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SECTION 6103

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8
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF LOS ANGELES

BY **W**

11 Coordination Proceeding
12 Special Title (Rule 1550(b))

Judicial Council Coordination Proceeding No.
4408

13 **ANTELOPE VALLEY GROUND WATER**
14 **CASES**

For Filing Purposes Only:
Santa Clara County Case No.: 1-05-CV-049053

15 Included actions:

Assigned to the
Honorable Jack Komar, Department 17

16 *Los Angeles County Waterworks District No.*
17 *40 v. Diamond Farming Co., et al.,*
Los Angeles County Superior Court, Case No.
18 BC 325201

**PHELAN PIÑON HILLS COMMUNITY
SERVICES DISTRICT'S CASE
MANAGEMENT STATEMENT**

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

Further Case Management Conference:
Date: January 9, 2009
Time: 1:30 p.m.
Dept.: 1

22 *Wm. Bolthouse Farms, Inc. v. City of*
23 *Lancaster*
24 *Diamond Farming Co. v. City of Lancaster*
Diamond Farming Co. v. Palmdale Water
25 *District*
Riverside County Superior Court,
26 Consolidated Action, Case Nos. RIC 353840,
RIC 344436 and RIC 344668

27 **AND RELATED CROSS-ACTIONS**
28

1 Phelan Piñon Hills Community Services District ("Phelan CSD") submits the following case
2 management statement in response to the Minute Order filed by the Court on December 16, 2008
3 following the further case management conference held on November 25, 2008.

4 **Introduction**

5
6 Phelan CSD is a community services district located in western San Bernardino County. It
7 serves approximately 21,000 residents of the unincorporated communities of Phelan and Piñon Hills
8 in a 128-square-mile area, the western edge of which overlies the county line between Los Angeles
9 and San Bernardino counties.

10 One of Phelan CSD's principal ground water production wells is located with the boundaries
11 of the Antelope Valley Ground Water Basin ("Basin"), as determined by the Court in its "Revised
12 Order After Hearing on Jurisdictional Boundaries" issued March 12, 2007.

13 On December 6, 2008, cross-complainants Rosamund Community Services District and Los
14 Angeles Waterworks District No. 40 (collectively, "LA District") filed an amendment to their First
15 Amended Cross-Complaint naming Phelan CSD as Roe 624, and shortly thereafter served Phelan
16 CSD with a copy of that complaint. On or about December 30, 2008, Phelan CSD filed its cross-
17 complaint and its answer.

18 **Future Phases of Trial**

19
20 As Phelan CSD has just become a party to this adjudication, it requests a reasonable period of
21 time to retain experts and review the information generated by the Technical Committee. Phelan
22 CSD believes that a 90-day extension from the schedule proposed by LA District in its Case
23 Management Conference Statement filed November 21, 2008 would be fair and appropriate. The
24 new schedule would be:

25	April 15, 2009:	Deadline for filing expert witness reports
26	April 29, 2009:	Deadline for designating supplemental experts and filing their reports
27	April 29, 2009:	Expert depositions start
28	May 13, 2009:	Completion of expert depositions
	May 27, 2009:	Exchange of trial briefs and all exhibits
	June 10, 2009:	Date for filing limine motions
	June 29, 2009:	Start of Phase III trial

1
2 **Discovery**

3 Phelan CSD has not yet had the opportunity to review the relevant discovery completed to
4 date.

5
6 **New Issues Raised by Cross-Complaint of Phelan CSD**

7 The cross-complaint of Phelan CSD raises four new issues:

- 8 1. The water rights of Phelan CSD in the Basin;
9 2. The right of Phelan CSD to export pumped water from the Basin;
10 3. The right of Phelan CSD to capture return flows that were discharged to the ground
11 outside the Basin which then flowed into the Basin; and
12 4. More generally, the impact of this adjudication on the groundwater rights of Phelan
13 CSD and others that were adjudicated in the Judgment entered in *City of Barstow v.*
14 *City of Adelanto*, Riverside County Superior Court Case No. 208568 (the "Mojave
Adjudication").

15 **Landowner Representation**

16 Phelan CSD has no specific proposal for a liaison structure for handling landowner discovery
17 issues.

18
19
20 DATED: December 30, 2008

SmithTrager LLP

21
22 By: 

23 Susan M. Trager

24 Attorneys for Plaintiff in Intervention
25 PHELAN PIÑON HILLS COMMUNITY
26 SERVICES DISTRICT
27
28