

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 9

BCV-21-101927

July 25, 2023

**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.**

10:00 AM

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

CSR: None
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Hearing on Motion for Sanctions Re: Failure to Comply with Initial Disclosure Order;

The matter is NOT called for hearing.

The Court's tentative ruling was issued and served on the parties via Case Anywhere on 07/24/2023.

The parties submitted to the Court's tentative ruling via the Case Anywhere message board on 07/24/2023 and 07/25/2023.

The Court now adopts its tentative **RULINGS/ORDERS RE: MOTION FOR SANCTIONS FOR FAILURE TO COMPLY WITH COURT ORDER** as the final order of the court. Said ruling is signed and filed this date and is incorporated into the case file.

The Court's ruling is as follows:

The Plaintiffs' Motion for Sanctions for Failure to Comply with Court Order filed by Diamond Farming Company, WM. Bolthouse Farms, Inc., Ruby Land Company, Lapis Land Company, LLC, Bolthouse Land Company, LLC, Grimmway Enterprises, Inc., on 06/27/2023 is Granted. The motion is **GRANTED** as to Defendant Tim Murphy only.

The Court imposes an evidence sanction that Murphy may not offer any direct or indirect evidence:

1. Regarding the quantity of groundwater extracted from the Basin by that party or its

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predecessor in interest for each of the previous ten (10) years preceding the filing of the complaint (§ 842(a)(2));

2. Relating to claims for increased or future use of groundwater (§ 842(a)(7));

3. Relating to surface water rights and contracts that the party claims provide the basis for its water right claims (§ 842(a)(9)); or

4. All other facts that tend to prove the party's claimed water right (§ 842(a)(12)).

All other requests for relief are **DENIED**, without prejudice.¹

¹ Many parties do not have Answers on file.

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.

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

Reserved for Clerk's File Stamp

COURTHOUSE ADDRESS:

Spring Street Courthouse
312 North Spring Street, Los Angeles, CA 90012

PLAINTIFF:

Ruby Land Company et al

DEFENDANT:

All Persons Claiming a Right to Extract or Store Groundwater in the Cuyar

FILED

Superior Court of California
County of Los Angeles

07/25/2023

David W. Slayton, Executive Officer / Clerk of Court

By: **R. Arraiga** Deputy

**CERTIFICATE OF ELECTRONIC SERVICE
CODE OF CIVIL PROCEDURE 1010.6**

CASE NUMBER:

BCV-21-101927

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 and FINAL RULINGS/ORDERS RE: MOTION FOR SANCTIONS FOR FAILURE TO COME entered herein, on 07/25/2023, upon each party or counsel of record in the above entitled action, by electronically serving the document(s) on Case Anywhere at www.caseanywhere on 07/25/2023 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: 07/25/2023

By: R. Arraiga

Deputy Clerk