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

Coordinated Proceeding,
Special Title (Rule 1550(b)),

ANTELOPE VALLEY GROUNDWATER
CASES.

Judicial Council Coordination
Proceeding No.: 4408
LASC Case No. BC32501

Santa Clara Superior Court
Case No.: 1-05-CV-049053

**GRIMMWAY ENTERPRISES, INC.'S
AMENDED RESPONSE TO JOHNNY
ZAMRZLA, PAMELLA ZAMRZLA,
JOHNNY LEE ZAMRZLA AND
JEANETTE ZAMRZLAS' REQUESTS
FOR ADMISSION – SET ONE**

PROPOUNDING PARTY: Plaintiff, JOHNNY ZAMRZLA, PAMELLA ZAMRZLA,
JOHNNY LEE ZAMRZLA AND JEANETTE ZAMRZLA
RESPONDING PARTY: Defendant, GRIMMWAY ENTERPRISES, INC.
SET NO.: ONE

I. INTRODUCTION

Plaintiffs JOHNNY ZAMRZLA, PAMELLA ZAMRZLA, JOHNNY LEE ZAMRZLA
and JEANETTE ZAMRZLA (**Propounding Parties**) served Requests for Admission, Set One
(**Request**) by electronic mail on defendant GRIMMWAY ENTERPRISES, INC. (**Responding
Party**) on May 25, 2022. This is Responding Party's amended responses and objections to the
Request.

II. DEFINITIONS

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

1. “Ground 1” means that the information 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 request is not timely under Code of Civil Procedure section 2024.020.
3. “Ground 3” means that the request contains a preface or instruction not approved under Chapter 17 of the Civil Discovery Act. (Code Civ. Proc., § 2033.060, subd. (d).)
4. “Ground 4” means that the request is not full and complete in and of itself. (Code Civ. Proc., § 2033.060, subd. (d).)
5. “Ground 5” means that the request includes a capitalized term but does not include a definition of that term in the request. (Code Civ. Proc., § 2033.060, subd. (e).)
6. “Ground 6” means that the request contains subparts, or a compound, conjunctive, or disjunctive request. (Code Civ. Proc., § 2033.060, subd. (f).)
7. “Ground 7” means that the request exceeds the statutorily permitted limit. (Code Civ. Proc., § 2033.030, subd. (a).)
8. “Ground 8” means that the request is unduly annoying, embarrassing, oppressive, harassing, burdensome, and expensive. (Code Civ. Proc., § 2033.030, subd. (c).)
9. “Ground 9” means that the request is vague, ambiguous, and unintelligible.
10. “Ground 10” means that the information sought comes within the lawyer-client privilege. (Code Civ. Proc., § 2033.230, subd. (b).)
11. “Ground 11” means that the information sought is protected work product under Code of Civil Procedure section 2018.030. (Code Civ. Proc., § 2033.230, subd. (b).)

1 12. "Ground 12" means that the request is made in bad faith for an improper purpose.
2 Propounding Party seeks to have Responding Party admit as fact that which Propounding Party
3 has no reasonable basis to believe is true.

4 III. GENERAL OBJECTIONS

5 Responding Party has not fully completed investigation of the facts relating to this case,
6 has not completed discovery concerning this case, and has not completed trial preparation. The
7 responses disclose only those contentions which presently occur to Responding Party. It is
8 anticipated that further discovery, investigation, legal research, and analysis will supply
9 additional facts, add meaning to the known facts, as well as establish entirely new factual
10 contentions and legal contentions. Therefore, the following responses are given without
11 prejudice to Responding Party's right to produce evidence of any subsequently discovered fact
12 which Responding Party may later recall.

13 IV. RESPONSES

14 Without waiving the general objections contained in Part III or the specific objections
15 contained in this part, Responding Party responds as follows:

16 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

17 Objection on Grounds 1 and 9. Without waiving the objections, the Responding Party
18 admits that the amount of water used by the Responding Party from the Zamrzla's well in 2006
19 and 2008 exceeded 25 acre-feet.

20 Dated: September 30, 2022

LeBEAU THELEN, LLP

21
22 By:



Robert G. Kuhs, Esq.

Attorneys for GRIMMWAY ENTERPRISES, INC.

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF KERN

I have read the foregoing **GRIMMWAY ENTERPRISES, INC.'S AMENDED RESPONSE TO JOHNNY ZAMRZLA, PAMELLA ZAMRZLA, JOHNNY LEE ZAMRZLA AND JEANETTE ZAMRZLAS' REQUESTS FOR ADMISSION – SET ONE** and know its contents.

XX I am the **Land Manager for Grimmway Enterprises, Inc.** 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.

Executed on September 30, 2022, at Bakersfield, California.

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

CARL F. VOSS, JR.

Type or Print Name



Signature

PROOF OF SERVICE

STATE OF CALIFORNIA)
) **SS**
COUNTY OF KERN)

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen (18) years and not a party to the within-entitled action. My business address is 5001 E. Commercenter Drive, Suite 300, Bakersfield, California 93309. On **September 30, 2022**, I served the within document(s):

GRIMMWAY ENTERPRISES, INC.'S AMENDED RESPONSES TO JOHNNY ZAMRZLA, PAMELLA ZAMRZLA, JOHNNY LEE ZAMRZLA AND JEANETTE ZAMRZLAS' REQUESTS FOR ADMISSION – SET ONE

☒ **BY ELECTRONIC SERVICE:** I caused said document(s) to be transmitted to the email address(es) of the addressee(s) designated by posting the document(s) listed above to the Antelope Valley Groundwater Cases to all parties listed on the Santa Clara Superior Court Service List as maintained via Glotrans. Electronic service completed through <http://www.avwatermaster.org>.

☐ **BY OVERNIGHT COURIER:** By causing the document(s) listed above to be picked up by an overnight courier service company for delivery to the address(es) listed below on the next business day.

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

Executed on **September 30, 2022**, at Bakersfield, California.



TILLIE CORONADO