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9 RANDALL Y. BLANEY

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF LOS ANGELES**

12 **ANTELOPE VALLEY**
13 **GROUND WATER CASES**

14 Included Actions:

15 Los Angeles County Waterworks District
16 No. 40 v. Diamond Farming Co
17 Los Angeles County Superior Court
18 Case No. BC325201

19 Los Angeles County Waterworks District
20 No. 40 v. Diamond Farming Co
21 Kern County Superior Court
22 Case No. S-1500-CV-254-348

23 VM Bolthouse Farms, Inc. V. City of
24 Lancaster, Diamond Farming Co. V. City
25 Lancaster, Diamond Farming Co v.
26 Palmdale Water Dist.
27 Riverside County Superior Court
28 Consolidated actions
Case Nos. RIC 353 840, ric 344 436, RIC
344668

CASE NO.: 1-05-CV-049053

[Antelope Valley Groundwater Litigation
(Jccp 4408)]

Complaint Filed: September 2, 2005

**DEFENDANT AND CROSS-
DEFENDANT, RANDALL Y.
BLAYNEY'S CASE MANAGEMENT
STATEMENT**

Date: January 9, 2009
Time: 1:30 p.m.
Dept. "1"

COMES NOW, defendant and cross-defendant, RANDALL Y. BLAYNEY and
hereby submits the following Case Management Statement.

Throughout this litigation Defendant has been assured that he would not be required
to actively participate in the action or suffer a prejudicial default once the various classes

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1 including the "Small Pumpers Class" were certified. Defendant was assured that once the
2 classes were certified and class notice served, he would be afforded an opportunity to opt into
3 the Small Pumpers Class, his answer would be stricken without prejudice to his rights as a
4 class member, and his rights would be defended and determined through the class process.
5 Instead litigation has proceeded on the merits. Most recently, the Court concluded the phase
6 two trial regarding hydrologic nature of the Antelope Valley.

7 It is imperative that the class notices be served as soon as possible so that the
8 Defendant and others similarly situated can be afforded the promised opportunity to opt into
9 the Small Pumpers Class and enjoy the benefit of the class action without the vulnerability
10 of interlocutory or final judgment being set aside, and, perhaps most importantly, stop
11 incurring the expense of having to generally appear.

12 For these reasons, Defendant respectfully requests that the Court direct that the class
13 notices be served forthwith and, in any event, prior to any further adjudications regarding the
14 merits of the parties' claims and defenses.

15
16 DATED: December 31, 2008

ANDREW D. STEIN & ASSOCIATES

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18 BY: 

ANDREW D. STEIN, ESQ.

19 Attorney for Defendant and Cross-
20 Defendant, RANDALL Y. BLAYNEY