

[INSERT NAME OF PARTY OR ATTORNEY]

Jean B Crail pro per

4347 Tasca Rd

Woodland Hills CA 91364

(818) 347-0690

[Insert address, phone number, fax number, and e-mail address]

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

**ANTELOPE VALLEY
GROUNDWATER CASES**

Included Actions:

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

Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
Kern County Superior Court
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.
Riverside County Superior Court
Consolidated actions
Case Nos. RIC 353 840, RIC 344 436, RIC
344 668

Judicial Council Coordination No. 4408

For filing purposes only:
Santa Clara County Case No. 1-05-CV-049053

Assigned to The Honorable Jack Komar

**MODEL ANSWER TO COMPLAINT AND
ALL CROSS-COMPLAINTS**

of Defendant

Jean B. Crail

JEAN B. CRAIN

1 I hereby answer the Complaint and all Cross-Complaints which have been filed as of this
2 date, specifically those of Antelope Valley East-Kern Water Agency, Palmdale Water District &
3 Quartz Hill Water District, Rosamond Community Services District and Waterworks District No.
4 40 of Los Angeles County. I do not intend to participate at trial or other proceedings unless
5 ordered by the Court to do so, but I reserve the right to do so upon giving written notice to that
6 effect to the Court and all parties. I own the following property(ies) located in the Antelope
7 Valley:

8 APN 3358-014-001-05

9
10 [Insert address and/or APN Number]

11
12 **GENERAL DENIAL**

13 1. Pursuant to Code of Civil Procedure section 431.30(d), Defendant and Cross-
14 Defendant hereby generally denies each and every allegation set forth in the Complaint and
15 Cross-Complaint, and the whole thereof, and further denies that Plaintiff and Cross-Complainant
16 are entitled to any relief against Defendant and Cross-Defendant.

17 **AFFIRMATIVE DEFENSES**

18 **First Affirmative Defense**

19 (Failure to State a Cause of Action)

20 2. The Complaint and Cross-Complaint and every purported cause of action
21 contained therein fail to allege facts sufficient to constitute a cause of action against Defendant
22 and Cross-Defendant.

23 **Second Affirmative Defense**

24 (Statute of Limitation)

25 3. Each and every cause of action contained in the Complaint and Cross-Complaint is
26 barred, in whole or in part, by the applicable statutes of limitation, including, but not limited to,
27 sections 318, 319, 321, 338, and 343 of the California Code of Civil Procedure.

1 water right priorities and water usage within the Antelope Valley will be *ultra vires* as it will be
2 subverting the pre-project legislative requirements and protections of California's Environmental
3 Quality Act (CEQA) (Pub.Res.C. 2100 *et seq.*).
4

5 WHEREFORE, Defendant and Cross-defendant prays that judgment be entered as
6 follows:

- 7 1. That Plaintiff and Cross-Complainant take nothing by reason of its Complaint or
8 Cross-Complaint;
9 2. That the Complaint and Cross-Complaints be dismissed with prejudice;
10 3. For Defendant and Cross-Defendant's costs incurred herein; and
11 4. For such other and further relief as the Court deems just and proper.
12

13 Dated: 9/24, 2008

Signature Jean B. Crail

Jean B Crail
[Print name of party and/or attorney]
14
15
16

17 [FILE IN LA SUPERIOR COURT AND POST ON COURT WEBSITE - FOR E-FILING
18 INSTRUCTIONS, PLEASE GO TO WWW.SCEFILING.ORG/FAQ OR CONTACT GLOTRANS
19 AT (510) 208-4775.]
20
21
22
23

24 ORANGEVDUNN32353.1
25
26
27
28