18 business contact information is readily available to the Demanding Party and has been for several
19 years.

20 **SPECIAL INTERROGATORY NO. 4:**

21 State the residential address of Bob Joyce sufficiently that LITTLE ROCK sufficiently
22 [sic] to enable LITTLE ROCK to determine where to notice his deposition.

23 **RESPONSE TO SPECIAL INTERROGATORY NO. 4:**

24 In addition to and without waiving the General Objections stated in Part III above,
25 Responding Party objects to this Interrogatory on grounds 3, 6, 9, 11, and 14. Mr. Joyce's
26 residence information is private to Mr. Joyce and, to the extent it is publicly available, is equally
27 available to the Demanding Party. Additionally, the Demanding Party is well aware that Mr.
28

Joyce is counsel for other parties in the Antelope Valley Groundwater Cases and his business contact information is readily available to the Demanding Party and has been for several years.

SPECIAL INTERROGATORY NO. 5:

State the residential address of Mike McLachlan sufficiently to enable LITTLE ROCK to determine where to notice his deposition.

RESPONSE TO SPECIAL INTERROGATORY NO. 5:

In addition to and without waiving the General Objections stated in Part III above, Responding Party objects to this Interrogatory on grounds 3, 6, 9, 11, and 14. Mr. McLachlan's residence information is private to Mr. McLachlan and, to the extent it is publicly available, is equally available to the Demanding Party. Additionally, the Demanding Party is well aware that Mr. McLachlan is counsel for other parties in the Antelope Valley Groundwater Cases and his business contact information is readily available to the Demanding Party and has been for several years.

SPECIAL INTERROGATORY NO. 6:

State the residential address of Michael D. Davis sufficiently to enable LITTLE ROCK to determine where to notice his deposition.

RESPONSE TO SPECIAL INTERROGATORY NO. 6:

In addition to and without waiving the General Objections stated in Part III above, Responding Party objects to this Interrogatory on grounds 3, 6, 9, 11, and 14. Mr. Davis's residence information is private to Mr. Davis and, to the extent it is publicly available, is equally available to the Demanding Party. Additionally, the Demanding Party is well aware that Mr. Davis is counsel for other parties in the Antelope Valley Groundwater Cases and his business contact information is readily available to the Demanding Party and has been for several years.

SPECIAL INTERROGATORY NO. 7:

State the amount of groundwater that YOU pumped from WELL 1 for each year from 1987 through 2017.

1 **RESPONSE TO SPECIAL INTERROGATORY NO. 7:**

2 In addition to and without waiving the General Objections stated in Part III above,
3 Responding Party objects to this Interrogatory on grounds 1, 3, 6, 7, 8, 9, 11 and 12. Responding
4 Party's groundwater production, whether prior to entry of judgment in the Antelope Valley
5 Groundwater Cases or after entry of judgment, is not relevant to this dispute because the parties'
6 rights to produce and store groundwater in the basin are governed by the judgment and are not based
7 on prior water use. Additionally, Responding Party's groundwater production data was previously
8 provided during the proceedings in the Antelope Valley Groundwater Cases in the Declaration of
9 Steven McCracken in Lieu of Testimony at Phase 6 Trial, Docket #10698.

10 **SPECIAL INTERROGATORY NO. 8:**

11 State the amount of groundwater that YOU pumped from WELL 2 for each year from
12 1987 through 2017.

13 **RESPONSE TO SPECIAL INTERROGATORY NO. 8:**

14 In addition to and without waiving the General Objections stated in Part III above,
15 Responding Party objects to this Interrogatory on grounds 1, 3, 6, 7, 8, 9, 11 and 12. Responding
16 Party's groundwater production, whether prior to entry of judgment in the Antelope Valley
17 Groundwater Cases or after entry of judgment, is not relevant to this dispute because the parties'
18 rights to produce and store groundwater in the basin are governed by the judgment and are not based
19 on prior water use. Additionally, Responding Party's groundwater production data was previously
20 provided during the proceedings in the Antelope Valley Groundwater Cases in the Declaration of
21 Steven McCracken in Lieu of Testimony at Phase 6 Trial, Docket #10698.

22 **SPECIAL INTERROGATORY NO. 9:**

23 State the amount of groundwater that YOU pumped from WELL 3 for each year from
24 1987 through 2017.

25 **RESPONSE TO SPECIAL INTERROGATORY NO. 9:**

26 In addition to and without waiving the General Objections stated in Part III above,
27 Responding Party objects to this Interrogatory on grounds 1, 3, 6, 7, 8, 9, 11 and 12. Responding
28 Party's groundwater production, whether prior to entry of judgment in the Antelope Valley

Groundwater Cases or after entry of judgment, is not relevant to this dispute because the parties' rights to produce and store groundwater in the basin are governed by the judgment and are not based on prior water use. Additionally, Responding Party's groundwater production data was previously provided during the proceedings in the Antelope Valley Groundwater Cases in the Declaration of Steven McCracken in Lieu of Testimony at Phase 6 Trial, Docket #10698.

SPECIAL INTERROGATORY NO. 10:

State the amount of groundwater that YOU pumped from WELL 4 for each year from 1987 through 2017.

RESPONSE TO SPECIAL INTERROGATORY NO. 10:

In addition to and without waiving the General Objections stated in Part III above, Responding Party objects to this Interrogatory on grounds 1, 3, 6, 7, 8, 9, 11 and 12. Responding Party's groundwater production, whether prior to entry of judgment in the Antelope Valley Groundwater Cases or after entry of judgment, is not relevant to this dispute because the parties' rights to produce and store groundwater in the basin are governed by the judgment and are not based on prior water use. Additionally, Responding Party's groundwater production data was previously provided during the proceedings in the Antelope Valley Groundwater Cases in the Declaration of Steven McCracken in Lieu of Testimony at Phase 6 Trial, Docket #10698.

SPECIAL INTERROGATORY NO. 11:

State the amount of groundwater that YOU pumped from any groundwater well located on the ADJACENT LAND for each year that YOU have owned the ADJACENT LAND.

RESPONSE TO SPECIAL INTERROGATORY NO. 11:


In addition to and without waiving the General Objections stated in Part III above, Responding Party objects to this Interrogatory on grounds 1, 3, 6, 7, 8, 9, 11 and 12. Responding Party's groundwater production, whether prior to entry of judgment in the Antelope Valley Groundwater Cases or after entry of judgment, is not relevant to this dispute because the parties' rights to produce and store groundwater in the basin are governed by the judgment and are not based on prior water use. Additionally, Responding Party's groundwater production data was previously

1 provided during the proceedings in the Antelope Valley Groundwater Cases in the Declaration of
2 Steven McCracken in Lieu of Testimony at Phase 6 Trial, Docket #10698.

3
4 Dated: January 12, 2018

As to objections only,

5 KUHS & PARKER

6
7 By 
8 Bernard C. Barmann, Jr., Attorneys for
9 Granite Construction Company

**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 January 12, 2018, I caused the foregoing document(s) described as **RESPONSE TO LITTLE ROCK SAND AND GRAVEL INC.'S SPECIAL 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 January 12, 2018, 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.

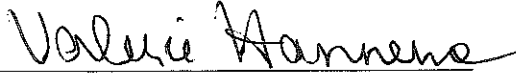
— (BY EMAIL TRANSMISSION) on January 12, 2018, at approximately p.m. to:

— (BY FACSIMILE TRANSMISSION) on January 12, 2018 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 January 12, 2018 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 January 12, 2018 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 January 12, 2018, in Bakersfield, California.


Valerie Hanners