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Exempt from filings fees under
Government Code Section 6103

Attorney for Quartz Hill Water District
Defendant/Cross Complainant

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

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. BC325201;

Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
Superior Court of California
County of Kern, Case No. S-1500-CV-254-
348;

Wm. Bolthouse Farms, Inc. v. City of
Lancaster
Diamond Farming Co. v. City of Lancaster
Diamond Farming Co. v. Palmdale Water Dist.
Superior Court of California
County of Riverside, consolidated actions
Case Nos. RIC 353840, RIC 344436,
RIC 344668.

**Judicial Council Coordination Proceeding
No. 4408**

OPPOSITION TO "AGWA" APPLICATION
TO AMEND CASE MANAGEMENT
ORDER DATED JANUARY 16, 2013

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The Public Water Suppliers object to the self-designated "AGWA" application to amend the Case Management Order as follows:

I. THE REQUESTED ORDER TO SHOW CAUSE HEARING SHOULD NOT BE A SUMMARY JUDGMENT

AGWA's proposed order would effectively turn the Court's pending Order to Show Cause hearing into an evidentiary hearing or even a summary judgment hearing. Apparently, AGWA would have the Court deny discovery on contested material facts at issue in the next phases of trial. AGWA would deny other parties' their statutory rights to discover facts which would prejudice other parties' ability to prepare for trial.

II. Self-Serving Pre-Trial Declarations Cannot Be Dispositive Motions

The request should be denied on procedural due process grounds. The proposed case management order amendment also seeks to prevent parties from trial cross-examination. The trier of fact could not judge the witness's credibility and parties would be denied the opportunity to present evidence against the declarant's statement.

III. Good Cause should be Interpreted Liberally

The Public Water Suppliers request the Court deny AGWA's application in whole. If the court is inclined grant the application, the proposed "Good Cause" to be shown should be minimal. Just because a party offers a fact does not make that fact true. The evidence testing that proffer would typically be tested in cross-examination at deposition or trial. Therefore, "Good Cause" to dispute a proposed stipulated fact should be established simply by showing no deposition has been taken.

Respectively submitted

CHARLTON WEEKS LLP

Dated: February 28, 2013



Bradley T. Weeks
Attorney for Quartz Hill Water District

PROOF OF SERVICE

I am employed in the aforesaid county, State of California; I am over eighteen years of age and not a party to the within action; my business address is 1031 West Avenue M-14, Suite A, Palmdale, California, 93551.

On February 28, 2013, at my place of business at Palmdale, California, a copy of the following DOCUMENT(s):

OPPOSITION TO APPLICATION TO AMEND CASE MANAGEMENT ORDER

By posting the DOCUMENT listed above to the Santa Clara Superior Court website in regard to the Antelope Valley Groundwater Matter:

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

Executed on February 28, 2013



Gayle P.J. Fenald