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15 Attorneys for Plaintiff Richard Wood and the Class

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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

Coordination Proceeding
Special Title (Rule 1550(b))

ANTELOPE VALLEY GROUNDWATER
CASES

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

Plaintiff,

v.

LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 40; et al.

Defendants.

Judicial Council Coordination
Proceeding No. 4408

Lead Case No. BC 325201

Case No.: BC 391869

**EX PARTE APPLICATION FOR
SECOND AMENDMENT TO CASE
MANAGEMENT ORDER FOR
PHASE FOUR TRIAL REGARDING
PROCEDURE FOR DEPOSITIONS**

Date: February 15, 2013
Time: 9:00 a.m.
Place: telephonic

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**EX PARTE APPLICATION FOR SECOND AMENDMENT TO CASE
MANAGEMENT ORDER FOR PHASE FOUR TRIAL REGARDING
PROCEDURE FOR DEPOSITIONS**

1 On January 15, 2013, Richard Wood filed a Joint Proposed Modification to the
2 Case Management Order for the Phase Four Trial, a copy of which is attached hereto as
3 Exhibit 1. The Court did not have time to take this matter up during the hearing of
4 January 16, 2013, and continued it to February 15, 2013.

5 Consistent with the proposed modification to the CMO, Plaintiff also attaches a
6 copy of a proposed Second Amendment to the CMO.

7
8 DATED: February 13, 2013

LAW OFFICES OF MICHAEL D. McLACHLAN
LAW OFFICE OF DANIEL M. O'LEARY

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11 By: //s// Michael D. McLachlan
12 Michael D. McLachlan
13 Attorneys for Plaintiff
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Exhibit 1

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ANTELOPE VALLEY GROUNDWATER
CASES

Lead Case No. BC 325 201

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

Case No.: BC 391869

**JOINT PROPOSED MODIFICATION
TO PHASE FOUR CASE
MANAGEMENT ORDER
REGARDING PROCEDURE FOR
DEPOSITIONS**

Plaintiff,

v.

Date: January 16, 2013
Time: 9:00 a.m.
Place: Department 1 (San Jose)

LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 40; et al.

Defendants.

1 Per the Court's minute order of January 11, 2013, The United States, the Antelope
2 Valley Groundwater Agreement Association ("AGWA"), Bolthouse Properties, LLC and
3 Wm. Bolthouse Farms, Inc., Los Angeles County Sanitation Districts 14 and 20,
4 Antelope Valley-East Kern Water Agency ("AVEK"), and Richard Wood jointly submit
5 this proposed Amendment to the Case Management Order regarding the procedural rules
6 for depositions for the Phase Four trial.

7
8 The substantive proposed language for the Amendment, as set forth in the attached
9 proposed Order, is as follows:

10
11 *Amount of Notice:* No deposition will be noticed on less than 5 court days' notice.

12 *Simultaneous Tracking of Depositions:* Depositions shall not be noticed in so as
13 result in double-tracking if there is an objection filed by a party to such double-tracking
14 on or before 5 p.m. the second court day after service of the double-tracked deposition
15 notice.

16 *Scheduling:* Deposition scheduling will be coordinated through the liason
17 committee, which will designate two members as the primary points of contact for
18 scheduling. The noticing party for any deposition will notify the case manager at the
19 court reporting agency selected by the litigants (Veritext) by electronic mail of any
20 notices issued or changes to deposition dates or times within four hours of posting any
21 deposition notice. The assigned case manager at Veritext is Shay Tyler, who can be
22 reached at styler@veritext.com, or 213-623-5005.

23 *Location:* All depositions will occur in Los Angeles County, unless Veritext can
24 confirm a video link and the deposition exhibits can be made available to all interested
25 parties at least 24 hours before the start of the deposition.

26 *Scope of Depositions:* The depositions will be limited to those matters reasonably
27 related to the scope of the Phase Four trial and the evidence anticipated to be proffered by
28 the party producing the witness in question.

1 *One Deposition Rule:* The Phase Four depositions do not limit any party's ability
2 to take depositions in later phases of trial.

3 *Transcripts for trial:* The party taking any deposition shall ensure that the
4 transcript for that deposition is produced by the court reporter at least five court days
5 prior to the commencement of trial.

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7 DATED: January 15, 2013

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10 By: //s// Michael D. McLachlan

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