

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

**Civil Division**

Central District, Spring Street Courthouse, Department 9

**BCV-21-101927**

**BOLTHOUSE LAND COMPANY, LLC, et al. vs ALL  
PERSONS CLAIMING A RIGHT TO EXTRACT OR STORE  
GROUNDWATER IN THE CUYAMA VALLEY  
GROUNDWATER BASIN (NO.3-013), et al.**

June 28, 2023  
10:00 AM

Judge: Honorable Yvette M. Palazuelos  
Judicial Assistant: R. Arraiga  
Courtroom Assistant: M. Tavakoli

CSR: None  
ERM: None  
Deputy Sheriff: None

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**APPEARANCES:**

For Plaintiff(s): Robert Garth Kuhs via LA Court Connect (Telephonic); Richard G. Zimmer, Esq. via A Court Connect (Telephonic)

For Defendant(s): Jeffrey V. Dunn via LA Court Connect (Video); Derek Hoffman via LA Court Connect (Video); James Lee Markman via LA Court Connect (Telephonic)

Other Appearance Notes: \*Additional Appearances for Defendant(s) Are Listed Below\*

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**NATURE OF PROCEEDINGS:** Final Status Conference

**Additional Appearances:**

Sean Hood via LA Court Connect (Video)  
R. Jeffrey Warren via LA Court Connect (Telephonic)  
Daniel Root via LA Court Connect (Telephonic)  
Amy Steinfeld via LA Court Connect (Video)  
B. Tilden Kim via LA Court Connect (Video)  
Eve W. McDonald via LA Court Connect (Telephonic)  
Christopher M. Sanders via LA Court Connect (Video)  
Thomas Thornton via LA Court Connect (Telephonic)  
Jennifer Richardson via LA Court Connect (Telephonic)  
Adrian G. Cadoppi via LA Court Connect (Video)  
Patrick Bright via LA Court Connect (Telephonic)  
Kathleen March via LA Court Connect (Video)  
Thomas Wynsma via LA Court Connect (Telephonic)  
Irene Whitcombe via LA Court Connect (Telephonic)  
Stefanie Morris via LA Court Connect (Video)  
Wendy Wang via LA Court Connect (Video)

The matter is called for hearing.

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The Court has received and reviewed the parties' Seventh Joint Status Conference Statement filed on 06/21/2023.

The Court and counsel confer in reference to withdrawal of non retained experts, status of expert depositions, status of outstanding initial disclosures, Statement of Intent to Participate at Trial, legal briefs, Petition for Writ of Mandate, Order on Application for Service by Publication, pre-trial scheduling orders, introduction of evidence at trial, continuance of Final Status Conference, submitting an amended [Proposed] Order Re: Phase One Discovery and Trial Order, cost sharing for trial, labeling of exhibits, and the overall status of the case.

On or before **07/07/2023**, parties must file a Statement of Intent to Participate at Trial (a) identifying who will personally appear and actively participate in the Phase One Trial (and on behalf of whom), and (b) describing the nature of the participation e.g., offering evidence or argument, examination/cross-examination of witnesses at trial.

Like any member of the public, parties/counsel may monitor proceedings remotely, (video/telephone) but will be muted and will not be addressed and cannot speak during trial.

The Court reporter, equipment, and transcript expenses will be shared among the parties as agreed upon by the parties. The Court will not monitor allocation issues.

The Defendant, Walking U Ranch filed a Petition for Writ of Mandate challenging this Court's order re: service by publication of some parcel owners. The Writ included a [emergency?] request for stay of action. Until the Court of Appeal issues a stay, the action continues, including the Proof of Service by publication.

The Parties who did not receive the Writ paperwork must sign up with Case Anywhere as it was served through Case Anywhere and all court notices are served through Case Anywhere.

The parties advise that no new/additional initial disclosures were served. There is a pending Hearing for a Motion to Sanction/Preclude evidence of those who did not file and serve Initial Disclosures set for 07/25/2023 at 10:00 a.m. in this Department.

The parties request to revise the Order Re: Phase One Discovery and Trial Order dated 11/28/2022 and the Court GRANTS this request. Counsel for Plaintiff will submit a [Proposed]

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Amended Order Re: Phase One Discovery and Trial Order by end of day today (06/28/2023).

The revisions for the amended order are as follows:

- 1) 07/07/2023: File Statement of Intent to Participate at Trial (a) identifying who will personally appear and actively participate in the Phase One Trial (and on behalf of whom), and (b) describing the nature of the participation e.g., offering evidence or argument, examination/cross-examination of witnesses at trial;
- 2) 07/21/2023: File Pre-Trial Motions [Except those relating to Rebuttal testimony];
- 3) 07/26/2023: File oppositions to Pre-Trial Motions [Except those relating to Rebuttal testimony]; and
- 4) 07/31/2023: Final Status Conference, Hearing on Pre-Trial Motions, Exchange Pretrial Briefs, Trial Exhibit and Witness Lists.

The Court prefers that each side presents own binders of evidence, pre-marked with Exhibit Numbers (not letters), exhibit lists, and witness lists.

The Parties are to refer to the Court's FINAL STATUS CONFERENCE AND TRIAL ORDERS signed and filed on 05/24/2023.

The above Final Status Conference is continued to 07/31/2023 at 10:00 AM in Department 9 at Spring Street Courthouse.

The Judicial Assistant to give notice to Counsel for Plaintiff Mr. Richard Zimmer who is ordered to give further and formal notice to all parties.

Clerk's Certificate of Service By Electronic Service is attached.

<b>SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES</b>		<small>Reserved for Clerk's File Stamp</small>
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012		<b>FILED</b> Superior Court of California County of Los Angeles <b>06/28/2023</b> <small>David W. Slayton, Executive Officer / Clerk of Court</small> By: <u>R. Arraiga</u> Deputy
PLAINTIFF: Ruby Land Company et al		
DEFENDANT: All Persons Claiming a Right to Extract or Store Groundwater in the Cuyar		
<b>CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6</b>		CASE NUMBER: <b>BCV-21-101927</b>

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Minute Order

entered herein, on 06/28/2023, upon each party or counsel of record in the above entitled action, by electronically serving the document(s) on Case Anywhere at www.caseanywhere.com on 06/28/2023 from my place of business, Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012

in accordance with standard court practices.

David W. Slayton, Executive Officer / Clerk of Court

Dated: 06/28/2023

By: R. Arraiga

Deputy Clerk